

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 12, 1981.

* * * *

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.

- - -
81-10 The invocation was given by Pastor W.C. Ahlrich, Trinity Lutheran Church.

- - -
81-10 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -
81-10 The minutes of the meeting of February 26, 1981 were approved.

- - -
81-10 Mr. Alderete asked for a point of Personal Privilege to announce that he and his wife were about to become parents again.

- - -
81-10 PERSHING ELEMENTARY SCHOOL

Mayor Cockrell gave a special welcome to the fifth grade class from Pershing Elementary School, who were present in the audience.

- - -
81-10 ATLANTA CRISIS RESOLUTION

Mayor Cockrell stated that the hearts of all San Antonians go out to the people of Atlanta because of the deaths of a large number of black youngsters in that City. She asked Councilman Joe Webb to read the following Resolution:

A RESOLUTION
NO. 81-10-15

SUPPORTING THE PEOPLE OF ATLANTA, GEORGIA
AT THIS TIME OF CRISIS AND REQUESTING
THAT ATLANTA BE DESIGNATED A DISASTER ARFA.

* * * *

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

Mrs. Denise Crawford, President of the "San Antonio Save Our Children" Organization, urged Councilmembers and all San Antonians to attend a scheduled march and prayer rally regarding the Atlanta situation.

Mrs. Ruth Jones, of Ella Austin Community Center, congratulated Council for its Resolution and stated that the Ella Austin Community Center has established a fund to help support the investigation into the Atlanta tragedies.

March 12, 1981
mb

Mr. Archer stated that President Ronald Reagan had approved sending \$935,000 to Atlanta to help defray the costs of the investigation.

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

81-10

250TH ANNIVERSARY

Mayor Cockrell stated that San Antonio is in the midst of a celebration of the 250th Anniversary of the arrival of the City's first permanent civilian settlers from the Canary Islands.

The Clerk read the following Resolution:

A RESOLUTION
NO. 81-10-16

EXPRESSING THE APPRECIATION OF THE CITY
COUNCIL FOR THE WORK OF THE 250TH
ANNIVERSARY COMMITTEE.

* * * *

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

81-10

"FLY OVER"

Mayor Cockrell took note of a flyover of downtown San Antonio by U.S. Air Force aircraft during ceremonies at City Hall.

The Clerk then read the following Resolution

A RESOLUTION
NO. 81-10-17

EXPRESSING THE APPRECIATION OF THE CITY COUNCIL
TO THE UNITED STATES AIR FORCE FOR PROVIDING
A "FLY OVER" OF DOWNTOWN SAN ANTONIO DURING
THE 250TH ANNIVERSARY CELEBRATION ON MARCH
9, 1981.

* * * *

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

Mayor Cockrell asked Postmater John Saldana and Air Force LTC Hopkins, representing Lt. General Bennie Davis, to receive the Resolution. Mr. Saldana thanked the Council for the Resolution, speaking on behalf of himself, the 250th Anniversary Committee and General Davis.

Mayor Cockrell stated that the City has just been informed that funding has now been formally approved for the first phase of the Vista Verde South Project, establishing some \$8 million for land acquisition, relocation and demolition expenses. She then read a City news release on the information (a copy of the news release is made a part of the papers of this meeting).

City Manager, Thomas E. Huebner then provided details of the grant award and plans for first-phase work on Vista Verde South.

Mayor Cockrell thanked all who took part in the successful effort to secure the funding, including the City's Congressional delegation and City staff. She also thanked the Communities Organized for Public Service Organization (COPS) for its assistance and support.

Ms. Beatrice Cortez, President of COPS stated that her group was glad to assist in the effort, and now awaits its completion.

Mr. Archer noted that there was great fluctuation in the approval of many grants these days.

Ms. Jane Macon, City Attorney, stated that the City has received a formal letter confirming this funding.

Mrs. Dutmer stated her belief that it is wrong to utilize City Public Service monies as private funds to attract public money for the project, at the same time noting that she is still happy that the project is coming to fruition. She also stated her opposition to relocation of the CPS' headquarters building to Vista Verde South.

Mr. Thompson thanked Dr. Cisneros for his work in helping secure the grant for the project.

The City Clerk then read the following Ordinance:

AN ORDINANCE 53,490

AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO THE URBAN DEVELOPMENT ACTION GRANT AGREEMENT FOR THE VISTA VERDE SOUTH PROJECT, ESTABLISHING A BUDGET, AND APPROPRIATING FUNDS NECESSARY FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE PROJECT.

* * * *

Mr. Thompson moved to approve the Ordinance. Mr. Alderete seconded the motion. On roll call, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Wing, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; NAYS: Dutmer; ABSENT: Cisneros, Webb, Steen.

81-10 CONSENT AGENDA

Mrs. Dutmer moved that items 5-23 constituting the consent agenda be approved except for items 13 and 14 pulled for individual consideration and items 21 and 22 withdrawn from consideration. Mr. Canavan seconded the motion.

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

AN ORDINANCE 53,491

AUTHORIZING THE PURCHASE OF TWO (2)
XEROX COPIES WHICH ARE NOW UNDER LEASE
TO THE HEALTH DEPARTMENT.

* * * *

AN ORDINANCE 53,492

ACCEPTING THE LOW QUALIFIED BID OF THE
MONROE COMPANY TO FURNISH THE CITY OF
SAN ANTONIO WITH FOLDING TABLES FOR A
NET TOTAL OF \$15,110.00.

* * * *

AN ORDINANCE 53,493

ACCEPTING THE LOW BID OF MISSION
~~INTERNATIONAL~~ TO FURNISH THE CITY OF
SAN ANTONIO WITH FIREFIGHTING EQUIPMENT
(BOOSTER TRUCK) FOR A NET TOTAL OF
\$42,531.00.

* * * *

AN ORDINANCE 53,494

PROVIDING FOR MODIFICATION OF GATE NO.
4 ON THE DOWNTOWN SAN ANTONIO RIVER.

* * * *

AN ORDINANCE 53,495

PROVIDING FOR THE REPAIR OF THE TRANE
CENTRIFUGAL CHILLER FOR THE SAN ANTONIO
PUBLIC LIBRARY.

* * * *

AN ORDINANCE 53,496

ACCEPTING THE LOW QUALIFIED BID OF FOUR
SEASONS SPRINKLER SYSTEM IN THE AMOUNT
OF \$4,400.00 FOR INSTALLATION OF AN
IRRIGATION SYSTEM AT THE SAN PEDRO
PLAYHOUSE, APPROVING A CONTRACT AND
PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 53,497

AUTHORIZING EXECUTION OF FIELD ALTERATION
NO. 3 IN THE AMOUNT OF \$12,056.25 TO THE
POPLAR STREET SANITARY SEWER CONTRACT
(RELAYING 425+ FEET OF SEWER LINE)
APPROPRIATING FUNDS AND PROVIDING FOR
PAYMENT.

* * * *

AN ORDINANCE 53,498

AUTHORIZING THE CITY MANAGER TO EXECUTE
A SPECIAL WARRANTY DEED CONVEYING A TRACT
OF SURPLUS CITY OWNED PROPERTY TO S.J.

FISHER, III, TRUSTEE, FOR A CONSIDERATION
OF \$2,070.00.

* * * *

AN ORDINANCE 53,499

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS
IN THE TOTAL SUM OF \$5,955.00 IN PAYMENT
FOR EXPENSES INCURRED IN CONNECTION WITH
DE ZAVALA OAKS OFF-SITE SANITARY SEWER,
DINERSTEIN SUBDIVISION SANITARY SEWER,
NEW BRAUNFELS AVENUE OVERPASS, OLMOS
CREEK DRAINAGE #88-87, PANTHER SPRING
CREEK SANITARY SEWER, PHASE I, VISTA
DEL NORTE SUBDIVISION UNIT 2 SANITARY
SEWER AND WFLD DOS RIOS PLANT ACQUISITION.

* * * *

AN ORDINANCE 53,500

AUTHORIZING EXPENDITURE OF THE SUM
OF \$1,150.00 OUT OF SEWER REVENUE FUNDS
FOR THE PURPOSE OF ACQUIRING AN EASEMENT
TO CERTAIN LANDS; ACCEPTING THE DEDICATION
OF EASEMENTS TO CERTAIN LANDS; ALL TO BE
USED IN CONNECTION WITH CERTAIN RIGHT-
OF-WAY PROJECTS.

* * * *

AN ORDINANCE 53,501

AUTHORIZING EXECUTION OF A CANCELLATION
AGREEMENT WITH THE UNITED STATES OF
AMERICA ON SPACE AT INTERNATIONAL AIRPORT.

* * * *

AN ORDINANCE 53,502

MANIFESTING AN AGREEMENT WITH PAGE
AIRWAYS INC. TO AMEND THAT LEASE ENTERED
INTO PURSUANT TO ORDINANCE NO. 41912 OF
MARCH 8, 1973 TO REDUCE BY 10,962 SQUARE
FEET THE GROUND AREA UNDER LEASE AT
INTERNATIONAL AIRPORT.

* * * *

AN ORDINANCE 53,503

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

* * * *

81-10 Item 21, being a proposed ordinance authorizing the payment
of the Third (Final) installment on the Aggregate Premium for Fire
Insurance authorized by Ordinance 51084 was withdrawn from
consideration.

* * * *

81-10 Item 22, being a proposed ordinance authorizing Fire and
extended Coverage Insurance including Vandalism and Malicious
Mischief, covering the River Bend Garage was withdrawn from
consideration.

March 5, 1981
mb

-5-

81-10 The Clerk read the following Ordinance:

AN ORDINANCE 53,504

AUTHORIZING PAYMENT OF \$28,000 IN
ADDITIONAL ENGINEERING FEES TO G.A. PRATT
& ASSOCIATES, INC., IN CONNECTION WITH THE
ELDRIDGE DRAINAGE, 36TH, 38TH, AND 40TH
STREETS PROJECT.

* * * *

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

In response to a question by Mr. Thompson, Mr. Frank Kiolbassa, Director of Public Works explained the right-of-way, resulting in the necessity for additional engineering fees for the project. He then explained the phase planned for the project.

Mr. Thompson then expressed concern that the project is taking so long to complete.

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

81-10 The Clerk read the following Ordinance:

AN ORDINANCE 53,505

ACCEPTING THE LOW QUALIFIED BID OF ROY
MCGINNIS AND COMPANY, INC., ROY
MCGINNIS & COMPANY, A JOINT VENTURE
IN THE SUM OF \$573,139 FOR THE BEETHOVEN
HALL, PHASE II PROJECT; AUTHORIZING
THE EXECUTION OF A STANDARD PUBLIC WORKS
CONSTRUCTION CONTRACT; AND AUTHORIZING
PAYMENTS.

* * * *

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

In response to a question by Mr. Thompson, Mr. Kiolbassa stated that it will take about one year to complete this project.

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

81-10 The Clerk read the following Ordinance:

AN ORDINANCE 53,506

AUTHORIZING THE PAYMENT OF \$6,330.34
IN COURT COSTS IN CAUSE NO. SA 78 CA
419 AND SA 78 CA 421, LUPE GUERRA,
ET. AL., VS. BEXAR COUNTY HOSPITAL
DISTRICT ET.AL.

* * * *

March 12, 1981
mb

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

Mrs. Dutmer spoke to the effects of the City joining in this case, leading to this lawsuit settlement.

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

-
81-10

COOPER MIDDLE SCHOOL

Mr. Wing recognized members of the Student Council from Cooper Middle School who were present in the audience.

Mayor Cockrell asked the group to stand and be formally recognized and welcomed them to the meeting.

-
81-10 ZONING HEARINGS

24. CASE 8385 - to rezone the south 100' of Lots 19 and 20, Block 5, NCB 11969, from "B" Two Family Residential District to "R-1" Business District, located southwest of the intersection of E. Ramsey Road and Plymouth Avenue, having 140' on E. Ramsey and 323.4' on Plymouth Avenue, the "B-1" being on the south 100' of the subject property and the "B-3R" being on the remaining portion and Lots 19 and 20, save and except the south 100', Block 5, NCB 11969, 422-425 E. Ramsey Road, from "B" Two Family Residential District to "B-3R" Restrictive Business District.

Mrs. Dutmer 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 on the south property line. Mr. Thompson seconded the motion.

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

Mr. Larry C. Crow, the applicant explained his request for rezoning, and spoke to the concerns of nearby residents and having met with some of them to explain his project.

Mr. Canavan noted his concern with using "B-1" zoning as a buffer to a nearby residential area.

Mayor Cockrell stated that there was a possibility that the proponent could seek a variance from present zoning on one portion of the land in question, in order to seek approval for parking on that property.

Ms. Margaret Rogers, 503 Downshire, spoke in opposition to the rezoning, noting that she is concerned about commercial encroachment into a residential area.

Mr. Ralph Rogers, 503 Downshire, spoke to the essentially residential character of the neighborhood and stated his opposition to more commercial zoning in the area.

In rebuttal, Mr. Crow spoke to the attractiveness of the neighborhood for new commercial development, and stated that he would accept another zoning rather than the one requested, provided it

March 12, 1981
mb

would serve his parking purposes and protection for nearby citizens at the same time as a buffer.

Mr. Andy Guerrero, Planning Administrator stated that the proponent could seek a variance from the City to the present "B" zoning, in order to allow parking on the subject property.

After discussion, Mrs. Dutmer made a motion to amend the motion to grant only the requested "B-3R" on Lots 19 and 20, save and except the south 100' on Block 5, NCB 11969, leaving the current "B" Two-Family Residential zoning on the south 100'. 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, Dutmer, Wing, Thompson, Alderete, Canavan, Cockrell; NAYS: Archer, Steen; ABSENT: Webb, Eureste.

The main motion as amended prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Alderete, Canavan, Cockrell; NAYS: Archer, Steen; ABSENT: Webb, Eureste.

AN ORDINANCE 53,507

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 19 AND 20, SAVE AND EXCEPT THE SOUTH
 100', BLOCK 5, NCB 11969, 422-426 E. RAMSEY
 ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT
 TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED
 THAT PROPER PLATTING IS ACCOMPLISHED AND THAT
 A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND
 MAINTAINED ON THE SOUTH PROPERTY LINE.

* * * *

81-10 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Alderete presided.

25. CASE 8387 - to rezone Lots 4, 5, 6, and 7, Block 2, NCB 16852, 1705, 1709, 1713, and 1717 Patricia Drive, from "R-6" Townhouse District to "R2A" Three and Four Family Residential District, located northwest of the intersection of Vista Nogal and Patricia Drive, having 301.66' on Patricia Drive and 141.9' on Vista Nogal.

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

AN ORDINANCE 53,508

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, 5, 6, AND 7, BLOCK 2, NCB 16852,
1705, 1709, 1713, AND 1717 PATRICIA DRIVE,
FROM "R-6" TOWNHOUSE DISTRICT TO "R-2"
THREE AND FOUR FAMILY RESIDENTIAL DISTRICT.

* * * *

26. CASE 8356 - to rezone Lot 3, Block 9, NCB 11725, 1900 Block of Lockhill Selma Road, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the northeast side of Lockhill-Selma Road, being 210' southeast of the intersection of Baltic Drive and Lockhill-Selma Road, having 108.30' on Lockhill-Selma Road and a maximum depth of 177.90'.

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

AN ORDINANCE 53,509

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 3, BLOCK 9, NCB 11725, 1900 BLOCK OF
LOCKHILL-SELMA ROAD, FROM "A" SINGLE
FAMILY RESIDENTIAL DISTRICT TO "R-3"
MULTIPLE FAMILY RESIDENTIAL DISTRICT.

* * * *

27. CASE 8392 - to rezone a 0.726 acre tract of land out of Lot 33, Block B, NCB 8695, being further described by field notes filed in the Office of the City Clerk, in the 200 Block of Deerwood Drive, from "F" Local Retail District to "B-3R" Restrictive Business District, located 289.80' west of the intersection of Harry Wurzbach Road and Deerwood Drive, having 176.28' on Deerwood Drive and a maximum depth of 216.1'.

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 proper platting is accomplished; that a six foot solid screen fence is erected and maintained on the west property line adjacent to the resident zone along the west 115' north of property line and a one-foot non-access easement is imposed on the west 115' north of the property line fronting Deerwood Drive. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Eureste, Cockrell.

AN ORDINANCE 53,510

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 0.726 ACRE TRACT OF LAND OUT OF LOT 33 BLOCK B, NCB 8695, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 200 BLOCK OF DEERWOOD DRIVE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED; THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE WEST PROPERTY LINE ADJACENT TO THE RESIDENTIAL ZONE, ALONG THE WEST 115' NORTH OF THE PROPERTY LINE AND FURTHER PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ON THE WEST 115' NORTH OF THE PROPERTY LINE FRONTING DEERWOOD DRIVE.

* * * *

28. CASE 8357 - to rezone Lot 186, Block E, NCB 11549, in the 5800 Block of S. Horseshoe Bend, from "A" Single Family Residential District to "R-4" Mobile Home District, located on the south side of S. Horseshoe Bend, being 636.47' southeast of the intersection of Oak Knoll Drive and S. Horseshoe Bend, having 100' on S. Horseshoe Bend and a maximum depth of 198.9'.

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

AN ORDINANCE 53,511

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 186, BLOCK E, NCB 11549, IN THE 5800 BLOCK OF S. HORSESHOE BEND, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

29. CASE 8397 - to rezone Lot 8D, NCB 11166, 1114 Chavaneaux Road, from "B" Two Family Residential District to "B-3R" Restrictive Business District, located on the south side of Chavaneaux Road, being 1109.90' west of the intersection of Roosevelt Avenue and Chavaneaux Road, having 49.2' on Chavaneaux Road and a depth of 460'.

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 proper platting is accomplished. Mr. Thompson 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, Archer, Steen; NAYS: None; ABSENT: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 53,512

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 8D, NCB 11166, 1114 CHAVANEUX ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

-
-
-
81-10

VISTA VERDE SOUTH

At this time, Mayor Pro-Tem Alderete announced that the formal document awarding San Antonio some \$8 million for Vista Verde South had just been signed in Washington D.C. by Mr. Donald Dodge.

-
-
-
81-10 ZONING CONTINUED:

30. CASE 8396 - to rezone a 0.172 acre tract of land out of NCB 15679, being further described by field notes filed in the Office of the City Clerk, 13395 Wetmore Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the northwest side of Wetmore Road, being 463.83' north of the intersection of Thousand Oaks Drive and Wetmore Road, having 75' on Wetmore Road and a depth of 100'.

Mr. Wing moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Webb seconded the motion.

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

In response to a question by Mr. Steen as to whether or not a veterinary hospital requires a "B-3" zoning, Mr. Andy Guerrero, Planning Administrator, replied that it does not.

The proponent, Mr. John D. Hightower, stated that he would accept a "B-3R" Restrictive Business District zoning since it would meet his needs.

At this time, Mr. Steen made a substitute motion to grant "B-3R" Restrictive Business District in lieu of "B-3" district provided that proper platting is accomplished. Mr. Thompson 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, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

March 12, 1981
mb

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

AN ORDINANCE 53,513

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 0.172 ACRE TRACT OF LAND OUT OF NCB 15679, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13395 WETMORE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

81-10 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Canavan, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: Dutmer; ABSENT: Eureste, Cockrell.

AN ORDINANCE 53,514

GRANTING THE SAN ANTONIO CHAPTER OF THE AMERICAN HEART ASSOCIATION A WAIVER FROM THE PROVISIONS OF ORDINANCE NO. 52865 OF OCTOBER 2, 1980 SO AS TO ALLOW COLLECTION OF DONATIONS ON CITY STREETS IN CONNECTION WITH A FUND RAISING CAMPAIGN.

* * * *

81-10 The Clerk read the following Ordinance:

AN ORDINANCE 53,515

AUTHORIZING AN EXCEPTION TO THE "NO ALCOHOLIC BEVERAGE" PROVISION OF SUNKEN GARDEN THEATER POLICY ORDINANCE NO. 48169 DURING A SERIES OF 1981 EVENTS AT SAID THEATER TO BE KNOWN AS "FRIDAY NITE GARDEN PARTIES".

* * * *

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

In response to a question by Mr. Wing, Mr. Ron Darner, Director of Parks and Recreation, explained the 13-week program involved, noting that funds realized through these programs would go directly into improvements to the Sunken Garden Theater to upgrade that facility. Mr. Darner stated that the City has no obligation to pay the performers, and thus will realize full benefits from attendance and concessions.

Mrs. Dutmer spoke against the request for an exception to the Ordinance stating that she feels that the City should adhere to the terms of an Ordinance when it is enacted.

Mr. Darner then explained the several sources of revenue expected from this 13-week program, stating that most of the profit will come from admission charges rather than from concessions.

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

81-10

CITY PARKS CLEANUP

Mr. Archer noted that he had read a recent newspaper article claiming that Brackenridge Park was deteriorating. He asked if some program could be developed to utilize volunteer labor from among certain prisoners at Bexar County Jail to clean up City parks.

Mr. Darner stated that he feels that City parks are generally well-maintained, and noted that areas of undergrowth in Brackenridge Park are intentionally left in that state. He noted that it was difficult to meet all the cleanup responsibilities for City parks with the work force on hand, but stated his belief that the department generally was doing a good job of this.

Ms. Jane Macon, City Attorney, stated that the City presently has as a possible vehicle for accomplishing what Mr. Archer desires the Alternative Sentencing Program, which could possibly serve that purpose.

Mr. Thompson explained for the Council the highlights of the Alternative Sentencing Program, and expressed his concern that an escape incident involving a prisoner working on a parks cleanup project could possibly jeopardize the Program itself. He stated that he feels that the City might be able to utilize persons diverted from incarceration by the program, noting that several district judges in Bexar County already are participating in the Alternative Sentencing Program.

81-10 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Webb, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSTAIN: Dutmer; ABSENT: Wing, Cockrell..

AN ORDINANCE 53,516

WAIVING RENTAL FEES ON CERTAIN PLAZAS AND OTHER FACILITIES IN LA VILLITA DURING THE STARVING ARTISTS SHOW.

* * * *

81-10 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mr. Thompson, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Wing, Cockrell.

March 12, 1981
mb

-13-

AN ORDINANCE 53,517

ACCEPTING A GRANT OF \$20,165.00 FROM THE HERITAGE CONSERVATION AND RECREATION SERVICE IN SUPPORT OF ONE-HALF THE COST OF COMPLETING AND UPDATING A FIVE-YEAR URBAN PARK AND RECREATION RECOVERY ACTION PROGRAM; ESTABLISHING A FUND AND ACCOUNTS AND APPROVING A BUDGET FOR THE PROJECT.

* * * *

81-10LEGISLATIVE PROGRAM

The Council received a copy of the current Legislative Program printout for information purposes.

81-10 The Clerk read a proposed ordinance reappointing and appointing members to serve on the Board of Review for Historic Districts for a two (2) year term to expire November 24, 1981.

Mr. Thompson moved to approve the Ordinance. There was no second to his motion.

Following a brief discussion as to the various areas of the City represented by board appointees, Mr. Steen made a motion to postpone the ordinance until next Thursday's Council meeting. Mr. Webb seconded the motion.

Mr. Eureste spoke against the postponement.

Following another brief discussion as to the proper distribution on the board between professional and lay persons, the motion to postpone prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Alderete, Canavan, Steen; NAYS: Wing, Eureste, Thompson, Archer; ABSENT: Cockrell.

Mr. Wing then spoke to the problem of all citizens not being able to help decide on which areas of the City will be declared Historic Districts, and noted that some buildings have been declared historic and ordered preserved when in fact they were havens for derelicts and others to the detriment of the safety of persons living in these areas.

81-10 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 53,518

REAPPOINTING AND APPOINTING MEMBERS TO SERVE ON THE RIVERWALK COMMISSION FOR A THREE (3) YEAR TERM TO EXPIRE OCTOBER 6, 1983.

* * * *

The following individuals are hereby reappointed and appointed to serve on the Riverside Commission:

REAPPOINTMENT

Ernestine Rodriguez, District 5
Joel Reitzer, District 10

* * * *

AN ORDINANCE 53,519

APPOINTING MR. RANDY DYM TO SERVE AS A DIRECTOR OF THE SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE REMAINDER OF THE TWO (2) YEAR TERM OF ALLAN POLUNSKY WHO HAS RESIGNED.

* * * *

81-10 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Wing, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 53,520

APPROVING LOCATIONS FOR THE FIESTA CARNIVAL FOR FIESTA, 1981, AND CLOSING CERTAIN STREETS IN CONNECTION THEREWITH.

* * * *

81-10 COMMUNITY CORRECTIONS COMMISSION

Mr. Thompson asked for a status report on the five appointments to the Community Corrections Commission Board.

Mr. Canavan made a motion to reconfirm the City Council's five appointments to that board. Mrs. Dutmer seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

81-10 The Clerk read the following Resolution:

A RESOLUTION NO. 81-10-19

SUPPORTING ENACTMENT BY THE TEXAS LEGISLATURE OF TWO BILLS RELATING TO THE TRANSFER OF SAN JOSE MISSION STATE HISTORIC SITE TO THE NATIONAL PARK SERVICE.

* * * *

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

Mrs. Dutmer explained the purpose of the Resolution and the two pending bills in the Congress relating to the transfer of the San Jose Mission State Historic Site to the National Park Service.

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

81-10 The Clerk read the following Resolutions:

A RESOLUTION NO. 81-10-20

SUPPORTING LEGISLATION TO INCREASE THE PENALTY FOR THE OFFENSE OF PROMOTING OBSCENITY.

* * * *

A RESOLUTION
NO. 81-10-21

SUPPORTING LEGISLATION TO ADD THE
OFFENSE OF PROMOTION OF OBSCENITY TO THE
ORGANIZED CRIMINAL ACTIVITY SECTION OF
THE PENAL CODE.

* * * *

A RESOLUTION
NO. 81-10-22

SUPPORTING LEGISLATION RELATING TO THE
DISPLAY OF MATERIALS HARMFUL TO
MINORS.

* * * *

A RESOLUTION
NO. 81-10-23

SUPPORTING LEGISLATION AUTHORIZING A
LANDLORD TO TERMINATE A LEASE IF THE
PROPERTY IS USED IN VIOLATION OF LAWS
AGAINST PROSTITUTION OR OBSCENITY.

* * * *

A RESOLUTION
NO. 81-10-24

SUPPORTING LEGISLATION RELATING TO THE
OFFENSE OF DISSEMINATING HARMFUL MATERIALS
TO MINORS.

* * * *

A RESOLUTION
NO. 81-10-25

SUPPORTING LEGISLATION RELATING TO
INJUNCTIVE RELIEF TO PREVENT PROMOTION
OF OBSCENE MATERIAL.

* * * *

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

Mr. Steen explained the intent and purpose of the six Resolutions being presented for Council consideration.

Ms. Lorraine Horner, Vice-President of the San Antonio Chapter of "Citizens for Decency Through Law" stated that the legislative bills in Austin are being supported by her group and asked for Council endorsement of those Resolutions, explaining that the intent of the pending legislation is to control child pornography and child abuse in Texas.

Ms. Hattie Poole, President of the San Antonio Chapter of "Citizens for Decency Through Law" spoke in favor of the pending Resolutions in support of the pending legislation in Austin.

Mr. Wing commended the group for its efforts and spoke to their earlier appearances before City Council in the same regard. He

March 12, 1981
mb

also cited Dr. Cisneros' program to encourage writing to convenience stores in San Antonio to remove certain books from direct public view.

Dr. Cisneros stated that the efforts being made in support of the pending legislation on child pornography and child abuse were important moves and very positive.

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

- - -
81-10 Mayor Cockrell returned to the meeting and presided.

- - -
81-10 TRAVEL AUTHORIZATION - granted:

Mayor Lila Cockrell to travel to Washington D.C., from March 16, 1981 to March 17, 1981 to meet with the Secretary of HUD, George Pierce, and other top administration officials.

- - -
81-10 POLICEMEN'S AND FIREMEN'S PENSION FUND

Mr. George Noe, Labor Relations Coordinator, briefly explained to the Council that City staff had been meeting with the Fire and Police Pension Fund, and had agreed to certain changes in the fund and presented to the State Legislature for action.

City Council agreed to these changes and agreed that a resolution of support for changes to the fund would be on next week's Council agenda for action.

- - -
81-10 At this time, Mr. Eureste asked that staff schedule a "B" Session on the matter of possible incarceration of persons stopped by police and found to have no drivers license in their possession.

Mayor Cockrell asked that staff review its proposed policy with the Council at next week's "B" Session.

- - -
81-10 Mrs. Dutmer asked to have staff look into reports that persons living in the White Cedar Trailer Park, S. Flores and Lorita, reportedly are being charged more than once for the same period's utility usage. She stated that the park is on a master meter and utility charges are supposed to be shared equally by all users, but reports have been made to the contrary.

Mayor Cockrell asked the City Manager to have the Public Utilities Supervisor look into the matter and report back to Council on his findings.

- - -
81-10 DISMISSAL OF TRAFFIC TICKETS

A brief discussion then was held concerning the reports of dismissals of traffic accident cases in Municipal Court and the City policy on handling persons cited for having no driver's license.

Mayor Cockrell stated that the City Council had recently met with judges of Municipal Court and could do so again, if the Council desired.

March 12, 1981
mb

-17-

- - -
 81-10 The meeting was recessed at 3:45 P.M. and reconvened at 5:00
 P.M.
 - - -

81-10

CITIZENS TO BE HEARD

(Mayor Pro-Tem Alderete presided)

MR. RAYMOND REYNOSA

Mr. Reynosa, 1607 W. Mariposa, read a prepared statement which is on file with the minutes of this meeting.

He stated that he represents residents of the area and they are very concerned that the improvement project in the area does not include curbs nor sidewalks. He asked that money be re-allocated so that the sidewalks and curbs be constructed. He presented a petition in support of his request.

Mrs. Helen Dutmer asked that staff investigate the cost.

Mr. Reynosa responded to Mrs. Dutmer and stated that the cost would be \$21,000.00 for sidewalks and \$6,000.00 for curbs.

Mr. Archer stated that he has spoken to staff about this matter and a report should be forthcoming.

MR. WAYNETTE WELAN

Mr. Welan appeared before the City Council requesting a waiver to Ordinance 52865 and stated that the Bexar County Sheriff's reserve will be picking up donations on behalf of the Leukemia Society.

Council then concurred that a special meeting be held to consider this matter after the adjournment of this regularly called meeting.

MR. REMIGIO VALDEZ

Mr. Valdez, representing the Mexican-American Betterment Organization, commended Mr. George Noe for his participation in the weekly marches at the direction of the Council to monitor the marches.

Mr. Valdez read from a letter he had received from President Reagan on providing housing to the needy.

Mr. Valdez then presented Mr. Eureste with a Certificate of Appreciation from MABO.

MR. JOE GALLEGOS, JR.

Mr. Gallegos, Coordinator of the weekly Hector Santoscoy marches stated that a police officer in uniform had made obscene gestures at the participants at the march last week. He stated that the policeman had antagonized the marchers and had caused a possible riot.

He commended Mr. George Noe for his role as a monitor in the march.

He asked that the City Council take action against the Police Officer to reprimand him.

Mr. Rolando Bono, Assistant City Manager stated that an investigation is being made by the Internal Affairs Division of the Police Department and a report will be forthcoming.

Mr. Eureste reiterated the statements made by Mr. Joe Gallegos. He stated that they have the name of the Police Officer and also know where he lives. He stated that the Officer has lied about his role.

Mr. Bono stated that the investigation is ongoing and if there is wrongdoing, this will be reported. He assured the City Council that the investigation will be conducted expeditiously.

Mr. Gallegos stated that he will be able to provide names.

Mayor Pro-Tem Alderete asked that a report on the time-frame be sent to the City Council and also forwarded to Mr. Gallegos.

There being no further business to come before the Council, the meeting was adjourned at 5:30 P.M.

A P P R O V E D

Lela Cockell

M A Y O R

ATTEST:

Norma S. Rodriguez
C i t y C l e r k