

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 8, 1981.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro-Tem Robert Thompson in the absence of the Mayor with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN; Absent: COCKRELL.

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80-65 The invocation was given by Reverend John Beebee, St. Paul's Episcopal Church.

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80-65 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

80-65 RESOLUTION OF RESPECT

Mayor Pro-Tem Thompson read the following Resolution of Respect for Charles E. Barrera, descendant of the original Canary Island settlers to San Antonio and Honorary Consul of Spain in San Antonio:

RESOLUTION
NO.80-01-01

- WHEREAS, A life of Civic Service came to a close for Charles E. Barrera on January 4, 1981, and
- WHEREAS, Mr. Barrera was a descendant of the original Canary Islanders who came to San Antonio and one of the families who settled the Presidio De Bejar in 1716, and
- WHEREAS, He represented the Government of Spain illustriously as Honorary Consul of Spain in San Antonio, and
- WHEREAS, In 1979, the Spanish Government bestowed upon him the title of Knight Commander of the Order of Civic Merit for his leadership in organizing the Granaderos De Galvez, and
- WHEREAS, His love of San Antonio and its Spanish History, so long reflected in his many years of unselfish civic service, will be sorely missed by the people of San Antonio, who have lost a loyal and valued friend, NOW, THEREFORE:

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

- SECTION 1. That with the death of Mr. Charles E. Barrera, the City of San Antonio has lost a valuable asset to its past, present, and future.

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SECTION 2. That this City Council joins with his family and friends in their sorrow over his death and extends its sincerest sympathy and prayer of comfort to those who were near him.

SECTION 3. And it is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy thereof be presented to his family as a token of our deepest sympathy.

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

80-65 CONSENT AGENDA

Mr. Steen moved that items #3-24 constituting the consent agenda be approved with the exception of items 5, 12, 15 and 19 to be considered individually. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 53,209

ACCEPTING THE LOW BID OF SAN ANTONIO AMERICAN PRINTERS TO FURNISH THE CITY OF SAN ANTONIO WITH THE PRINTING OF SAN ANTONIO VISITORS' GUIDE AND VISITORS' MAP FOR A TOTAL OF \$58,336.00.

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AN ORDINANCE 53,210

ACCEPTING THE LOW BID OF TRIANGLE REPRODUCTIONS, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR PHOTO MECHANICAL REPRODUCTION WORK FOR THE FISCAL YEAR 1980-81.

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AN ORDINANCE 53,211

ACCEPTING THE LOW QUALIFIED BIDS OF GRIGGS INTERNATIONAL, ABBEY RENTS, AMERICAN DISTRIBUTING COMPANY, PAUL ANDERSON COMPANY FIVE STAR OFFICE FURNITURE, SMITH OFFICE FURNITURE AND WITTIGS OFFICE FURNITURE TO FURNISH THE CITY OF SAN ANTONIO WITH OFFICE FURNITURE FOR A TOTAL OF \$18,812.45.

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AN ORDINANCE 53,212

ACCEPTING THE LOW BID OF COMMUNICATION SPECIALISTS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH THE PRINTING OF

PROGRAM COVERS WITH POCKETS FOR A TOTAL OF \$3,595.00.

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AN ORDINANCE 53,213

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 7 IN THE SUM OF \$10,985 TO THE CONTRACT FOR DEMOLITION AND UTILITIES RELOCATION AT INTERNATIONAL AIRPORT WITH D.D.W. CONSTRUCTION CO.; AND APPROVING A BUDGET REVISION.

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AN ORDINANCE 53,214

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 3 IN THE SUM OF \$7,745.65 TO THE CONTRACT FOR THE SOUTH LAREDO STREET RECONSTRUCTION CONTRACT WITH J.R. RAMON & SONS, INC., & AUTHORIZING BUDGETARY TRANSFER.

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AN ORDINANCE 53,215

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 10 IN THE SUM OF \$23,855.56 TO THE CONTRACT FOR KINGSTON DRAINAGE PROJECT NO. 92 WITH A.M. VOGEL, INC., AND HOUSTON BRIDGE AND ENGINEERING COMPANY, INC.; AND APPROVING A BUDGET REVISION.

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AN ORDINANCE 53,216

AUTHORIZING PAYMENT OF ADDITIONAL ENGINEERING FEES OF \$3,956.55 TO MAVERICK ENGINEERING COMPANY, ON EAST SIDE STREET IMPROVEMENTS --NORTH PORTION; AND APPROVING A BUDGET REVISION.

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AN ORDINANCE 53,217

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS IN THE TOTAL SUM OF \$393.00 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH HERITAGE PARK SUBDIVISION, UNIT 6 DRAINAGE GREENBRIAR SUBDIVISION SANITARY SEWER, "I" STREET DRAINAGE #79, OLMOS CREEK DRAINAGE #88-87, RIVER BEND PARKING STRUCTURE 36TH STREET IMPROVEMENT AND WHISPERING OAKS TOWNHOUSE SUBDIVISION SANITARY SEWER OUTFALL.

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AN ORDINANCE 53,218

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CHARLES H. NOBLE JR., FOR REAL ESTATE APPRAISALS TO BE

MADE ON CERTAIN PARCELS FOR THE ACQUISITION
OF THE WASTEWATER FACILITIES IMPROVEMENT
PROJECT - DOS RIOS PLANT SITE.

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AN ORDINANCE 53,219

ACCEPTING THE DEDICATION OF TITLE AND/
OR EASEMENTS TO CERTAIN LANDS; ACCEPTING
THREE (3) AGREEMENTS AND AUTHORIZING THE
CITY MANAGER TO EXECUTE SAME; ALL TO BE USED
IN CONNECTION WITH CERTAIN RIGHT-OF-
WAY PROJECTS.

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AN ORDINANCE 53,220

AUTHORIZING EXECUTION OF THE SUM OF
\$52,355.00 OUT OF BOND FUNDS FOR THE
PURPOSE OF ACQUIRING TITLE TO CERTAIN
LANDS TO BE USED IN CONNECTION WITH
CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 53,221

AMENDING AND EXTENDING FOR A ONE YEAR
PERIOD THE EXISTING AGREEMENT WITH
SAN ANTONIO RIVER (PASEO DEL RIO)
ASSOCIATION FOR USE OF RIVER WALK PROPERTY
USED FOR CERTAIN FESTIVALS AND EVENTS.

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AN ORDINANCE 53,222

AMENDING THE CONTRACT WITH SAN ANTONIO
MUSEUM ASSOCIATION AS AUTHORIZED BY
ORDINANCE 43964, JUNE 27, 1974, TO
INCLUDE THE SAN ANTONIO MUSEUM OF ART.

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AN ORDINANCE 53,223

AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH ELECTRONIC BANK SYSTEMS CORPORATION
FOR INSTALLATION OF AN AUTOMATIC BANK
TELLER MACHINE IN THE TERMINAL BUILDING
AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 53,224

ACCEPTING THE HIGH BID(S) RECEIVED IN
CONNECTION WITH \$6,000,000.00 IN CITY FUNDS
AVAILABLE FOR DEPOSIT IN INTEREST-BEARING
CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 53,225

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS
MAKING OVERPAYMENTS OR DOUBLE PAYMENTS

ON 21 TAX ACCOUNTS.

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AN ORDINANCE 53,226

AUTHORIZING FORTY-FIVE MONTH CONTRACTS
WITH JACK H. CARNEY, GRANVILLE B. HUMPHRIES,
FRANK WARD AND WILLIE B. MARTINEZ FOR
THE MANAGEMENT OF MUNICIPAL GOLF COURSES.

* * * *

80-65 The Clerk read the following Ordinance:

AN ORDINANCE 53,227

ACCEPTING THE LOW QUALIFIED BIDS OF ANCIRA
WINTON CHEVROLET, INC., GILLESPIE MOTOR
COMPANY, GRANDE FORD TRUCK SALES, NORTH
STAR DODGE, AND INTERNATIONAL HARVESTER
TO FURNISH THE CITY OF SAN ANTONIO WITH
TRUCKS FOR A TOTAL OF \$2,277,819.02.

* * * *

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

Mrs. Dutmer noted that the City was spending some \$2 million with this Ordinance, but stated that there was no backup data in the Council packets.

Mr. John Brooks, Director of Purchasing and Central Supply, explained the bids involved and where the vehicles to be purchased were to be used.

In response to a question by Dr. Cisneros as to the energy efficiency of the vehicles involved, Mr. Brooks explained that these vehicles were variously equipped to operate on gasoline, diesel fuel or propane, depending upon their needs.

A brief discussion of the City program to convert City vehicles to propane then took place, during which Mr. Brooks explained that the City had almost completed its list of vehicles to be converted.

At this point, Mayor Pro-Tem Thompson was obliged to leave the meeting, and Acting Mayor John Steen presided.

Mrs. Dutmer asked for data involving all factors involved in converting vehicles to propane, and comparing diesel fuel to propane conversions.

Mr. Brooks noted that insurance experts report that propane is safer than gasoline, and he cited instances where propane was used in lieu of gasoline for power.

In response to a question by Mr. Webb concerning a program to convert police vehicles to propane, Mr. Brooks stated that the program was only three months along, and gave preliminary program results experienced thus far.

In response to a question by Mr. Webb as to the number of City vehicles converted under a conversion contract, Mr. Brooks stated that 23 light duty vehicles already had been converted to propane since the contract took effect in August 1980.

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Mayor Pro-Tem Thompson returned to the meeting and presided.

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

80-65 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,228

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION TO CONSTRUCT AN EXTENSION OF PARK ROAD NO. 39 EAST TO MISSION PARKWAY AT A COST OF \$32,000.00; AUTHORIZING PAYMENT TO THE STATE FROM 1970 GENERAL OBLIGATION DRAINAGE BOND FUNDS AND APPROPRIATING SAID AMOUNT FOR PAYMENT.

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80-65 The Clerk read the following Ordinance:

AN ORDINANCE 53,229

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY OWNED REAL PROPERTY SITUATED IN SAN ANTONIO BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE TO-WIT: THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE SAN ANTONIO RIVER CHANNEL IMPROVEMENT PROJECT, AND AUTHORIZING THE INSTITUTION AND PROSECUTION TO CONCLUSION OF EMINENT DOMAIN PROCEEDING TO ACQUIRE SUCH PROPERTY AS CANNOT BE ACQUIRED BY NEGOTIATION.

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

In response to a question by Mr. Wing, Mr. Frank Kiobassa, Public Works Director, stated that in relation to questions brought up by some residents as to costs paid for right-of-way parcels, his department had been meeting with these residents on this matter.

Following a brief discussion of right-of-way acquisition for the project, the motion prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

80-65 The Clerk read the following Ordinance:

AN ORDINANCE 53,230

EXTENDING FOR THREE YEARS A RENTAL AGREEMENT WITH MR. AND MRS. SEVERO RODRIGUEZ FOR 106 HIDALGO WALK TO OPERATE A RESTAURANT KNOWN AS "LA VILLITA CANTINA" AND PROVIDING FOR EXIGENCIES RELATED TO OPERATIONS DURING THE LA VILLITA RESTORATION PROJECT.

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

In response to a question by Mrs. Dutmer concerning the use of marble tables in the cantina. Mr. Ron Darner, Director of Parks and Recreation stated that they were in the process of being removed by the operator.

Mr. Archer stated that he felt that it was wrong to fence off the operator's property during Night in Old San Antonio during Fiesta Week.

City Manager, Thomas E. Huebner stated that a number of problems had surfaced in the contract between the City and the San Antonio Conservation Society concerning NIOSA, and that the contract was up for reconsideration in 1982. He stated that as far as the operator in question is concerned, the project to restore La Villita would probably move him to another facility in La Villita.

A brief discussion then ensued concerning access to facilities in La Villita during NIOSA, during which Mr. Darner stated that all La Villita tenants are aware of these access restrictions during Fiesta Week.

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

80-65 ZONING HEARINGS

25. CASE 8291 S.R. - to rezone Lot 1 and the west irregular 38.82' of Lot 2, Block 7, NCB 9207, 214 Rollins Avenue, from "B" Two Family Residential District to "R-3" S.R. Multiple Family Residential District for a day care center caring for over twenty (20) children, located east of the intersection of Rollins Avenue and Culebra Avenue, having 98.77' on Culebra Avenue and 137.57' on Rollins Avenue.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council. He explained that there was registered opposition from more than 20% of the homeowners within 200 feet of the property concerned; that of the 34 notices mailed out, 7 were returned in opposition.

Mr. Alderete noted that he had spoken to a number of persons concerned with the rezoning request and asked that it be postponed until City staff can present planned modifications to the Zoning Commission for its consideration, and modifications that would affect rezoning such as this particular case.

Mr. Alderete then moved to postpone this zoning case. Mr. Wing seconded the motion.

Following a brief discussion concerning whether new notices would once again be mailed to property owners within the 200 feet of the affected property. Mr. Wing withdrew his second to the motion; therefore, the motion died for lack of a second.

Mr. Dudley Davis, speaking in opposition to the rezoning request, objected to the postponement.

Mr. Thompson explained that several changes were pending that would provide new definitions that would impact some zoning procedures such as the one now under consideration.

Mr. Davis then stated that he had no opposition to postponement at this time, so long as no action to approve the pending case would be taken before the new definitions were formalized and approved.

Mr. Archer spoke against the postponement, noting that the City Council could vote on the matter and if rejected, the proponent could re-apply for the change under the new guidelines.

Mr. Alderete then moved to postpone with the understanding expressed by Mr. Davis that no changes would be made in the pending case in the interim. Mr. Canavan seconded the motion.

Responding to a question by Mr. Wing as to the ramifications of a postponement versus rejection and reapplication under the new rules, Mr. Andy Guerrero, Planning Administrator, explained the procedure that would apply in case of rejection and reapplication for rezoning, stating that it still would require a one-year wait before reapplication could take place.

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

CASE 8291 S.R. was postponed.

26. CASE 8321 - to rezone Lot 30, Block 3, NCB 13607, 303 W. Silver Sands Drive, from Temporary "A" Single Family Residential District to "R-2" Two Family Residential District, located on the northwest side of W. Silver Sands Drive, being 379' southeast of the intersection of Sayanora Drive and W. Silver Sands Drive, having 79.25' on W. Silver Sands Drive and a maximum depth of 156.49'.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 53,231

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 30, BLOCK 3, NCB 13607, 303 W. SILVER
SANDS DRIVE, FROM TEMPORARY "A" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY

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RESIDENTIAL DISTRICT.

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27. CASE 8237 - to rezone Lot 3, Block 1, NCB 13484, 4403 Vance Jackson Road, from "F" Local Retail District to "B-3R" Restrictive Business District, located on the west side of Vance Jackson Road, being 183' south of the intersection of Kerry Brook Court and Vance Jackson Road, having 182.32' on Vance Jackson Road and a depth of 275.5'.

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

Ms. Mary Taylor, 2622 Kerrybrook, asked City staff to clarify the requirement for a six foot fence along the west property line and north property line adjacent to her "R-3" zoning next door.

Mr. Andy Guerrero, Planning Administrator explained the effect of the fence and why it was ordered erected.

Ms. Taylor then asked how the rezoning request would affect drainage problems in the area since the land under consideration for rezoning was being elevated by fill.

Mr. Canavan stated that the proponent could not construct anything on the property without first solving the drainage problem.

After 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 west property line and along the north property line adjacent to the "R-3" zoning and that proper platting is accomplished if found to be necessary by the Director of Public Works. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen; NAYS: None; ABSENT: Alderete, Cockrell.

AN ORDINANCE 53,232

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 1, NCB 13484, 4403 VANCE JACKSON ROAD FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE ADJACENT TO THE "R-3" ZONING AND PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, IF FOUND TO BE NECESSARY BY THE DIRECTOR OF PUBLIC WORKS.

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28. CASE 8315 - to rezone a 25.136 acre tract of land out of NCB 15689, being further described by field notes filed in the Office of the City Clerk, in the 12700 Block of Uhr Lane, from Temporary "R-1" Single Family Residential District and "B-2" Business District to "P-1(R-3)" Planned Unit Development Multiple Family Residential District, located on the northwest side of Nacogdoches Road between Nacogdoches Road and Uhr Lane, being approximately 735' southwest of the cutback between Nacogdoches Road and Roland Drive, having 61.03 on Nacogoches Road and approximately 1600' on Uhr Lane.

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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 as to the effects of traffic in the area, Mr. Guerrero explained that the plan for the property has provisions for ingress and egress.

The proponent, Mr. Harry Jewett III, displayed a sketch-map of the property for the Council to see.

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

AN ORDINANCE 53,233

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 25.136 ACRE TRACT OF LAND OUT OF NCB 15689, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 12700 BLOCK OF UHR LANE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND "B-2" BUSINESS DISTRICT TO "P-1(R-3)" PLANNED UNIT DEVELOPMENT MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE NORTHEAST PROPERTY LINE.

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29. CASE 8303 - to rezone a 2.03 acre tract of land out of NCB 15689, being further described by field notes filed in the Office of the City Clerk, in the 12300 Block of Nacogdoches Road, from "B-2" Business District to "B-3" Business District, located on the northwest side of Nacogdoches Road, being 650' northeast of the intersection of Nacogdoches Road and Thousand Oaks Road, having 300' on Nacogdoches Road and a depth of 300'.

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

A brief discussion then ensued regarding adjustments made in the original rezoning request.

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

AN ORDINANCE 53,234

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 2.03 ACRE TRACT OF LAND OUT OF NCB 15689,
BEING FURTHER DESCRIBED BY FIELD NOTES
FILED IN THE OFFICE OF THE CITY CLERK,
IN THE 12300 BLOCK OF NACOGDOCHES ROAD, FROM
"B-2" BUSINESS DISTRICT TO "B-3" BUSINESS
DISTRICT, PROVIDED THAT PROPER PLATTING IS
ACCOMPLISHED.

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80-65 The Clerk read the following Resolution:

A RESOLUTION
NO. 80-01-02

APPROVING A REDUCTION OF A QUORUM FROM
SIX (6) DIRECTORS TO THREE (3) FOR A
MEETING OF THE CITY OF SAN ANTONIO
INDUSTRIAL DEVELOPMENT CORPORATION.

* * * *

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

Mrs. Dutmer stated that she favored replacing members of the San Antonio Industrial Development Corporation who cannot make necessary meetings, rather than reducing the number required to constitute a quorum.

Mr. Narciso Cano, Director of the Department of Economic and Employment, noted that in certain unusual cases, it was difficult to assemble a quorum of members because of the extreme short notice required to act on emergency matters. He spoke to the costs involved when persons fly into San Antonio from out of town points, expecting to have a matter acted upon, and find that no quorum exists to convene a formal meeting to act on that important matter.

Ms. Pat Mansell, Assistant City Attorney, stated that the group's bylaws provide for automatic replacement of members who have too-frequent absences, but this is not the problem.

Mrs. Dutmer spoke against lowering the requirement for a quorum to three members.

Dr. Cisneros took note of Mrs. Dutmer's concerns for fear of possible abuse of the lesser number of members required to make a quorum to act on any matter, and stated his feelings that a new notification procedure help prevent such abuse, if the resolution is approved.

Mr. Wing then made a motion to amend the original motion to provide for improved notification system for members to require that they all be notified of any meeting. Dr. Cisneros seconded the motion.

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

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

80-65 The following Ordinance was read by the Clerk and after consideration on motion of Mrs. Dutmer, seconded by Mr. Archer, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 53,235

AMENDING ORDINANCE NO. 52638 OF AUGUST 14, 1980 PERTAINING TO THE BEER CONCESSION AT THE EL MERCADO BUDFEST CELEBRATION.

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80-65 The Clerk read the following Ordinance:

AN ORDINANCE 53,236

AUTHORIZING OPERATION OF A SPECIAL TRAFFIC SAFETY ENFORCEMENT PROGRAM BY THE POLICE DEPARTMENT ENTITLED "MODIFIED SPEED STEP PROGRAM" DURING THE PERIOD FROM JANUARY 1, 1981 TO SEPTEMBER 30, 1981; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TRAFFIC SAFETY SECTION OF THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR A \$139,980.47 GRANT IN SUPPORT OF SUCH PROGRAM: ESTABLISHING A FUND, AND ADOPTING A BUDGET FOR THE PROJECT.

* * * *

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

Mr. Archer stated that he would like for the City police to once again being issuing tickets to drivers at the scene of accidents.

Deputy Police Chief, Elroy Crenwelge stated that police and Municipal Court officials were at present discussing this possibility. He noted that police already had met with the Chief Judge of Municipal Court and the Chief Prosecutor, and that group would meet again later in the month of January.

A discussion then took place concerning the possibility of increasing fines for second and third-offense traffic infractions.

Mr. Archer spoke in favor of a crackdown on drunk drivers in San Antonio.

In response to a question by Mr. Eureste as to how long City police had been involved in STEP (Selected Traffic Enforcement Program), Deputy Police Chief Crenwelge stated that the department had participated for some three years.

Mr. Eureste then noted that the City Council, by approval of this participation, had a longstanding concern in this area of law enforcement.

Mr. Thompson noted that this could be a matter for discussion when City Council and the Municipal Court judges meet in a "B" Session on January 22, 1981.

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

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

80-65 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Wing, seconded by Mr. Canavan, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen; NAYS: None; ABSENT: Alderete, Cockrell.

AN ORDINANCE 53,237

AUTHORIZING ACCEPTANCE OF A GRANT FROM
THE U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT UNDER THE UDAG PROGRAM FOR
THE TIENDAS DEL RIO PROJECT.

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80-65 The meeting was recessed at 2:44 P.M. to allow the Council to go into an Executive Session and reconvened at 5:25 P.M.

80-65

MUNICIPAL COURT JUDGE

Mr. Webb made a motion that the appointment of Mr. Albert McKnight as new Municipal Court Judge to fill the seat recently vacated by Judge Benjamin Samples, be a part of the formal "A" Session at the next Council meeting. Dr. Cisneros seconded the motion.

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

80-65

CITIZENS TO BE HEARD

MR. RODOLFO ROSALES

Mr. Rosales, 215 Bailey Avenue spoke about the many critical issues facing the Mexican-American community.

He then took exception to statements recently made against Municipal Court Judge, Albert Pena. He then spoke about racism in the City of San Antonio.

Mr. Eureste stated that he shares Mr. Rosales' sentiments in this issue. He feels that the attack on Municipal Court has resulted in a personal attack on Judge Albert Pena.

Mrs. Dutmer stated that racism should be abolished throughout the City.

REVEREND R.A. CALLIES SR.

Reverend Callies, Youth Leadership Conference for Community Progress, read a prepared statement to the City Council requesting installation of traffic signal lights at the intersection of Rice Road and W.W. White Road. (A copy of his statement is on file with the papers of this meeting.) He also presented petitions in favor of the request (Also on file with the papers of this meeting).

In response to a question by Dr. Cisneros, Reverend Callies stated that one accident occurred the first day after the installation of the traffic light at Hines and Martin Luther King Drive. However, there have been accidents since that time. He also requested that a traffic light be installed at Brooksdale and Martin Luther King Drive.

Dr. Cisneros stated that a staff report indicates their recommendation would be to widen the sidewalks in the 3200-3400 Martin Luther King Drive in lieu of installing traffic lights where Martin Luther King Drive intersects with Brooksdale and Badger Streets.

Reverend Callies reiterated the need for traffic lights because of the many accidents which occur on Martin Luther King Drive.

MR. RUBEN SANDOVAL

Mr. Sandoval addressed the City Council on the incident which occurred on Christmas Day, December 25, 1980, involving the shooting of a Mexican alien by a police officer. He expressed concern that the Police Chief will be involved in a cover-up. He feels that the City Manager should direct the Police Chief to open up the case and have a thorough investigation. He stated that the facts in this case merit a full-scale impartial investigation.

Mayor Pro-Tem Thompson expressed the City Council's concern in this case. He stated that the case is not closed.

Mr. Webb stated that Mr. Sandoval be briefed on what transpired in Executive Session on this matter.

Mr. Eureste stated that the City Manager was instructed to proceed with a policy change concerning officers involved in a fatality.

Dr. Cisneros stated that the case is definitely not closed and an investigative procedure is underway which will meet with Mr. Sandoval's approval.

Mr. Alderete asked for any media transcripts of police reports that this case was closed.

Mr. Canavan took exception to discussing what transpired at Executive Session and feels that in the future, open hearings should be held in this type of cases.

Mr. Steen concurred with Mr. Canavan's statement and objected to closed-door hearings.

Mrs. Dutmer stated that the Police Department cannot determine whether the police officer is guilty or not; but a jury will determine.

There being no further business to come before the Council,
the meeting was adjourned at 6:15 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 k