

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 16, 1981.

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

81-18 The invocation was given by Reverend Jim Khoury, St. George Maronite Catholic Church.

81-18 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

81-18 The minutes of the regular meeting of April 2, 1981 and the special meeting of April 6, 1981 were approved.

81-18 FIESTA SAN ANTONIO COMMISSION

Mayor Cockrell recognized the presence in the audience of a group of citizens from the Fiesta San Antonio Commission, and called upon Mr. Davis Burnett, Executive Director, Fiesta San Antonio Commission, to speak.

Mr. Burnett then introduced Mrs. Alex Thomas, Jr., President of the Commission, who stated that the Commission had Fiesta medals to present to members of the City Council, City Clerk and City Manager.

Mayor Cockrell then recognized Councilman Joe Webb, Chairman of the City Council Fiesta Week Coordinating Committee, who in turn thanked the Fiesta San Antonio Commission for its hard work in bringing Fiesta Week activities to the city.

Members of the Fiesta San Antonio Commission then presented Fiesta Medals to the Council and others.

81-18 EL REY FEO

Mayor Cockrell recognized the presence in the audience of El Rey Feo, Mr. Logan Stewart, and members of his court, who approached the Council preceded by mariachis playing a song.

Mayor Cockrell welcomed Mr. Stewart and members of his court, noting that El Rey Feo now presides over Fiesta Week's newest parade.

Mr. Stewart then presented Mayor Cockrell with a bouquet of flowers. Individual members of City Council were presented special medals and official greetings from El Rey Feo. Special medals also were presented to other City officials present in the Council chambers, and to staff members of the Office of the City Clerk and City Council.

El Rey Feo then recited a poem specially written for the occasion, extolling the city of San Antonio and its multi-ethnic history.

El Rey Feo and members of his court then thanked the Council for its help and assistance.

81-18

KTSA/CITY PARKS & RECREATION "FRONTYARD" PROGRAM

Mayor Cockrell recognized Mr. Bruce Hathaway, KTSA Radio, who explained the joint program to utilize Sunken Garden Theater on Saturday, April 18, 1981 as the site of an Easter Egg Hunt for San Antonio children.

Mr. Hathaway presented Mayor Cockrell with an Easter bonnet, and Mayor-elect Henry Cisneros with a special Easter hat.

Assisted by the Easter Bunny and staff members of the City Parks & Recreation Department, Mr. Hathaway then presented live Easter bunnies to members of the City Council.

81-18 ZONING HEARINGS

5. CASE 8417 - to rezone Lot 28, Block 79, NCB 2794, being 1538-1542 W. Hildebrand Avenue, from "O-1" Office District to "B-1" Business District, located on the south side of Hildebrand Avenue, being 50' east of the intersection of Neer Avenue and Hildebrand Avenue, having 100' on Hildebrand Avenue and a depth of 107.63'.

The Zoning Commission has recommended denial of the requested "B-3" Business District rezoning and the approval instead of "B-1" Business District zoning.

Mr. Andy Guerrero, Zoning Administrator, stated that 44 notices were mailed out by City staff, with 17 being returned in opposition to the requested "B-3" and 2 being returned in favor. He further stated that 9 affirmative votes of the City Council would be required to approve the requested "B-3" zoning.

Ms. Helen Guerra, 2610 West Avenue, realtor, explained the requested rezoning, noting that the proponent has agreed to yield to opposition to the requested "B-3" zoning and would agree to amend the request to seek only a "B-2" zoning, instead, which would still meet the needs of the proposed purchaser of the property. She also spoke to the presence of other commercial zoning in the immediate area.

Mr. Guerrero stated that in order to grant any other zoning other than B-1, which was recommended by Zoning Commission, would require 9 affirmative votes of City Council.

A brief discussion then took place relative to the proceedings of this particular case before Zoning Commission.

Mr. Roland Boysen, owner of the property, spoke to the requested zoning and a brief resume of parking in the immediate area.

Ms. Melba C. Kelly, 1531 West Hildebrand Avenue, speaking in opposition to the request, stated that she also was speaking for a number of other neighbors who opposed the "B-3" rezoning request, and asked City Council to retain the character of the neighborhood. She distributed photographs of alleged auto repair usage of subject property, in contradiction to established zoning laws.

In response to a question by Mr. Alderete, Ms. Kelly stated that she had no objections to a "B-1" zoning or perhaps even to a "B-2".

Ms. Dorothy Martinez, 1527 West Hildebrand Avenue, spoke against the request for "B-3" and also stated her objections to "B-2", once its allowed uses were explained by Mr. Guerrero, Zoning Administrator.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be denied and that "B-2" zoning be approved on the property, provided that a 6' solid screen fence be erected and maintained along the south property line. Mr. Thompson seconded the motion.

Mr. Alderete then made a Substitute Motion that the recommendation of the Zoning Commission for approval of "B-1" zoning be approved provided that a 6' solid screen fence be erected and maintained along the south property line. Mr. Archer seconded the motion.

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

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

AN ORDINANCE 53,636

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 28, BLOCK 79, NCB 2794, AT 1538-1542 WEST HILDEBRAND AVENUE, FROM "O-1" OFFICE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

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CITY COUNCIL PHOTOGRAPH

81-18 Mayor Cockrell declared a brief recess so that a formal photograph of the City Council could be taken at this time.

6. CASE 8405 - to rezone Lot 20 and the east 34' of Lot 19, Block 3, NCB 1795, being 3301-3303 North Flores Street, from "D" Apartment District to "B-1" Business District, located northwest of the intersection of Agarita Avenue and North Flores Street, having 84' on Agarita Avenue and 125' on North Flores Street.

The Zoning Commission has recommended denial of the requested "B-1" Business District zoning.

Mr. Rey Lopez, Department of Economic and Employment Development, stated that the department's One-Stop Business Service supported the requested rezoning because many restorations are planned, there are other businesses located nearby, municipal taxes will increase on the property and more local jobs will be created through the planned use of the property as a beauty shop.

Mayor Cockrell noted that in this instance, one City department was in favor of the rezoning, while another City department was against it.

Mr. Thompson stated his concern for the propriety of DEED becoming involved in this case.

Mr. Archer stated that he takes exception to the comments of the commercial character of this area, since he is very familiar with it, and the area is predominantly residential in character.

Ms. Herlinda Fernandez, 3303 North Flores Street, spoke in favor of the rezoning for establishment of a beauty shop, and her near-future graduation from beauty school. She also spoke to other businesses in the immediate area, and addressed ingress and egress into and out of the property.

Mr. Canavan stated that other commercial uses in the area may be in violation of the zoning laws for this area, and noted his opposition to the rezoning.

Mrs. Dutmer also spoke against the rezoning.

Mr. Lopez identified other commercial uses in the area from photographs produced by his department.

Mrs. Aurelia G. Fernandez, 3303 North Flores Street, spoke in favor of the rezoning in order to allow her daughter to set up a beauty shop there.

After consideration, Mr. Archer moved that the recommendation of the Zoning Commission to deny the requested rezoning of the property from "D" Apartment District to "B-1" Business District be upheld. Mr. Canavan seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: Wing, Eureste, Alderete; ABSENT: None. The request for rezoning was denied.

7. CASE 8406 - to rezone Lot 111 and the northeast triangle of Lot 29, NCB 7896, at 5210 IH 35 South, from "B" Two Family Residential District to "I-1" Light Industry District, located southeast of the intersection of IH 35 South and Flanders Street, between a 60' drainage R.O.W., having 45.37' on Flanders Street, 103.76' on IH 35 South, approximately maximum width of 100' and an approximate depth of 209.46'.

The Zoning Commission has recommended denial of the requested "I-1" Light Industry District rezoning and in lieu thereof recommends approval of a change in zoning to "B-3R" Restrictive Business District.

Mr. Andy Guerrero, Zoning Administrator, explained that 17 notices were mailed out, with 4 being returned against the request and 3 returned in favor.

In response to a question by Mr. Wing, Mr. Guerrero stated that there was no proper ingress and egress available into and out of the property.

Mr. Clarence W. Riddles, owner, spoke on behalf of the request by the applicant, and noted that the property has drainage problems because of the close proximity of a large drainage ditch nearby. He stated that the applicant needs the rezoning in order to establish an auto and truck repair facility on the property.

Mr. Wing spoke against granting either "I-1" or "B-3" zoning, because either would introduce commercial zoning into a residential area.

At this point, Mayor Cockrell was obliged to leave the Council chambers, and Mayor Pro-Tem Alderete presided over the meeting.

A brief discussion then took place concerning available uses under the property's current zoning and the need for rezoning on a small portion of property at the northeast triangle of Lot 29.

After consideration, Mrs. Dutmer moved to deny the recommendation of the Zoning Commission. Dr. Cisneros seconded the motion. On roll call, the motion to deny prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen. NAYS: None. ABSENT: Eureste, Cockrell.

The request for rezoning was denied.

8. CASE 8421 - to rezone the remaining portion of Lot 38, Block 38, Block 7, NCB 11371, in the 1200 Block of S.W. 35th Street, from "B" Two Family Residential District to "B-3R" Restrictive Business District located southeast of the intersection of U.S. Highway 90 west and S.W. 35th Street, having 22.6' on S.W. 35th Street and a depth of 290.4'.

The Zoning Commission recommended the denial of the requested petition from "B" Two Family Residential District to "B-3R" Restrictive Business District.

Mr. Thompson moved that the recommendation of the Zoning Commission be denied and the requested petition be granted from "B" Two Family Residential District to "B-3R" Restrictive Business District. Mr. Steen seconded the motion.

Mr. Dave W. Benavides, the applicant, stated that the subject property is not suited for residential development. He wants the property rezoned to have a billboard erected and feels that commercial zoning is proper since it is located south of Highway 90 West.

No one spoke in opposition.

Mrs. Dutmer stated that the zoning goes with the land and someone else could utilize it for commercial property and thus cause increased traffic onto the residential district.

Mr. Benavides stated he has no intention of selling the subject property.

In response to Mr. Webb, Mr. Guerrero stated that the Zoning staff was looking at the zoning uses permitted in "B-3R" and that is why they recommended against it.

Mr. Webb stated that he couldn't see how a building permit could be granted on this piece of property.

After further discussion, the motion to approve the "B-3R" zoning, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Thompson, Alderete, Canavan, Steen; NAYS: None; ABSENT: Wing, Eureste, Archer, Cockrell.

AN ORDINANCE 53,637

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS THE REMAINING
PORTION OF LOT 38, BLOCK 7, NCB 11371,
IN THE 1200 BLOCK OF S.W. 35TH STREET,
FROM "B" TWO FAMILY RESIDENTIAL DISTRICT
TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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9. CASE 8386 - to rezone a 41.911 acre tract of land out of NCB 14862, being further described by field notes filed in the office of the City Clerk, in the 6000 Block of Prue Road, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District; and a 50.402 acre tract of land out of NCB 14862, being further described by field notes filed in the office of the City Clerk, in the 6000 Block of Prue Road, from Temporary "R-1" Single Family Residential District to "R-5" Single Family Residential District.

Mr. Andy Guerrero, Zoning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

Mrs. Dutmer moved to approve the recommendation of the Zoning Commission and grant the requested change in rezoning, 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, Dutmer, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Wing, Eureste, Archer.

AN ORDINANCE 53,638

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 41.911 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, AND A 50.402 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-5" SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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81-18 The Clerk read the following Resolution:

A RESOLUTION
NO. 81-18-39

EXPRESSING SUPPORT FOR THE COMMUNITY
SERVICES ADMINISTRATION.

* * * *

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

Mrs. Dutmer explained that the Community Action Board recommended the approval of this Resolution which includes the continued support for services for the elderly.

Mr. Mercy Pena, Community Action Division Chief, stated that the Community Services Program will be expiring very soon and this Resolution asks for the continued support of the Community Services Administration.

A discussion then took place relative to the possible effects of the Resolution, and CSA activities.

Mr. Canavan spoke against the Resolution, stating that he favors letting the administration carry out its program.

Mr. Webb spoke in support of the Resolution, noting the areas where services will be lost in San Antonio because of the loss of CSA.

Mrs. Dutmer spoke in support of CSA aid to the young, elderly and ill.

In response to a question from Mr. Eureste, Mr. Pena stated that Project FREE, funded by CSA funds, provides hot meals to some 500 homebound persons each day in San Antonio, and that no other agency is prepared to take up this slack if funding for it is lost.

In response to another question by Mr. Eureste, Mr. William Donahue, Director of the Department of Human Resources and Services, stated that if funding from CSA ends June 30 as scheduled, there will be a three-month phasedown of programs, then all stop.

Mr. Eureste spoke to the loss of services to the city's needy and the loss of some 200 jobs. He stated that at least 20,000 persons in San Antonio were served in one way or another by the Community Action Division through use of CSA funds and programs, and noted that the Resolution would tell Washington that problems of the poor don't disappear and the services to those persons need to be funded and continued in one way or another.

Dr. Cisneros asked that the City add its voice to tell Washington how social service funds are spent in priority. He then spoke to the needs of San Antonio's citizens and the ever-present poverty here.

Mr. Canavan noted a recent address by Archbishop Patricio Flores requested that the churches need to provide more support to programs for the needy. He stated that the entire private sector needs to provide more such support, since the federal government cannot do it all.

Mrs. Dutmer spoke to her attempts to protect at least 3 local programs that help the very needy.

Mr. Eureste stated that the religious and private sectors have had ample opportunity to come forth with funds to finance needed social service programs, yet have not. He spoke to the many good things done by the community services in San Antonio, stating great attention needs to be paid to dealing with a serious situation surrounding the funding of social service programs.

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

81-18

PUBLIC HEARING - EASTPORT INDUSTRIAL PARK UDAG

Mayor Cockrell declared the Public Hearing to be open and explained that this was the first of two Public Hearings regarding the application for an Urban Development Action Grant for the Eastport Industrial Park.

City Manager Thomas E. Huebner explained that representatives of the Trammel Crow Company had approached him with plans to develop a 54-acre industrial park, and needed some \$4 million in public UDAG funds. He stated that the project is intended to create some 1,000 jobs and return to the City some \$190,000 each year in municipal taxes. He further stated that he believed the project would be competitive in seeking UDAG funds.

Mr. Frank Kiolbassa, Director of Public Works, explained what the projected UDAG grant funds would provide.

Dr. Cisneros spoke in favor of the project, stating that it was exactly the type project for which Urban Development Action Grants were designed.

City Manager Huebner stated that it is his belief that the UDAG program will become a part of the Community Development Block Grant program under Reagan administration plans, and, while there may be some loss of available funds, still will be an available program for such funding in the future.

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Dr. Cisneros asked that State Representative Lou Nell Sutton and other east side leaders be formally briefed on the project.

Mr. Webb and Mrs. Dutmer both spoke in favor of the project.

City Manager Huebner spoke to the payback provisions of the project, and stated that the application for the UDAG grant must be submitted by April 30.

Mr. Alderete asked to have personal notification at the earlier possible time of any economic development project which evolves within his own district, and spoke to the need for City Council members to be kept informed on projects within their districts.

Mr. Archer stated that it appears only large firms are involved in UDAG projects, and spoke to unfair competitive advantages involved.

City Manager Huebner stated that often large firms are the ones involved in UDAG projects because they are able to provide the large amounts of private investment required, whereas small firms cannot do so, and he spoke to the qualifying factors to obtain a UDAG grant.

Mayor Cockrell stated that no citizens had registered on the official sign-up sheet to speak on the topic, and asked if there was anyone in the audience who wished to speak to the matter at this time. No one rose to speak, and Mayor Cockrell then declared the Public Hearing closed. She further stated that a second Public Hearing was to be scheduled on the same topic before any formal action is taken by the City Council.

81-18 The following Ordinance was read by the Clerk and after consideration on motion by Mrs. Dutmer, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell. NAYS: None; ABSENT: None.

AN ORDINANCE 53,639

AUTHORIZING PAYMENT OF ADDITIONAL ENGINEERING FEES OF \$25,000.00 TO C.A. BOLNER & ASSOCIATES, INC., TO PERFORM AN OPERATIONS MANAGEMENT STUDY FOR THE SALADO CREEK WASTEWATER TREATMENT PLANT SLUDGE IRRIGATION SYSTEM AND APPROPRIATING FUNDS THEREFORE FROM 1980 SEWER REVENUE FUNDS.

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81-18 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Webb, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell. NAYS: None; ABSENT: None.

AN ORDINANCE 53,640

ACCEPTING THE LOW QUALIFIED BID OF HEATH AND STICH, INC., IN THE AMOUNT OF \$19,173.45 FOR CONSTRUCTING THE CORUM UNIT 3 OFF-SITE SANITARY SEWER OUTFALL, APPROVING A CONTRACT, PROVIDING FOR PAYMENT, AND AMENDING THE BUTGET FOR THIS PROJECT.

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Mr. Alderete asked what controls were being used or contemplated to keep projects on time for completion with a minimum of delay.

In response, Mr. Frank Kiolbassa, Director of Public Works, stated that an incentive-type program was in the development stage to make it more attractive for contractors to complete their municipal projects in as short a time as possible. He stated that his department was investigating possible changes in the number of work-days allowed for project completion, as well as tighter controls leading to possibly closing down projects taking an inordinate amount of time to complete.

81-18 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Webb, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Thompson, Alderete, Canavan, Archer, Steen, Cockrell. NAYS: None; ABSENT: Dutmer, Eureste.

AN ORDINANCE 53,641

ACCEPTING THE LOW QUALIFIED BID OF HEATH AND STICH, INC., IN THE AMOUNT OF \$16,920.27 TO CONSTRUCT THE HARMONY VILLAS OFF-SITE SANITARY SEWER MAIN, APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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81-18 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Archer, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Thompson, Alderete, Canavan, Archer, Steen, Cockrell. NAYS: None; ABSENT: Dutmer, Eureste.

AN ORDINANCE 53,642

ACCEPTING THE HIGH BID(S) RECEIVED IN CONNECTION WITH \$4,000,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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81-18 The Clerk read the caption of a proposed Ordinance, authorizing execution of an agreement with the City of Selma in order to apportion extraterritorial jurisdiction boundaries.

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

Mr. Louis Fox, Deputy City Manager, stated that the City of Live Oak has raised questions concerning the extraterritorial boundaries concerned in this issue, but stated that he does not feel this question affects this particular issue being considered today.

Mrs. Dutmer spoke to the need for City Council members to have all available facts before them when making ETJ judgements.

In response to a question by Mrs. Dutmer, Mr. Fox and Mr. Roland Lozano, Director of Planning, both spoke to plans for a new shopping center in the vicinity of the land being considered today.

Mr. Mayo Galindo, attorney representing the City of Live Oak, asked that the matter under discussion today be tabled, stating that it affects relationships between the City of Live Oak and the City of Selma. He stated that there were several unanswered questions of incorporation actions involved, and provided a brief history of ETJ relationships in the area. Stating that the land in question today also lies within the ETJ of Live Oak, he asked for three-party discussions on the matter in an attempt to resolve questions involved.

Mr. Wing spoke against any tabling action on a matter that does not directly involve the City of Live Oak.

Mr. Lozano stated that agreements made in 1968 give the City of San Antonio the right to do anything it wishes within its own ETJ, as in the case being considered today. He noted that if the cities of Live Oak and Selma have boundary disputes, that is between the two of them only.

In response to a question by Mr. Thompson, Jane Macon, City Attorney, stated that it appears that the City of Selma had in the past annexed into San Antonio's ETJ without proper authority. Ms. Macon noted that City Council has been briefed on this matter in Executive Session.

Ms. Katherine Cahill, Assistant City Attorney, explained the 1968 agreements concerning ETJs in the area, and stated that the City of San Antonio is empowered to relinquish any portion of its ETJ it wishes, and as the pending agreement documents, with the City of Selma.

Mr. Thompson stated his belief that all three parties need to take part in discussions concerning the entire matter.

Ms. Macon stated that she would be happy to speak with the City of Live Oak representatives on this pending action.

Mr. Eureste stated that the City Council Annexation Committee has charged City staff with protecting the growth and development of San Antonio, and asked that San Antonio go ahead with plans for agreement with the City of Selma on this matter today, speaking against a postponement at the request of the City of Live Oak.

Mrs. Dutmer then made a Substitute Motion to postpone action on the matter until the City Council receives another briefing on it. Mr. Canavan seconded the motion.

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

81-18 The Clerk read the following Ordinance:

AN ORDINANCE 53,643

AMENDING ARTICLE IV OF CHAPTER 28 OF THE CITY CODE; AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE REVOCATION OF SOLICITATION PERMITS; PROVIDING A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ITS PROVISIONS; AND PROVIDING FOR SEVERABILITY OF SUCH PROVISIONS.

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

In response to a question from Mr. Archer, Mr. Steve Arronge, Assistant City Attorney, stated that the courts have held that persons have the right to solicit funds at airports, in certain cases.

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

81-18 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Canavan, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Cockrell. NAYS: None. ABSENT: Webb, Eureste, Steen.

AN ORDINANCE 53,644

AMENDING ORDINANCE NUMBER 46,913, ENACTED JULY 22, 1976, CODIFIED AS DIVISION 6 OF CHAPTER 4 OF THE CITY CODE; PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE DISTRIBUTION OF LITERATURE AND SOLICITATIONS AT THE SAN ANTONIO INTERNATIONAL AIRPORT; PROVIDING FOR NECESSARY LIMITATIONS AND CONTROLS; PROVIDING A PENALTY BY A FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ITS PROVISIONS; AND PROVIDING FOR SEVERABILITY.

* * * *

81-18 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Canavan, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Cockrell. NAYS: None; ABSENT: Webb, Eureste, Steen.

AN ORDINANCE 53,645

CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE BOND ELECTION HELD ON APRIL 4, 1981.

* * * *

81-18 The Clerk read the following Ordinance:

AN ORDINANCE 53,646

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT IN ACCORDANCE WITH THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN ANTONIO AND THE REPUBLIC OF MEXICO (MINISTRY OF FOREIGN AFFAIRS) FOR THE LEASE OF CERTAIN SPACE AT HEMISFAIR PLAZA.

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

In response to a question by Mr. Archer as to whether the City wants to approve this before finalizing the redevelopment of HemisFair, City Manager Thomas E. Huebner explained that he had questioned the preferred developer of HemisFair Plaza and had been told this area is not within the area planned for redevelopment by the firm.

A discussion was held on the preferred developer of HemisFair Plaza, Rogers Worsham.

Mr. Thompson spoke in favor of the Ordinance, noting the commitments already made between the City of San Antonio and the government of the Republic of Mexico for space on HemisFair Plaza.

In response to a question by Mr. Archer, Joe Madison, Director of Convention Facilities, stated that parking in the vicinity of HemisFair Plaza remains a large problem, but the City is working on it as part of the HemisFair Plaza redevelopment plans.

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

81-18 The Clerk read the following Ordinance:

AN ORDINANCE 53,647

AUTHORIZING THE APPROPRIATION OF \$21,630
FROM THE GENERAL CONTINGENCY FUND FOR THE
CONSTRUCTION OF CURBING ON THE 1300 TO 1700
BLOCK OF WEST MARIPOSA STREET.

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Mrs. Dutmer moved to approve the Ordinance. Dr. Cisneros seconded the motion.

Mr. Raymond Reynosa, resident of the area, spoke to previous requests for installation of curbing in this area, and noted that several accidents recently had involved automobiles running into yards, unimpeded by the lack of curbs.

Mr. Thompson stated his concern that this represents preferential treatment, and noted that a like need for curbs exists on a recently-completed project on San Fernando Street, west of General McMullen Drive, where curbs were rejected for inclusion in the project.

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

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez, 719 Delgado Street, spoke to the City Council about his previous request that a video tape camera be placed at the City's jail booking desk. He described what had transpired in McAllen and the actions which a federal judge took to remedy alleged police brutality. He asked that the City Council purchase the camera equipment.

POOR PEOPLE'S COALITION FOR HUMAN RIGHTS

Reverend Anthony Hall, Chairman of the Poor People's Coalition for Human Rights, spoke about their concerns and the proposed federal cuts which will affect the poor, children and the elderly.

Mrs. Veronica Hernandez spoke about the services provided by Legal Aid. She urged passage of the resolution which will be considered by the City Council at a Special Meeting.

Mrs. Sharon Edwards spoke on behalf of the Youth Employment Summer Program which will be affected if the proposed federal cuts are made.

Mrs. Elnora Slack, 611 Bluebonnet Street, representative of low income residents who depend on SNAC & UCPPOC, urged that the City Council consider the proposed resolution.

Mrs. Debra Trijo spoke about her concerns with the proposed cuts and the problems which will be encountered by working mothers if these cuts are made on the Child Care Program.

Mrs. Gloria Baublis strongly urged the passage of the resolution by the City Council.

Mrs. Terry Medellin expressed concern about proposed cuts in housing for the needy.

Mrs. Linda Long, 250 Altitude, said that men, women and children will all be affected because of these proposed federal cuts. She urged approval of the resolution and expressed concern about the WIC Program, Nutrition Program and the Food Stamp Program.

Mrs. Alma Martinez expressed concern about the proposed cuts in the Child Care Program and the Summer Nutrition Program.

Mrs. Glenna McKenna expressed concern on federal cuts and its consequences on the Federal Food Stamp Program.

Rev. Hall then read a resolution which had been approved by the Poor People's Coalition for Human Rights in opposition to federal cuts which will result in reduced and elimination of services for the elderly and the needy.

Mayor Cockrell thanked Reverend Hall and the entire delegation for expressing their concerns and advised them that a Special Council meeting will be held later in the day to consider a proposed resolution addressing their concerns.

MR. PHIL SHERIDAN

Mr. Phil Sheridan thanked the City Manager's Office; the Police Department; Fiesta Coordinator, Ms. Karen Davis; and Mr. Tony Pizzi of the Traffic Department for their cooperation during this coming Fiesta period.

He then requested that the City Council approve his rental of two lots for additional carnival space as well as the closing of Laredo Street between Commerce and Dolorosa.

Ms. Karen Davis stated that the staff is concerned about added pedestrian traffic onto Santa Rosa Street and mentioned that

there is a shortage of police to monitor these extra lots and the pedestrian traffic that will be increased.

In response to a question by Mr. Webb, Deputy Chief Crenwelge stated that they have problems with the extra police which will be needed to patrol these areas and expressed concern about the dangers to pedestrians in this area.

Mr. Webb mentioned that the City Council should approve the hiring of Sheriff deputies in the future to add to the police patrol of the carnival area.

After discussion, Mrs. Dutmer moved to approve Mr. Sheridan's request on the condition that the Police Department find adequate police personnel to monitor these areas and Mr. Sheridan to incur this cost. Mr. Wing seconded the motion.

Mr. Alex Briseno, Assistant City Manager, expressed the staff's concern about the additional police that will be needed and the fact that pedestrian will be placed in jeopardy.

Mrs. Dutmer then amended her motion to approve only that lot around the Aranda Building. Mr. Wing concurred with the amendment. After further discussion, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; NAYS: None; ABSENT: Steen.

MR. FRANK STURDIVANT

Mr. Frank Sturdivant, 243 Altitude Drive, expressed his concern about the rezoning of a lot which approved the building of an animal hospital. He complained about the noise and the appearance of the subject hospital. He stated he has been to Municipal Court nine times and the owner has not appeared once. He said that the outside dog runs should be enclosed. He distributed a description of the uses permitted in "B-3" zoning and the written notification of the number of times he has been to Court.

Mr. Thompson said that Mr. Sturdivant has an excellent case because of the numerous offenses committed by the owner of the property. He also stated that the noise is unbearable and feels that the zoning was not proper and an invasion of privacy. He said that the owner should be held responsible for this action. He moved that the Legal Department and the City Staff work with Mr. Sturdivant to resolve this issue. Dr. Cisneros seconded the motion.

Mr. Alderete stated that if this issue is not resolved, then further action should take place, such as revocation of the zoning or the certificate of occupancy.

Mr. Webb said that a citation be issued to the owner until he comes into compliance with the zoning ordinance stipulation.

Mrs. Dutmer expressed concern about the owner not responding to court appearances.

Mr. Eureste asked that the City Council be briefed weekly about this situation by the staff until the problem is resolved.

Mr. Canavan stated that Municipal Court Judges have to take a stronger look at these type of cases in order to prevent this type of occurrence.

Mr. Archer suggested a "B" Session to see about hiring more inspectors.

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

MR. DOROTEO CHAVARRIA

Mr. Doroteo Chavarria spoke in support of the Resolution to be considered later in the Special Meeting.

The Clerk read the following letter: . . .

April 9, 1981

Honorable Mayor and Members of the City Council
City of San Antonio, Texas

The following petition was received in my office and forwarded to the City Manager for investigation and report to the City Council.

April 7, 1981

Petition submitted by Ms. Bevelyn Tomek, Food & Beverage Instructor/Manager for the Crockett Hotel Restaurant at 320 Bonham Street, requesting permission to install four 30 inch ice cream tables with chairs/umbrellas on the sidewalk entrance of the restaurant.

* * * *

/s/ Norma S. Rodriguez
City Clerk

There being no further business to come before the City Council, the meeting was adjourned at 6:45 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

April 16, 1981