

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MARCH 15, 1979.

\* \* \* \*

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.

- - -  
79-12 The invocation was given by Mayor Cockrell.

- - -  
79-12 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -  
79-12 The minutes of the Meeting of March 8, 1979 were approved.

- - -  
79-12 ZONING HEARING

4. CASE 7485 - to rezone the alley adjacent to NCB 14072 and Lots 18 and 19, NCB 14070, amending Ordinance No. 49584 passed by City Council on July 20, 1978 by adding a stipulation for 3' and a 5' right of way dedication, adjacent to the existing 16' alley which extends into the present "R-6" zoning, and consider the removal of the present stipulation that requires a cul-de-sac at the end of Fernglen, the 5' dedication shall commence at a point opposite the center portion of Lot 5, NCB 14072 and extend northwest the length of the alley adjacent to NCB 14072 and adjacent to Lots 18 and 19, NCB 14070; with the 3' dedication commencing at a point opposite the center portion of Lot 5, NCB 14072 and extending southeast to Webb Mitchell Drive.

Mr. Gene Camargo, Planning Administrator, explained the proposed change. The Zoning Commission had recommended denial of an 8' right of way dedication. He also explained that all parties concerned were in agreement regarding the 3' and 5' dedication.

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the 3' and 5' dedication be approved and for the removal of the stipulation requiring a cul-de-sac at the end of Fernglen. 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, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 50,513

AMENDING CHAPTER 42 OF THE CITY CODE THAT  
CONSTITUTING THE COMPREHENSIVE ZONING ORDINANCE  
OF THE CITY OF SAN ANTONIO BY CHANGING THE  
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY  
DESCRIBED HEREIN AS THE ALLEY ADJACENT TO  
NCB 14072 AND LOTS 18 AND 19, NCB 14070, AMEND-  
ING ORDINANCE NO. 49584 PASSED BY THE CITY  
COUNCIL ON JULY 20, 1978, BY ADDING A STIPULA-  
TION FOR A THREE-FOOT RIGHT OF WAY DEDICATION  
FROM MITCHELL WEBB DRIVE TO A POINT OPPOSITE  
THE MIDDLE OF THE REAR PROPERTY LINE OF LOT 5,  
NCB 14072 (9327 FERNGLEN) ADJACENT TO THE  
EXISTING 16' ALLEY WHICH BORDERS THE PROPERTY  
ON THE NORTHEAST, AND A FIVE-FOOT RIGHT OF WAY  
DEDICATION ALONG THE REMAINDER OF THE ALLEY  
WHERE IT ABUTS THE SUBJECT PROPERTY AND REMOV-  
ING THE STIPULATION REQUIRING A CUL-DE-SAC AT  
THE END OF FERNGLEN.

\* \* \* \*

5. CASE 7518 - to rezone a 6.063 acre tract of land out of NCB 14699, being further described by field notes filed in the Office of the City Clerk, in the 3600 Block of Lockhill-Selma Road from "P-1(R-1)" Planned Unit Development Single Family Residential District to "P-1(R-6)" Planned Unit Development Townhouse District, located west of the intersection of Lockhill-Selma Road and Elm Creek Road; having 672.53' on Lockhill Selma Road and 573.25' on Elm Creek Road; to rezone A 4.089 acre tract of land out of NCB 14699, being further described by field notes filed in the Office of the City Clerk, in the 3600 Block of Lockhill-Selma Road from "P-1(R-1)" Planned Unit Development Single Family Residential District to "P-1(B-2)" Planned Unit Development Business District, located south of the cutback between Orsinger Road and Lockhill-Selma Road, having 198.19' on Orsinger Road, 526.26' on Lockhill-Selma Road and 85.99' on the cutback between Orsinger Road and Lockhill-Selma Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council and stated that this case requires nine affirmative votes to pass.

Mr. Pyndus made a motion to uphold the Zoning Commission's recommendation and deny the zoning change. Dr. Cisneros seconded the motion.

Neither the applicant or the representative were present in the audience.

Several persons were present to speak in opposition.

Mr. John Harris, representing the Elm Creek Homeowners Association, stated that his objections had not changed. He made reference to the minutes of the Zoning Commission meeting and asked that these objections be incorporated into the citizens' arguments.

Mrs. Margaret Reeves, representing the Park Forest Association, presented the Council with a petition of 175 signatures opposing the zoning change.

Mr. Doug Saunders Sr., developer of Elm Creek, also spoke in opposition. He stated that the general area, where the subject property lies, is a single family residential district and he asked that the present zoning remain.

Mayor Cockrell asked the group representing the neighborhood to stand and she expressed the Council's appreciation to these citizens for being present and for voicing their opinion.

After considerable discussion, the motion to uphold the Zoning Commission's recommendation for denial of the zoning change, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: None.

CASE 7518 was denied.

6. CASE 7562 - to rezone Lots 31 and 32, Block 17, NCB 1949, 1704 W. Mulberry Avenue from "B" Two Family Residential District to "B-3R" Restrictive Business District, located southwest of the intersection of W. Mulberry Avenue and N. Zarzamora Street; having 83.32' on W. Mulberry Avenue and 156.5' on N. Zarzamora Street.

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

Mr. Raul Guerra, representing Mr. Rudy C. Fernandez, stated that Mr. Fernandez is the owner of Actmatic Service Company at 1704 W. Mulberry Avenue. He pointed out the other businesses in the area and stated that the owner would be willing to erect a privacy fence around the yard to serve as a buffer to the residences. He requested the "B-3R" zoning in case the neighbors had any suspicion that he intends to serve liquor on the premises, although that is not Mr. Fernandez' intention.

Mr. Camargo informed the Council regarding the violation notice that had been issued to Mr. Fernandez for operating a business in a residential zone. He stated that staff had recommended denial because the existing development is purely residential.

There was considerable discussion regarding the proposed use of the property.

Mr. Earl S. Post, Attorney representing Mrs. Frances McCarthy, Mr. Otto Rossi, and Mrs. Alma Kleak, who were not able to be present, described the area as being residential and if the zoning change is granted, the traffic problem would increase, creating hazards to the elementary school located nearby.

In rebuttal, Mr. Guerra stated that Mr. Fernandez would not contribute to the traffic problem because he has not asked his customers to come to his place of business. He does not sell any equipment from this location. He stated that the traffic already existed because of the other businesses located one block away on Fredericksburg Road, which is completely commercial.

After discussion, Mr. Alderete made a motion for a 90 day postponement in order to see if anything could be worked out between the neighbors and the applicant. Mr. Eureste stated that he would second the motion in order to allow the applicant time to move out of the subject property.

Mr. Pyndus spoke against the motion. He spoke in favor of the residents because of the elementary school located nearby and the very few businesses already existing in the area.

Mr. Steen made a substitute motion to uphold the Zoning Commission's recommendation and deny the zoning change, but to allow the applicant 120 days to move out of said premises. Mr. Pyndus seconded the motion.

Mr. Alderete asked staff to investigate the other businesses in the area and make sure that there is no other violation of zoning in this area.

After considerable discussion, the substitute motion to deny the rezoning and allow him 120 days for him to move out of the area, carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Pyndus, McDaniel, Steen, Cockrell; NAYS: Dutmer, Alderete; ABSENT: Ortiz.

CASE 7562 was denied.

7. CASE 7618 - to rezone the south 150' of the west 90.2' of Lot 25, NCB 11887, 249 W. Sunset Road, from "B-1" Business District to "B-3" Business District, located northeast of the intersection of Everest Street and W. Sunset Road, having 150' on Everest Street and 90.2' on W. Sunset Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council. He also stated that because there is 20 percent opposition, nine affirmative votes would be needed to overrule the Zoning Commission's recommendation to deny the zoning change.

Mr. Ed Beck, the applicant, stated that the property is presently being used as a cosmetic shop. He is proposing to use the rear portion as a rental or small hardware shop. He stated that he would be agreeable to a "B-3R" zoning.

R.W. Noel, who lives next door to the applicant, stated that he had no objections to a zoning change that would not harm the day care centers or would be dangerous to the children of the area. His only request was that the zoning granted for this property, not allow the sale of alcohol.

Lou Ellen, the Regional Director of La Petite Day Care Center, also stated that he did not want a zoning change that would allow the sale of alcohol.

Jake Eastman, a resident of the neighborhood stated that anything higher than a "B-1" zoning would be detrimental to the neighborhood because of the two day care centers and the children that attend the elementary school nearby.

After discussion, Mr. Steen made a motion to grant the zoning change to "B-3R", provided that a six foot solid screen is erected and maintained along the east property line. Mr. Eureste seconded the motion.

Col. Raymond C. Brake, spoke to the City Council and made reference to a zoning case three or four years ago regarding a similar request that was denied by the Zoning Commission. Col. Brake stated that his main concern was the dangerous corner that is on a downhill incline and there are two day care centers in the area which would entail more parking and more traffic.

In regards to the zoning case as mentioned by Col. Brake, Mr. Beck stated that he had come before the City Council and had requested a "B-2" zoning in this area but that Council had recommended against it, therefore he had to settle for a "B-1" zoning.

Mr. Pyndus made a substitute motion to deny the zoning change. The motion died for a lack of a second.

Mayor Cockrell asked staff to report on the previous case on the "B-1" zoning as mentioned by Col. Brake.

Mr. Camargo, read the minutes of September 18, 1975 in which Mr. Billa made a motion to rezone this case to "B-1". Mr. Pyndus seconded that motion.

After further discussion, the vote on the motion to rezone this property, "B-3R" failed to carry by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Alderete, McDaniel, Steen, Cockrell; NAYS: Pyndus; ABSTAIN: Ortiz; ABSENT: Cisneros. The motion failed.

Mr. Pyndus made a motion to reconsider the vote. Mr. Alderete seconded the motion. On roll call, the motion to reconsider carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: Webb; ABSENT: None.

After considerable discussion, Mr. Steen moved that the "B-3R" zoning be granted, provided that a six foot solid screen fence is erected and maintained along the east property line. Mr. Eureste seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, McDaniel, Steen, Cockrell; NAYS: Pyndus; ABSENT: None.

#### AN ORDINANCE 50,514

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 AS THE SOUTH 150' OF THE WEST 90.2' OF LOT 25, NCB 11887, 249 W. SUNSET ROAD, FROM "B-1" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

\* \* \* \*

8. CASE 7612 - to rezone Lots 13, 14, 15, 24, 25, 26, and the east 21.67' of Lot 23, Block 19, NCB 8334, 2201 Cincinnati Avenue from "D" Apartment District and "F" Local Retail District to "B-3R" Restrictive Business District, located on the west side of Epworth Street between W. Ashby Place and Cincinnati Avenue, having 300.74' on Epworth Street, 129.99' on W. Ashby Place and 151.66' on Cincinnati Avenue.

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

Mr. Walter Baumann, the applicant, stated that he was requesting the change in zoning in order to expand his place of business and he would be willing to erect a privacy fence to protect the neighbors.

Mr. Camargo explained the staff's recommendation. He stated that staff was recommending denial of the "B-3R" zoning on lots 13-15 and approval of the "B-3R" zoning on the remaining portion, with a non-access easement along the north line of lots 24-26, the east 21.67' of Lot 23.

Mr. Baumann stated that he would agree to the recommendation, although he could not expand his place of business as much.

Councilwoman Dutmer announced that she would be disqualifying herself from voting on this case.

Mr. Martin Ybarra, a resident on Ashby Street stated that this is a quiet neighborhood and he was not against the building on the side of Cincinnati but against the business being erected on Ashby Street.

Mayor Cockrell clarified that the property facing Ashby Street would not be rezoned, only the property facing Cincinnati. She asked if Mr. Ybarra would object to this change.

In response to the Mayor's question, Mr. Ybarra stated that he would be in favor of the staff's recommendation.

Mr. Lozano, Chief Engineer for Channel 12, representing twelve families of the neighborhood, stated that the house on the corner of Epworth and Ashby Street was being turned into a parking lot with a chain link fence. His main concern was that the zoning goes with the land, and if the applicant should decide to vacate the premises, what would happen to this piece of property.

After discussion, Mr. Steen made a motion to uphold the recommendation of the Zoning Commission and grant the zoning change, provided that a non-access easement is imposed along the east property line of Lot 26. Mr. Alderete seconded the motion.

Mr. Isaac Anton also spoke in opposition, stating that the zoning change to "B-3R" would be downgrading the neighborhood.

Mrs. Cecilia Zertuche, a resident of W. Ashby Street spoke in opposition. She stated that Mr. Baumann's plans were to operate an enclosed business. She also stated that Mr. Baumann could not operate this kind of business without the full use of Epworth Street and the neighbors cannot use this street, unless they want to risk someone backing into them. She mentioned the neighbors' objections regarding the testing of cars done on this street.

In response to Mr. Alderete's question, Assistant City Attorney, Tom Finlay, stated that there is an Ordinance against the storage of automobiles on a public street. The street can be used as a temporary parking, unless there are "no parking signs." An automobile would be allowed parked on a public street for no more than 8 hours.

Mr. Eureste asked the Traffic and Transportation Department to erect "No Parking Signs" on Ashby Street and provide a non-access easement on Epworth.

Mr. Steen stated that Mr. Baumann could go to the Board of Adjustment to get a variance that would allow him to park his employee's cars or his customer's cars on the property facing Ashby.

After considerable discussion, the motion to grant the zoning change carried by the following vote: AYES: Cisneros, Webb, Wing, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: Eureste; ABSENT: Dutmer, Ortiz.

AN ORDINANCE 50,515

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 24, 25, 26, AND THE EAST 21.67' OF LOT 23, BLOCK 19, NCB 8334, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE EAST PROPERTY LINE OF LOT 26.

\* \* \* \*

9. CASE 7313 S.R. - to rezone Lot 216, Block 17, NCB 11112, 642 Gillette Boulevard, from "B-1" Business District to "B-3R" Restrictive Business District, located on the south side of Gillette Boulevard, being 430' west of the intersection of Commercial Avenue and Gillette Boulevard, having 217.8' on Gillette Boulevard and a maximum depth of 400'.

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.

Mr. Pyndus spoke against the motion to rezone the property to "B-3R".

The applicant stated that the school district in the area was in favor of a bicycle motocross as long as there was no sale of alcohol. This would be in operation on Saturday and Sunday evenings. It is designed for children from the ages of five to seventeen.

After considerable discussion, Mr. Steen moved to uphold the recommendation of the Zoning Commission, provided that proper platting is accomplished. 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, Ortiz, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 50,516

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 216, BLOCK 17, NCB 11112, 642 GILLETTE BOULEVARD FROM "B-1" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, FOR A MOTOCROSS TRACK, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

\* \* \* \*

10. CASE 7610 - to rezone Lot 10 and the east 6.06' of Lot 9, Block 30, NCB 392, 315 E. Evergreen Street, from "D" Apartment District to "B-1" Business District, located on the north side of E. Evergreen Street, being 112.12' west of the intersection of E. Evergreen Street and Paschal Street, having 62.12' on E. Evergreen Street and a depth of 167.7'.

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. Eureste 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, Ortiz, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 50,517

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 10 AND THE EAST 6.06' OF LOT 9, BLOCK 30, NCB 392, 315 E. EVERGREEN STREET FROM "D" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT.

\* \* \* \*

11. CASE 7616 - to rezone Lot 1, Block 1, NCB 13560, 1711 N.E. Loop 410 Expressway from "F" Local Retail District to "B-3R" Restrictive Business District, located northwest of the intersection of Brookhaven Drive and N.E. Loop 410 Expressway, having 175' on Brookhaven Drive and 190' on N.E. Loop 410 Expressway.

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

In response to Mr. Pyndus' question, Mr. Camargo explained the staff's reasoning for approving the rezoning.

Mr. Adolph Spitta, representing the applicant, Mr. Harold Rinn, stated that they will be enclosing the building and it will cost them approximately \$40,000.00. This proposal will enhance the area and will be built to specifications. He asked that City Council approve the rezoning.

Mr. Steen read a letter from a person who lives in the area, in opposition to the zoning change, stating that the property looked like a junkyard.

Mr. S. Mack Murray, representing the Bexar County Savings, spoke in opposition. He showed slides of the subject property. He stated that there is much outside storage. He displayed a plan on what Bexar County Savings plans to do with the property. He asked the City Council to deny the request for zoning.

In response to Mr. Eureste's question, Mr. Camargo stated that Atlas Transmission has been cited for operating an auto repair shop in a "F" Local Retail District, which does not allow this kind of use.

A discussion then took place on the matter of the zoning violations.

Mr. Allan Manka, representing the Catholic Life Insurance Union, 1635 N.E. Loop 410, stated that he owns property adjacent to the property in question. He distributed pictures of the property to the City Council members and asked that rezoning of this property be denied. The plans for this property are to build a similar building of a \$4 or \$5 million cost.

Mr. Lloyd Tholen stated that he intends to build a residence in the area and is also opposed to the zoning change.

Mr. Michael Belz, Manager of the Crossroads Building, also spoke in opposition to the zoning change.

Mr. Gerard Haddox, resident of Hitching Post Road, spoke in opposition. He stated that his main concern was for the safety of the children in the area because of the road testing done day after day by the Atlas Transmission people.

Mr. Boyd Cook, with Bexar County Savings, told of his proposed plans to erect an office building in the near future. However, his plans would be abandoned, if City Council would decide to grant the zoning change.

In rebuttal, Mr. Spitta stated that he would be erecting a building that would comply with the regulations. In response to Mayor Cockrell's question, Mr. Spitta stated that he doesn't know why his client was operating in violation.

Staff clarified the types of uses allowed under this type of zoning.

After discussion, Mr. Pyndus then moved to close debate. Mr. McDaniel seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Dutmer, Pyndus, McDaniel, Steen, Cockrell; NAYS: Cisneros, Webb, Eureste, Ortiz, Alderete; ABSENT: Wing.

Councilwoman Dutmer made a substitute motion to approve the change in zoning. The motion died for a lack of a second.

After further discussion, Mr. Pyndus made a motion to deny the change in zoning. Dr. Cisneros seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Pyndus, McDaniel, Steen, Cockrell; NAYS: Webb, Wing, Eureste, Ortiz, Alderete; ABSENT: None.

CASE 7616 was denied.

79-12

CITIZENS TO BE HEARD

COPS DELEGATION

Mrs. Sonia Torres, COPS, spoke to the Council regarding the workmanship of the three subdivisions, Corte Del Sol, Alameda and Patton Park, developed by H.B. Zachry. She also made reference to the tour taken by several Council members of the subdivisions. Mrs. Torres also stated that the City's Boards and Commissions are controlled by developers.

Mrs. Irma Davila spoke to the Council and stated that the homes in these subdivisions were very poorly constructed.

Mrs. Virginia Valdez, St. Leonard's COPS, stated that the citizens of these three subdivisions are the victims of Zachry's experimental modular homes.

Mrs. Carmen Badillo, President of COPS, stated that City inspections have made statements that the problems are due to poor maintenance. She stated that this is not so, but that the problems are caused by the poor construction. She stated that they want a meeting with H.B. Zachry to discuss these problems.

March 15, 1979

-8-

mdg

Mr. Rudy Ortiz, Chairman of the Housing Task Force, stated that Mr. Zachry has agreed to meet with members of the Housing Task Force, City Staff and a representative from each of the three subdivisions. The meeting is scheduled for 10:00 A.M., March 22, 1979 in the "B" Room.

Mrs. Badillo stated that representatives from COPS want to be present at the meeting. Mrs. Badillo also stated that the following steps be taken by the Council until this meeting materializes: 1) That no new City contracts be awarded to H.B. Zachry; 2) immediate inspection of all homes constructed by Zachry within the past five years, and 3) that the City Council adopt a new plumbing code by April 1, 1979.

Mayor Cockrell thanked Mr. Ortiz for his work on the Housing Task Force and announced that the meeting with H.B. Zachry has been scheduled.

79-12 At this point in the meeting, 5:50 P.M., the Council recessed to go into Executive Session and reconvened at 6:20 P.M.

79-12

CITIZENS TO BE HEARD (Cont'd)

MR. E.L. RICHEY

Mr. E.L. Richey spoke to the Council regarding the expansionist movement of oil companies into other sources of energy. (A copy of Mr. Richey's statement is on file with the papers of this meeting.)

MR. KARL WURZ

Mr. Karl Wurz read a prepared statement regarding the South Texas Nuclear Project and also relating to different articles on the Commonwealth Edison Nuclear Plant. (A copy of Mr. Wurz' report is on file with the papers of this meeting.)

MS. CORAL RYAN

Ms. Coral Ryan spoke regarding the elimination of some CETA position with the Homemaker Services Program of Family Services Association. She is very concerned about the number of people who will be left without any type of help because of this action. She then proceeded to read a letter to the Council from an individual who had been assisted by the Homemaker Services.

Mayor Cockrell explained that the City Council had already acted on this matter and asked them to be ready for their proposal to be submitted in June.

Mr. Eddie Garcia, Assistant Director of CETA Programs Management, explained the process of the bidding and the pre-bid conference held. He also explained the reasons why this proposal was declared ineligible.

MR. RAYMOND RESCH

Mr. Raymond Resch stated that his only help has been from the Homemaker Services Program and asked the Council to reconsider and grant the the necessary CETA positions.

Mr. Eureste also explained that the federal government in Washington D.C. had changed the rules and reviews, and decisions had to be made immediately.

March 15, 1979

-9-

mdg

243

A discussion then took place on the matter, after which it was the Council's consensus that the staff be directed to work with the 40 households who were affected.

MR. RALPH MOYA

Mr. Ralph Moya with the Family Services Association, explained that they were misinformed by the City staff about the proposal they submitted.

MRS. ARMANDINA SALDIVAR

Mrs. Armandina Saldivar spoke to the Council about a number of different subjects. She also made reference to the Council about the alleged actions of the City Manager.

79-12 At this point in the meeting, the Council concurred with suspending the rules for Citizens To Be Heard and decided to consider the remaining items on the agenda.

79-12 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, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Dutmer.

AN ORDINANCE 50,518

ACCEPTING THE HIGH BIDS FROM CERTAIN BANKS RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

\* \* \* \*

AN ORDINANCE 50,519

SETTING A PUBLIC HEARING FOR CONSIDERATION OF DESIGNATION OF THE PASEO BUENA VISTA URBAN RENEWAL PLAN.

\* \* \* \*

AN ORDINANCE 50,520

AMENDING CITY COUNCIL ORDINANCE NO. 50204 PASSED ON DECEMBER 21, 1978, SO AS TO MODIFY THE MEMBERSHIP OF THE PRIVATE INDUSTRY COUNCIL (PIC) AND TO PROVIDE STAFF SUPPORT FOR THE PRIVATE INDUSTRY COUNCIL.

\* \* \* \*

AN ORDINANCE 50,521

ACCEPTING THE PROPOSAL OF NARIS, INC., FOR PROFESSIONAL SERVICES TO DEVELOP, PREPARE, AND COORDINATE A PUBLIC PARTICIPATION PROGRAM FOR THE 201 WASTEWATER FACILITIES PLAN DURING THE STEP 2, DESIGN PROCESS; APPROPRIATING \$13,000 FOR SUCH PURPOSE; AND AUTHORIZING PAYMENT THEREOF.

\* \* \* \*

AN ORDINANCE 50,522

AUTHORIZING PAYMENT OF \$144,688.72 TO SAN ANTONIO DEVELOPMENT AGENCY FOR REIMBURSEMENT OF ELIGIBLE EXPENSES INCURRED IN THE ALAMO PLAZA-PASEO DEL RIO LINKAGE PROJECT.

\* \* \* \*

AN ORDINANCE 50,523

AUTHORIZING AND APPROVING THE SETTLEMENT OF THAT CERTAIN LAWSUIT STYLED DONALD L. PETERSON V. CITY OF SAN ANTONIO C.A. NUMBER SA 74-CA-324.

\* \* \* \*

AN ORDINANCE 50,524

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO RECONDITION CERTAIN STREETS UNDER THE 1977-78 URBAN SYSTEM PROGRAM IN THE SAN ANTONIO URBANIZED AREA AT AN ESTIMATED COST OF \$714,800.00 SUPPORTED FROM 1976 FEDERAL AID HIGHWAY ACT FUNDS; AUTHORIZING PAYMENT OF \$6,800.00 TO THE STATE FOR A CITY PORTION OF THE WORK AND \$1,700.00 FOR CONTINGENT EXPENSES; AND ESTABLISHING A FUND AND BUDGET.

\* \* \* \*

79-12 The Clerk read the following Resolution:

A RESOLUTION  
NO. 79-12-21

DECLARING SUPPORT FOR THE TEXAS FARM WORKERS MARCH FOR EQUALITY FROM MULESHOE TO AUSTIN, TEXAS AND FOR H.B. 227 ALLOWING COLLECTIVE BARGAINING RIGHTS FOR FARM WORKERS.

\* \* \* \*

Mr. Alderete moved to approve the Resolution. Mr. Wing seconded the motion.

Dr. Cisneros spoke in favor of the Resolution and stated that collective bargaining will increase the farm workers wages.

Mr. Pyndus spoke against the motion.

On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete; NAYS: Pyndus, McDaniel, Steen; ABSENT: Dutmer; ABSTAIN: Cockrell.

79-12 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Wing, seconded by Mr. Webb, was passed and approved by the following roll call vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Dutmer.

A RESOLUTION  
NO. 79-12-22

AUTHORIZING AND DIRECTING THE LEGAL DEPARTMENT TO PURSUE ALL NECESSARY LEGAL REMEDIES AVAILABLE CONCERNING MAINTENANCE OF RAILROAD CROSSINGS.

\* \* \* \*

79-12CITIZENS TO BE HEARD (Cont'd)MR. ROBERT SALAZAR

Mr. Robert Salazar spoke to the Council regarding his disagreement with SANYO. He stated that he needs a job.

Mr. Alex Briseno, Assistant to the City Manager, explained that this case has been through the grievance procedure and a final decision should be made at the prime sponsor's level very shortly. If this does not satisfy Mr. Salazar, he can address the matter to the Department of Labor.

MR. MICHAEL NOVAK

Mr. Michael Novak and Mr. Glen Miller, Members of the Electrical Board, stated that they took exception to statements which were printed in the newspapers and attributed to Councilman Eureste. He stated that they are concerned about the general accusations made regarding electrical inspections.

Mr. Eureste stated that he had made reference to the Plumbing Board and Plumbing Inspections, not the Electrical Board.

MR. STEPHEN MANIHAN

Mr. Stephen Manihan, Vice President of Concerned Athletics for Action, asked the City Council to waive the fee for rental of the arena and also the surety bond required. They stated that they will be playing a Pro-Basketball game and the proceeds will go towards programs for children.

Mr. Bill Franklin, former Spurs player, also spoke on the matter.

They were advised to present their proposal to the staff for a review and report back to City Council.

MR. JOSE MARQUEZ

Mr. Jose Marquez, Community Alcohol Treatment Programs, spoke about their program and the number of people they serve. They stated that their program was under the E.O.D.C. and asked if it were possible for the City to continue the funding for their program.

Mr. Rolando Bono, Assistant to the City Manager, stated that EODC Transaction Team will meet with Mr. Marquez and work on the matter with him. A report will be forthcoming to the Council.

79-12 The Clerk read the following Letter:

March 12, 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.

March 15, 1979  
mdg

March 6, 1979

Petition submitted by Albert W. McKnight, requesting a franchise to operate a limousine service in the City of San Antonio.

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

79-12 There being no further business to come before the Council, the meeting was adjourned at 7:40 P.M.

A P P R O V E D

*Lela Cockrell*

M A Y O R

ATTEST:

*G.V. Jackson, Jr.*  
City Clerk

March 15, 1979

mdg

247

-13-