

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 19, 1978.

715

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, STEEN, COCKRELL; Absent: PYNDUS, HARTMAN.

78-47 The invocation was given by The Reverend Monsignor Alexander C. Wangler, Our Lady of Sorrows Catholic Church.

78-47 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-47 The minutes of the meeting of October 12, 1978 were approved.

78-47 ZONING HEARINGS

3. CASE 7473 - to rezone Lots 1 and 2, Block 1, NCB 10853, 2130 Goliad Road, 107 E. Palfrey Drive from "A" Single Family Residential District to "B-3R" Restrictive Business District, located north of the intersection of Goliad Road and E. Palfrey Drive, having 120' on Goliad Road and 125' on E. Palfrey.

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

Mayor Cockrell announced that Mrs. Dutmer had disqualified herself from this case.

Mr. Jack Brown, the applicant, stated that they are requesting a change in zoning in order to erect an office building complex on the lot fronting Goliad Road. On the second lot, they would like to be able to operate a family-owned business out of the existing residential structure. Mr. Brown also stated that he would be desirous of "O-1" zoning on the lot to be used for the office building instead of the "B-3R" zoning originally asked for in the application.

Mr. Roland Mitchell, 111 East Palfrey, stated that he is very much opposed to the proposed change. He submitted a petition of 22 signatures against the proposed change. Mr. Mitchell stated that the corner lot does not face Goliad Road but Palfrey and is an intrusion on the residential character of the area. He also described the uses which have existed on the subject property and circulated photographs of the lot in question to the Council. Mr. Mitchell also stated that he had not received a notice on the hearings.

Mr. Brown did not wish to speak in rebuttal.

Mrs. Balcor spoke in opposition. She stated that this corner is a school crossing and very hazardous to the children in the area.

At this point in the meeting, Mr. Guerrero stated that the petition submitted by Mr. Mitchell had been verified and represents 20 percent opposition, therefore, nine affirmative votes will be necessary to approve the rezoning change.

Mr. Tom Finlay, Assistant City Attorney, stated that since Mrs. Dutmer had disqualified herself, only eight votes will be required to approve the rezoning.

At this point in the meeting, the hearing on this Case was delayed due to a lack of Council members present in the Chamber. The Council then considered Case 7377. See below for that discussion.

Later in the meeting, discussion of Case 7473 continued as follows:

In response to a question by Mr. Wing, Mr. Mitchell stated that he is opposed to any type of rezoning and wants the area kept residential.

In response to Mr. Webb's concerns about the corner lot not being feasible for residential use, Mr. Mitchell stated that the applicant knew the property was zoned residential when he first purchased it.

Mr. Eureste spoke against the rezoning change because of the neighbors' concerns and moved to uphold the recommendation of the Zoning Commission and deny the request for rezoning. Mr. Ortiz seconded the motion.

A discussion then took place of the subject property being used as a used car lot and the applicant being served with a violation notice.

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

CASE 7473 was denied.

4. CASE 7377 - to rezone Lots 11, 12, 27 and 28, Block 1, NCB 6590, 2816 Guadalupe Street, from "C" Apartment District to "B-3R" Restrictive Business District, located between Guadalupe Street and Montezuma Street, being 175' west of Spring Street, having 50' on both Guadalupe Street and Montezuma Street and a distance of 150' between Guadalupe Street and Montezuma Street.

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

Mr. Ernest Acevedo, representing the applicant, Mr. Tomas Quinonez, stated that the applicant has been doing auto repair work on the subject property for 18 years. He said that Mr. Acevedo was not aware that the property was improperly zoned and that he was operating illegally. He further stated that this is the only means of livelihood for Mr. Acevedo and a relocation at this time would cause him extreme hardship.

Dr. Cisneros spoke in favor of the requested change and spoke of the commercial uses on Guadalupe Street.

Mrs. Alice Zuniga, daughter of the adjacent property owner, spoke in opposition. She stated that they are in opposition because the business in operation is an insect and rodent breeding ground, hazardous to pedestrian traffic, and the employees' and customers' cars block her mother's driveway as well as sidewalk.

Mr. Ortiz stated that he is very familiar with the area and is aware of the commercial uses on Guadalupe Street. However, he expressed concern about business intrusion onto Montezuma Street.

Mrs. Flora Perez, 1627 Montezuma, stated that the sidewalk in front of her home is constantly blocked by the applicant's cars. She also complained about the condition of the subject property.

In rebuttal, Mr. Acevedo stated that the sidewalks are used for parking by the owners of the adjacent properties and not by the applicant. He also stated that the rodents are not caused by the garage operation and the applicant is constantly maintaining the property.

After discussion, Dr. Cisneros moved as a compromise plan that the front lot be rezoned "B-3R" and that the applicant go to the Board of Adjustment for a variance on using the back lot for customer and employee parking. Mr. Ortiz seconded the motion.

Mr. Eureste expressed concern about the condition of the subject property and moved that the Case be postponed 30 days in order that the applicant can get the property in proper order. Mr. Wing seconded the motion.

In response to Mr. Wing's question about the continuance of the garage operation with a violation notice having been served, City Attorney Tom Finlay stated that in similar cases, the Court will hold any action on the Case until the zoning change has been determined.

On roll call, the motion to postpone carried by the following vote: AYES: Cisneros, Webb, Dütmer, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman.

Mr. Eureste asked for a staff report to see if access could be restricted to Guadalupe Street. Staff was instructed to prepare such a report.

CASE 7377 was postponed for 30 days.

78-47 At this point in the meeting, discussion on Case 7473, No. 3 resumed. See page 2 of these minutes.

78-47 MRS. DUTMER'S STATEMENT RE: ZONING CASE 7473

Mrs. Dutmer made the following statement:

"I would like a point of personal privilege at some time, please. Last evening on Channel Television 5, Paul Thompson along with one of the residents in the area of this Zoning Case was on the air accusing me of a conflict of interest where the last Zoning Case on Palfrey Drive was heard.

I have a ruling from two City attorneys in writing that there was absolutely no conflict of interest. That, in fact, it is my duty to represent my constituents. At no time did any of the residents in the Palfrey Drive area contact me for being opposed, as being opposed to the zoning. It is strictly a political move, and I do hope that the residents in that area will see through the screening. There have been, many, many allegations thrown around about this zoning case. It was a simple zoning case. I never at any time did I go before the Zoning Commission and castigate them for their decision. That decision is strictly theirs and the decision of this Council is strictly theirs, and I abide by their decision. However, when my name is put into talk, into rumors and other things that are not factual, then I will be heard from. And I have a feeling - I am in touch now with attorneys, and I have a feeling that I am going to allow Mr. Mitchell to prove his statements in a court of law."

78-47

MR. GLEN LACY

Dr. Cisneros welcomed former Councilman Glen Lacy who was present in the Council Chamber.

5. CASE 7389 - to rezone Lot 28, Block 19, NCB 8875, 125 N. San Joaquin Avenue, from "C" Apartment District to "I-1" Light Industry District located on the west side of N. San Joaquin Avenue, being 305' north of the intersection of W. Commerce Street and N. San Joaquin Avenue, having 25' on N. San Joaquin and a maximum depth of 120'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council. Mr. Guerrero also stated that there is 20 percent

opposition registered in this case, therefore, nine affirmative votes of the Council will be needed to uphold the recommendation of the Zoning Commission and grant the rezoning.

Mr. Gabriel Reyes, 147 Amaya, stated that he is asking for a rezoning change in order to establish an auto repair shop with outside work. The actual garage now in operation is within the proper "JJ" Commercial zone. The subject property he wishes to rezone has a concrete slab and he would like to enclose it for further use. He asked Council to favorably consider his request.

In response to Council's questions, Mr. Andy Guerrero stated that part of the property which is presently being used is not in violation, however the area with the concrete slab is in violation of the City Code.

Dr. Cisneros asked that someone from the Department of Economic and Employment Development be present for this Case in case the applicant's request for rezoning is denied.

Mr. Alderete stated that there is redevelopment in this neighborhood and the residents are working diligently to upgrade the area. He spoke in opposition to the proposed use because of its intrusion to the residential character of the area.

Mr. Eureste reiterated the statements made by Mr. Alderete and also spoke against the zoning request.

Mrs. Carmen Casias, owner of the adjacent property, stated that the house on the subject property had been removed and the concrete slab is now being used for the repair of automobiles. The employees and customers have to double park on the street. She stated that the business is very detrimental to the neighborhood. She also circulated photographs of the business to the Council.

Mr. Tomas Hernandez, a neighbor, also spoke in opposition and urged the Council to deny the request for rezoning.

After discussion, Mr. Alderete moved to overrule the recommendation of the Zoning Commission and deny the request for a change in zone. Dr. Cisneros seconded the motion.

Members of the Council explained to the applicant that if the zoning change is denied he will still be allowed to operate on the part of the property zoned "JJ" Commercial District.

A discussion then took place about the "JJ" zoning in the area. Mr. Eureste requested that a land use study be made of the area with a possible view towards down zoning in order to protect the neighborhood from commercial intrusion.

In rebuttal to the opposition, Mr. Reyes stated that he will still be operating on the portion zoned "JJ" commercial. He also stated that the lights on the property are used to deter robberies. He then stated that he does not wish to relocate the business because of the money he has already invested on the existing location.

On roll call, the motion to deny carried by the following vote:  
AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell;  
NAYS: Dutmer; ABSENT: Pyndus, Hartman.

CASE 7389 was denied.

Dr. Cisneros advised Mr. Reyes to contact Mr. Narciso Cano, Director of the Economic and Employment Development Department, about some advice with regard to the one-stop business center.

6. CASE 7428 - to rezone a 3.945 acre tract of land out of NCB 12444, being further described by field notes filed in the Office of the City Clerk, in the 500 Block of W. Sunset Road from "R-3" Multiple Family Residential District to "I-1" Light Industry District, located north of the intersection of Sunset Road and Walter W. McAllister Freeway, having 73.12' on Sunset Road and 791.44' on Walter W. McAllister Freeway.

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

After consideration, Mr. Steen moved to uphold the recommendation of the Zoning Commission and grant the rezoning provided that a six foot solid screen fence is erected and maintained along the north and west property lines. Dr. Cisneros seconded the motion.

In response to Dr. Cisneros' question, Mr. Leo Perron, the applicant, presented a development plan to the Council. He stated that they are requesting a change in zone in order to build a miniwarehouse on the subject property. He said that they have had strong support from the neighbors in the area on the proposed development and have promised to deed restrict the property after the zoning is granted to eliminate all uses except for the miniwarehouses. Mr. Perron also submitted an agreement signed by residents in the area in favor of the proposed change.

No one spoke in opposition.

On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote:

AN ORDINANCE 49,944

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.945 ACRE TRACT OF LAND OUT OF NCB 12444, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 500 BLOCK OF W. SUNSET ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH AND WEST PROPERTY LINES.

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7. CASE 7451 - to rezone Parcel 97-B, Block 9, NCB 14620, in the 6300 Block of Wurzbach Road from Temporary "R-1" Single Family Residential District to "B-2" Business District, located north of the cutback between Wurzbach and Evers Road; having 180.53' on Evers Road, 141.73' on Wurzbach Road and 70.71' on the cutback between Wurzbach Road and Evers Road.

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

No one spoke in opposition.

After consideration, 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 north property line. 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, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Alderete, Pyndus, Hartman.

AN ORDINANCE 49,945

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 PARCEL 97-B, BLOCK 9, NCB 14620, IN THE 6300 BLOCK OF WURZBACH ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

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8. CASE 7456 - to rezone Lot 6, NCB 12883, 211 Creswell Drive from Temporary "A" Single Family Residential District to "R-4" Mobile Home District, located on the west side of Creswell Drive, being 500' south of the cutback between E. Houston Street and Creswell Drive; having 124.3' on Creswell Drive and a depth of 350.35'.

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

Mr. Perpetuo G. De La Garza, 200 Creswell Drive, stated that he purchased the mobile home in 1966 and the subject property about a year ago. He had originally intended to build a home on the subject property, but because of a fuel line running through the property, decided against it. He then decided to place the mobile home on the property. He has now been made aware of the mobile home ordinance requirements and the fact that he must now obtain waivers from both the Board of Adjustment and the Planning Commission. He urged the Council to approve his request.

A discussion then took place on the location of the fuel line.

Mr. Glen Lacy stated that the mobile home will devalue the surrounding area and spoke in favor of the staff's recommendation to deny the requested change. He also stated that in his opinion this is a case of spot zoning.

After discussion, Dr. Cisneros moved to uphold the recommendation of the Zoning Commission and grant the rezoning provided that street dedication is provided in accordance with the Traffic Department's recommendation. Mr. Webb seconded the motion.

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

AN ORDINANCE 49,946

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 6, NCB 12883, 211 CRESWELL DRIVE FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT'S RECOMMENDATION.

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9. CASE 7467 - to rezone the south 98' of Lot 17, Block 2, NCB 15587, 6941 S.W. Military Drive, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located northwest of the intersection of S.W. Military Drive and W. Plaza Drive, having 98' on S.W. Military Drive and 160' on W. Plaza Drive.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved. 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, Steen, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman.

AN ORDINANCE 49,947

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 SOUTH 98' OF LOT 17, BLOCK 2, NCB 15587, 6941 S.W. MILITARY DRIVE FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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10. CASE 7461 - to rezone Parcel 44-B, save and except the south 200', NCB 15481, 8102 Latigo Plaza, from "R-4" Mobile Home District to "B-3R" Restrictive Business District, located approximately 175' east and approximately 90' south of the intersection of Loop 410 Expressway and Latigo Plaza, having 698.26' on Loop 410 Expressway and 353.34' on Latigo Plaza, and to rezone the south 200' of Parcel 44-B, NCB 15481, 8102 Latigo Plaza from "R-4" Mobile Home District to "B-2" Business District, located approximately 788.26' south of the intersection of Loop 410 Expressway and Latigo Plaza Drive, having 200' on Loop 410 Expressway and a depth of 500'.

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

No one spoke in opposition.

After consideration, Mr. Ortiz moved that the recommendation of the Zoning Commission be approved provided that a fifty foot building setback line is imposed along the east and south portions of the subject property; a six foot solid screen fence is erected and maintained along the east and south property lines, and 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, Alderete, Steen, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman.

AN ORDINANCE 49,948

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 PARCEL 44-B, SAVE AND EXCEPT THE SOUTH 200' NCB 15481, 8102 LATIGO PLAZA, FROM

"R-4" MOBILE HOME DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND THE SOUTH 200' OF PARCEL 44-B, NCB 15481, 8102 LATIGO PLAZA, FROM "R-4" MOBILE HOME DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A FIFTY FOOT BUILDING SETBACK LINE IS IMPOSED ALONG THE EAST AND SOUTH PORTIONS OF THE SUBJECT PROPERTY; A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST AND SOUTH PROPERTY LINES, AND THAT PROPER PLATTING IS ACCOMPLISHED.

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11. CASE 7436 - to rezone the southern most irregular Lot 100' of Lot 1, Block 3, NCB 13302, in the 3500 Block of N.W. Loop 410 Expressway from "B-2" Business District to "B-3R" Restrictive Business District, located on the northwest side of N.W. Loop 410 Expressway, being 430' northeast of the intersection of N.W. Loop 410 Expressway and Pinn Oak Drive, having 100' on N.W. Loop 410 Expressway and a depth of 150'.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved. 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, Steen, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman.

AN ORDINANCE 49,949

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 SOUTHERN MOST IRREGULAR 100' OF LOT 1, BLOCK 3, NCB 13302, IN THE 3500 BLOCK OF N.W. LOOP 410 EXPRESSWAY FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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12. CASE 7465 - to rezone a 0.389 acre tract of land out of NCB 14572, being further described by field notes filed in the Office of the City Clerk, from "B-2" and "B-3" Business Districts to "B-3R" Restrictive Business District, located on the northwest side of Nacogdoches Road, being 75' northeast of the intersection of Nacogdoches Road and Longfellow Boulevard, having 104.28' on Nacogdoches Road and a maximum depth of 151.03'.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved. Mr. Alderete 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, Steen, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman.

AN ORDINANCE 49,950

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.389 ACRE TRACT OF LAND OUT OF NCB 14572, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM "B-2" BUSINESS DISTRICT AND "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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78-47 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Eureste was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman.

AN ORDINANCE 49,951

ACCEPTING THE LOW QUALIFIED BID OF \$330,030.00 FROM E Z BEL CONSTRUCTION COMPANY INC. TO PERFORM THE JOHN TOBIN RECREATION CENTER IMPROVEMENTS PROJECT; AUTHORIZING PAYMENT TO THE CONTRACTOR; PROVIDING FOR CONTINGENT CONSTRUCTION COSTS; PROVIDING FOR ADDITIONAL ARCHITECT FEE COSTS; ESTABLISH-A FUND FOR THE PROJECT; AND AUTHORIZING FUNDING OF THE PROJECT FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

\* \* \* \*

78-47 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman.

AN ORDINANCE 49,952

APPOINTING MR. RICHARD T. BETTS, JR., TO THE ELECTRICAL EXAMINING AND APPEALS BOARD.

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Mr. Richard T. Betts, Jr., is hereby appointed to the Electrical Examining and Appeals Board for a term ending October 12, 1980. Mr. Betts will be occupying the position of Homebuilder on this Board.

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AN ORDINANCE 49,953

APPOINTING AND REAPPOINTING MEMBERS TO THE PARKS AND RECREATION ADVISORY BOARD.

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The following persons are appointed/reappointed to the Parks and Recreation Advisory Board for terms as indicated:

1. Reappoint Mr. Gene Sprague for a term ending on October 19, 1981.
2. Appoint Mr. Rudy Laque, Sr., to fill the position previously occupied by Mr. Nemo Herrera for a term ending on October 19, 1981.
3. Appoint Ms. Claire Regnier, to fill the position previously occupied by Mr. Kenneth Sampson for a term ending on October 19, 1981.
4. Appoint Ms. Elizabeth Moses, to fill the position previously occupied by Mrs. Dorothy Burke for a term ending on October 19, 1981.
5. Appoint Mr. William Carter, to fill the position previously occupied by Mrs. Alice Hines for a term ending on October 19, 1981.
6. Appoint Mr. Manuel Berriozabal, to fill the unexpired term of Mr. Robert Rodriguez, who has resigned. Mr. Berriozabal's term will expire on July 31, 1980.'

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AN ORDINANCE 49,954

APPOINTING MS. LUCY MAE BUTLER HALL AS A MEMBER OF THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.

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Ms. Lucy Mae Butler Hall, is hereby appointed as a member of the Mayor's Commission on the Status of Women. Ms. Hall will be filling the unexpired term of Ms. Gloria Perez, who has resigned.

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78-47

LETTER FROM MR. TOMMY SMITH, BUILDER

Dr. Cisneros stated that the Council had received a letter from Mr. Tommy Smith, a builder, regarding the new regulation on final inspections. He asked that staff contact Mr. Smith to discuss this matter with him and that Council be furnished a report.

78-47

TRADE CENTER

Dr. Cisneros spoke to the Council regarding the problems facing the Trade Center and asked if Council could be furnished a report.

After discussion of the matter, the staff was asked to furnish Council with a report on the status of the Trade Center/Trade Zone, alternatives that exist and any recommended action.

78-47

ONE STOP BUSINESS CENTER

Dr. Cisneros asked for a status report on the One-Stop Business Center.

724

Mr. Alex Briseno, Assistant to the City Manager, stated that there is one staff member who has been working on this matter for the past couple of months. The EDA grant which has been received will also supplement the activities of this office.

78-47

DESIGNATION OF THE MISSIONS OF  
SAN ANTONIO AS A NATIONAL HISTORIC PARK SITE

Mayor Cockrell spoke of the efforts of the legislators, in particular, Congressman Chick Kazen in securing the designation of the Old Spanish Missions as a National Historic Park Site. She invited members of the Council to send letters of commendation to Congressman Kazen and the other members of Congress responsible for this action.

78-47 The meeting was recessed at 3:10 P.M. and reconvened at 4:00 P.M.

78-47

CITIZENS TO BE HEARD

MR. FRED THOMAS WILSON

Mr. Fred Thomas Wilson stated that he is a resident of the downtown area and is a frequent rider on the VIA Bus System. He complained about the bus drivers not providing adequate or satisfactory information. He also stated that they are rude.

The Mayor advised Mr. Wilson that any complaints about the bus drivers should be addressed to the VIA Metropolitan Transit.

Mr. Wilson also complained about the north side of town receiving federal relief due to the heavy rains, but the west side never has received any such help. Mr. Wilson also stated that a major football stadium downtown would provide an economic boost to the community.

Mayor Cockrell stated that the City had been unaware that federal relief was available for small segments of the City.

MR. CHARLES W. HEAD

Mr. Charles W. Head spoke to the Council regarding the discontinuance of garbage pick-up in the alleys. He stated that their community in Valley Hi has worked hard to keep the neighborhood up and they are very concerned about the proposed action. He stated that this will degrade the neighborhood. He also questioned the reasons of safety being given. He asked if the City Council had actually seen the accident reports. He also questioned the purchase of the oversize garbage trucks and asked if the staff study showing the proposed savings is of public record. He asked Council to reconsider this action.

Mayor Cockrell stated that they had rediscussed the issue at last night's "B" Session. She explained that only 13 percent of the population at the present time receives garbage pickup in the alleys. She spoke about the accidents which occur in alleys and that the new garbage trucks will make it impossible to have garbage pickup in the alleys. The cost involved is \$400,000. At the present time, the Council has decided not to reconsider the budget decision.

Mr. Frank Kiolbassa, Director of Public Works, stated that after a detailed study of the type of accidents which had been occurring was made, the staff tried to see if any other alternatives other than discontinuing alley pick were possible. He stated that there were none. He also spoke regarding the purchase of the newer equipment as required by the federal government.

MR. CIPRIANO GUERRA

Mr. Cipriano Guerra, representing UA/Columbia spoke regarding a petition drive to overturn the ordinance which granted them a franchise. He also spoke to the fact that only 500 signatures are needed to hold a special election.

Mr. Guerra also stated that they have an obligation to the Council and the citizenry and do not feel that pornography is an issue. He also addressed the other reasons given by Mr. Victor Soto as the purpose for holding a referendum election.

Mr. Guerra also reported on the status of their franchise.

Mayor Cockrell congratulated Mr. Guerra on the progress the company has made.

City Clerk G.V. Jackson, Jr. then reported on the referendum process and the time schedule which must be met. He also explained that the Secretary of State has been asked for an opinion regarding the dates for holding the election. Mr. Jackson also reported on the costs involved.

78-47 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Ortiz, Steen, Cockrell; NAYS: None; ABSTAIN: Cisneros; ABSENT: Eureste, Alderete, Pyndus, Hartman.

AN ORDINANCE 49,955

APPOINTING AND REAPPOINTING MEMBERS TO THE  
PLUMBING APPEALS AND ADVISORY BOARD.

\* \* \* \*

The following persons are appointed/reappointed as members of the Plumbing Appeals and Advisory Board for terms indicated:

1. Appoint Mr. Arnold A. Moos to fill the unexpired term of Mary Jane Flores, who has resigned. The term of Ms. Flores was due to end on October 31, 1979.
2. Appoint Mr. Mario V. Estrada to fill a position as a layman-consumer for a term ending on October 12, 1980.
3. Reappoint Ms. Caroline Peterson (Architect), Tom Vasquez (Master Plumber-Union), and Jack Amman, Jr. (Engineer), for terms ending October 12, 1981.

\* \* \* \*

There being no further business to come before the Council, the meeting was adjourned at 4:50 P.M.

A P P R O V E D

*Lila Cockrell*

M A Y O R

ATTEST: *G.V. Jackson, Jr.*  
C i t y C l e r k

October 16, 1978  
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