

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 15, 1976.

* * * *

The meeting was called to order at 8:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: PYNDUS, BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN, COCKRELL; Absent: NONE.

76-2 The invocation was given by The Reverend Henry J. Ehlen, Grace Lutheran Church.

76-2 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

76-2 Mayor Cockrell recognized Judge Carol Haberman who was in the audience.

76-2 APPOINTMENT OF G. V. JACKSON, JR., AS CITY CLERK

The Clerk read the following Ordinance:

AN ORDINANCE 46,117

APPOINTING GARLAND V. JACKSON, JR.,
CITY CLERK OF THE CITY OF SAN ANTONIO
TO SERVE DURING THE PLEASURE OF THE
CITY COUNCIL OF THE CITY OF SAN ANTONIO,
TEXAS.

* * * *

Judge Carol Haberman then administered the Oath of Office to City Clerk G. V. Jackson, Jr.

Mayor Cockrell and members of the City Council then congratulated Mr. Jackson on his appointment, and wished him success in his new position.

76-2 Councilman Al Rohde stated that he had asked that Mayor Cockrell's State of the City talk be included as part of the minutes of January 8, 1976.

76-2 PRESENTATION OF HONORARIUMS TO
MR. JOSE SALAS AND MR. RICHARD SALAS

City Manager Granata stated that two sanitation workers from the Public Works Department had fearlessly rescued a lady who was in a burning house. He said that the City was very proud of them and that they should be cited for their heroic actions.

Mayor Cockrell then read the following Honorariums:

January 15, 1976

img

TO MR. JOSE J. SALAS, JR.

PRESENTED IN RECOGNITION OF HIS HEROIC ACTIONS ON
JANUARY 8, 1976.

EMPLOYED BY THE SANITATION DEPARTMENT, HE WAS ROUTINELY DRIVING HIS TRUCK WHEN HE HEARD SCREAMS EMANATING FROM A RESIDENCE AT 114 UNITY COURT. HE IMMEDIATELY STOPPED AND RACED TO THE RESIDENCE WHERE SMOKE AND FLAMES WERE RAGING, AND WITH TOTAL DISREGARD FOR HIS OWN SAFETY ENTERED THE HOUSE AND EFFECTED THE RESCUE OF MRS. MARY NEUMAN FROM HER BURNING BED.

HIS WILLINGNESS TO RISK HIS OWN LIFE TO SAVE THE LIFE OF ANOTHER IS AN OUTSTANDING EXAMPLE OF BRAVERY AND COURAGE AND MERITS THE COMMENDATION OF A GRATEFUL CITIZENRY.

* * * *

TO MR. RICHARD C. SALAS

PRESENTED IN RECOGNITION OF HIS HEROIC ACTIONS ON
JANUARY 8, 1976.

EMPLOYED BY THE SANITATION DEPARTMENT, HE WAS ROUTINELY ATTENDING HIS DUTIES WHEN SCREAMS WERE HEARD EMANATING FROM A BURNING RESIDENCE AT 114 UNITY COURT. HE IMMEDIATELY RAN TO A NEARBY RESIDENCE TO SUMMON FIRE-FIGHTERS AND MEDICAL AID AND THEN RACED TO THE BURNING HOUSE TO ASSIST HIS PARTNER IN EFFECTING THE RESCUE OF MRS. MARY NEUMAN.

RICHARD'S PRESENCE OF MIND AND HIS WILLINGNESS TO RISK HIS LIFE TO SAVE THE LIFE OF ANOTHER IS AN OUTSTANDING EXAMPLE OF BRAVERY AND COURAGE AND MERITS THE COMMENDATION OF A GRATEFUL CITIZENRY.

* * * *

Mayor Cockrell and members of the Council joined in greeting and congratulating these two gentlemen.

RESOLUTION
AMIGOS FOOD COMPANY

76-2 Mayor Cockrell read the following Resolution:

A RESOLUTION
NO. 76-2-5

CONGRATULATING AMIGOS FOOD COMPANY
ON THE 50TH ANNIVERSARY OF ITS
FOUNDING.

* * * *

After consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, the Resolution was passed and approved by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

Mayor Cockrell then presented the Resolution to Mr. Ralph Velasco, Jr. and Mrs. Ralph Velasco, Sr.

Mayor Pro-Tem Teniente stated he had toured the Amigos Food Company and commended them on their fine operation.

Mr. Velasco thanked the Council for the Resolution.

76-2 Mayor Cockrell stated the Council would now go into Executive Session to discuss the Lo-Vaca lawsuit as well as the school lawsuit.

76-2 REQUEST OF CITY PUBLIC SERVICE BOARD FOR APPROVAL OF \$150,000,000 FINANCING PLAN AND APPROVAL OF THE ISSUANCE OF \$60,000,000 IN REVENUE BONDS.

Mayor Cockrell called on citizens who were registered to speak on the subject.

MS. LINDA SUE NOVOSAD

Ms. Linda Sue Novosad, representing Citizens for a Better Environment, stated that their organization would support coal plants but are opposed to the spending of any public funds for any nuclear power plant for San Antonio and want withdrawal from the Bay City Project. She said that the money that is spent on the nuclear plant should be invested in solar energy.

* * * *

The following discussion took place:

MRS. JEAN LEVINE: Mayor Cockrell and members of the City Council, my name is Jean Levine. I'm Coordinator of Solar Energy Coalition of Texas. At a January 6th meeting between City Public Service and City Council, Chairman Tom Berg said, I quote, "It is very vital to understand I not be mislead or mislead people". Mr. Berg is absolutely right. However, it is most unfortunate that our own City Public Service Board members and our former City Council were inadvertent victims of misleading nuclear promotion sessions.

It started in 1973 when a sudden emergency energy crisis overwhelmed the citizens of the United States, and San Antonio was hit hard. The City Public Service flapped around in dark water seeking a solution to the Coastal States gas curtailment. Then lo and behold nuclear promoters with vested interests in nuclear reactors and in oil and uranium stormed our City. Westinghouse supersalesmen threw our City Public Service a line baited with misleading promises of cheap atomic power, fueled by unlimited supplies of cheap uranium fuel. Like drowning men grasping at a straw, our City Public Service in desperation grasped the phony bait. In addition, Dr. Robert West, oil executive genius, with the help of Dr. Edward Teller, retired nuclear bomb pioneer and presently a highly paid roving mouthpiece for the nuclear establishment managed to hook our former City Council on atomic power with the dream of unlimited supplies of cheap uranium. That dream has ended with a rude awakening. You all know the story. Uranium has jumped from \$10 to \$40 a pound in two years and the supplies are dwindling. According to government estimates, the United States must discover twice as much uranium ore than is presently available in order to meet the total needs of nuclear reactors in the middle 1980's. That means the short supplies will cause even higher prices in the future. Our City Public Service regularly receives self-serving data from the nuclear establishment and runs it through computers and what do they get? Misleading print-outs designed to sell nuclear products rather than coal.

David Comey, Director of Chicago's Business and Professional People for the Public Interest, has done extensive research into the economics of nuclear energy. His irreputable conclusions reveal, "that coal is a better buy than nuclear". I have placed some of his data on your table. Viewing the pro and con cost analysis studies with honest objectivity, the conclusions are obvious. Coal and nuclear are at present at a neck and neck position. But what about 1980? With future costs of all construction and costs of all fuels, except solar and garbage, on the rise we can't expect coal or nuclear to win the cost advantage by anything more fantastic than a nose.

In our opinion, the City Public Service Board members would welcome a decision by the City Council to get them off the nuclear hook. The City Public Service Board members are very intelligent and very astute businessmen. They surely realize they struck a bad bargain in 1973. The Mayor and City Council can save them embarrassment now and repercussions later by voting to terminate the agreement with the South Texas Nuclear Project.

In conclusion, I respectfully ask the Mayor and City Council to read number 3 item on the letter I received from the City Public Service in October, 1975. It lists expenditures on nuclear reactors for the South Texas Nuclear Project as \$735,896. At the January 6 meeting, we were told the investment in nuclear reactors was \$30 million and ten minutes later that it was \$15 million. We would appreciate clarification of these contradictory statements regarding the expenditures for nuclear reactors. Thank you.

MAYOR LILA COCKRELL: Thank you, Mrs. Levine. The next speaker is Dr. Herman R. Levine.

DR. HERMAN R. LEVINE: Mayor Cockrell and members of the City Council, my name is Dr. Herman Levine. I'm a physician practicing in San Antonio. The uninformed public has been lead to believe that nuclear reactors are safe and that no one was ever harmed. This is not true. The operation of nuclear reactors produces radioactivity which gets into the air we breathe, the water we drink and the food we eat. It is the most dangerous form of pollution because it cannot be seen. It cannot be smelled, and it cannot be tasted. Every reactor produces radioactive wastes which poison our environment. For 25 years the Atomic Energy Commission which is now called the Nuclear Regulatory Commission has been trying to find a safe method for the ultimate disposal of the enormous quantities of this radioactive garbage and without success. Because of the lack of adequately processing facilities, the utilities are presently forced to store spent fuel rods at the plant site. This poses an additional hazard to the population. With the increase in the numbers of reactors, the public will further be exposed to radiation from the transportation of fuel rods from reprocessing plants and radioactive waste from storage sites. The citizens of this country are being told there is no evidence that anyone has ever been killed or harmed by the operation of atomic reactors. That is no evidence. This is misleading. Individuals who have been harmfully exposed to nuclear reactor radiation are unaware of that fact. There is a time lag from exposure to onset symptoms. Individuals who are unfortunate enough to sustain damage to their body cells do not know that it was from exposure to radioactivity. The cancers and birth defects do not carry a label indicating that radioactivity was the cause. Our government has artificially described a so-called permissable dose of nuclear reactor radiation for the public. However, well-informed physicians and scientists know that there is no safe dose of radiation. Over 2300 scientists, engineers and physicians signed a declaration asking for a suspension of construction of new nuclear power plants and a slowdown of those presently in operation until all doubts about their safety have been erased. Amongst them were nine nobel prize winners and many others recognized as experts in their particular field. As a physician, I feel that the health and safety of the people of San Antonio should receive top priority in City Council decisions. Nuclear reactors are unsafe, unreliable and unnecessary. I, therefore, respectfully request that this City Council vote against any future funds for the South Texas Nuclear Project. Thank you.

MAYOR COCKRELL: Thank you, Dr. Levine. At this time I would like to ask the Clerk to read the caption for Item VII.

* * * *

The City Clerk read the caption of the proposed ordinance as follows:

AN ORDINANCE

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, ACKNOWLEDGING ITS UNDERSTANDING OF THE FINANCIAL NEEDS OF THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO FOR CAPITAL IMPROVEMENTS TO THE SAN ANTONIO ELECTRIC AND GAS SYSTEMS DURING THE FISCAL YEAR 1976-77; AGREEING TO ASSIST AND CO-OPERATE IN MEETING THE FINANCIAL NEEDS OF SAID BOARD; APPROVING AND AUTHORIZING THE ISSUANCE OF APPROXIMATELY \$150,000,000 IN REVENUE BONDS IN INSTALLMENTS NECESSARY TO MEET SAID FINANCIAL NEEDS FOR THE FISCAL YEAR 1976-77; AND DECLARING AN EMERGENCY.

* * * *

DR. D. FORD NIELSEN: I move that we postpone Item VII and get on with Item VIII.

MR. PHIL PYNDUS: I second the motion.

MAYOR COCKRELL: All right. It has been moved and seconded that we...is that an indefinite postponement or do you wish to state a time?

DR. NIELSEN: At this particular time it's just an indefinite postponement.

MAYOR COCKRELL: It has been moved and seconded that Item No. VII be postponed indefinitely. Is there any discussion?

MR. PYNDUS: I'm sorry, when you say indefinitely, I would not second that motion. I would like to put Item VIII, ahead of Item VII and consider Item VII secondly and not indefinitely.

DR. NIELSEN: My consideration, I can only speak for myself in terms of Item VII, is that as stated last week until, and I speak for myself, have seen some hard evidence in terms of the hoped for contract that Houston Power and Light is getting from wherever in terms of the yellow cake and you know they said three to six months. If it helps any to say three to six months or whenever that contract is available, that's just my personal opinion regarding Item No. VII.

MAYOR COCKRELL: All right. So in other words, the motion as it was made was a postponement that would not be, you know, it would be perhaps to a later time.

MR. PYNDUS: Ford, would you accept this. I want to be sure one of these motions pass. And I would like to consider No. VIII first, and after that one is considered, then I would like to take your motion to consider it.

DR. NIELSEN: Okay, let's just say for right now we will just postpone No. VII now until we deal with No. VIII.

MR. PYNDUS: Thank you. Okay, I'll second that.

January 15, 1976

-5-

el

MAYOR COCKRELL: All right, it has been moved and seconded that we hold the discussion and vote on Item VII, that it be postponed until after we have considered Item No. VIII. Those in favor of the motion say aye, any opposed, no.

AYES: Black, Hartman, Rohde, Nielsen, Cockrell, Pyndus, Billa, Cisneros; NAYS: None; ABSENT: Teniente.

MAYOR COCKRELL: The motion is then carried. We will then for the ordinance on Item VIII.

* * * *

The Clerk read the following Ordinance:

AN ORDINANCE 46118

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING AND AUTHORIZING THE GIVING OF NOTICE OF INTENTION TO ISSUE \$60,000,000 "CITY OF SAN ANTONIO, TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE BONDS, NEW SERIES 1976;" AND DECLARING AN EMERGENCY.

* * * *

MR. PYNDUS: I so move.

MR. ROHDE: Second it.

MAYOR COCKRELL: It has been moved and seconded. Any further discussion?

REVEREND BLACK: I'd like to discuss this item.

MAYOR COCKRELL: Yes, Reverend Black.

REVEREND BLACK: While this item deals with the emergency needs for coal and the development of coal as a resource for our energy in this community, and I certainly support that idea. It does not separate from its authorization to continued activity on the part of the City Public Service Board in the nuclear program. Therefore, under those conditions inasmuch as it does not separate those issues, I am compelled by virtue of that unity to vote against this while I agree with the necessity for moving forward with the coal program.

MAYOR COCKRELL: Thank you. Is there any other discussion?

DR. NIELSEN: Yes, I share a lot of Claude's concern, however, I have not been presented strong enough evidence certainly in support of the nuclear and until we have that in terms of something to deal with regarding the source of fuel and not just a five year contract but, hopefully, a ten to twenty year contract for the fuel, I would simply say that I realize perhaps part of this may go into some minimal support of that nuclear project for the next several months. I do understand, however, that the CPS will be back, and I think that's been very clear, sometime in the next several months regarding another issuance of bonds and, of course, if you by then don't have that contract, I can only speak for myself, I cannot for an indefinite period of time go along with a minimal support of that South Texas Nuclear Project. We've got to have some hard data and something to deal with on this Council as soon as possible. I know that you are not totally responsible. You're not managing the thing but I think in terms of the rate payers of the City of San Antonio, we've got

to have some hard facts pretty darn quick.

The other thing finally is that I would encourage, I would still vigorously encourage the trustees to keep your options open regarding the solar. I just think there's a fundamental good proposition that we need to stay on top of it in terms of jobs, in terms of some possible economic development, in terms of some leverage for that Solar Research Institute. Just a number of things that I would still vigorously encourage you. We use to spend 50 plus thousand dollars a year promoting the use of electric appliances, and I see no reason that we can't double our commitment in terms of what you're doing not only through theinaudible..... and other institutes regarding solar, but a serious commitment out of rate payers money. I'm not talking about millions and millions of dollars. I mean a substantial financial commitment to stay on top and keep our options open regarding solar energy development.

MAYOR COCKRELL: Yes, Mr. Hartman.

MR. HARTMAN: Yes, Madam Mayor, my vote on this matter will likewise be influenced purely by the economic considerations, and as Dr. Nielsen has pointed out, insufficient evidence to persuade me to move in the direction of providing support, further support to the nuclear project at this time. I recognize the need to continue with the coal fired plants. In that context I would be happy to vote in favor of the \$60 million in bonds. But, I urge again that the City Council be provided the information that is in other similar business transaction, one would have to have laid before him, before one could consider whether or not he has a fiscally sound arrangement. I would, therefore, base my decision on that item.

MAYOR COCKRELL: Any other comments? If not the Clerk will call the roll. This is on the motion for approval of the Ordinance authorizing the \$60 million in bonds.

* * * *

The Ordinance was passed and approved by the following roll call vote: AYES: Hartman, Rohde, Teniente, Nielsen, Cockrell, Pyndus, Billa, Cisneros; NAYS: Black; ABSENT: None.

* * * *

MAYOR COCKRELL: All right, the motion carried and now we come to consideration of Item No. VII, and would you read that caption again.

The Clerk read the caption for a proposed Ordinance as follows:

An Ordinance by the City Council of the City of San Antonio, Texas, acknowledging its understanding of the financial needs of the City Public Service Board of San Antonio for Capital Improvements to the San Antonio Electric and Gas Systems during the Fiscal Year 1976-77; agreeing to assist and cooperate in meeting the financial needs of said Board; approving and authorizing the issuance of approximately \$150,000,000 in Revenue Bonds in installments necessary to meet said financial needs for the Fiscal Year 1976-77; and declaring an emergency.

MAYOR COCKRELL: Is there a motion?

DR. NIELSEN: I would move that we postpone up to 90 days this particular matter pending any further evidence or any emergency needs that should arise.

MR. HARTMAN: I would second that.

MAYOR COCKRELL: It has been moved and seconded that this item be postponed for approximately 90 days.

MR. HARTMAN: Up to 90 days.

MAYOR COCKRELL: Up to 90 days pending receipt of additional information.

DR. NIELSEN: Or any emergency.....

MAYOR COCKRELL: Or any emergency that should arise. Is there further discussion on the motion? Mr. Pyndus.

MR. PYNDUS: Mayor Cockrell, I feel that the majority of the Council feels that it's time to stop and look and evaluate our commitment in the South Texas Project. In 1973 when the previous Council committed themselves to the Project there was a bit of stability with regards to prices. We had a firm contract and it appears that in 1976 that we do not have a contract. We do not know the actual cost of the yellow cake as such. I would speak in support to postpone the motion according to remarks made by Mr. Berg. He had not planned to use more than the \$60 million for a period of four months. So, it would appear that this three month period would give us a chance to review and a chance to look at our contract.

I would like to state that there was some comment that such a disapproval of this might help it appear that San Antonio's financial capacity would be impaired with regard to issuance of bonds, our capacity we wouldn't have such a fine rating. My reaction to that is just the opposite. I take the contrary issue. I think any loaning installation or any sale of bonds, the people would be encouraged to know that we are take a sound businesslike approach to this prior to commitment of this \$150 million, and I would support the motion.

MAYOR COCKRELL: Is there any other discussion?

MAYOR PRO-TEM TENIENTE: Madam Mayor, if I could follow Councilman Pyndus' reasoning, then I'm speaking for the minority portion of the Council. My position is not to and the vote for the detain is not to be interpreted as my being against the nuclear plant. I have other questions that need to be addressed and for that reason I shall vote against it, but I'm not against the program, the South Texas Nuclear Project at this time.

MAYOR COCKRELL: Any other comments. Mr. Rohde.

MR. ROHDE: Mayor, I've been in the textbooks all week and I say that because this issue was in the textbook. Two hundred years ago when Thomas Jefferson was President of the United States, the highest cost of operating the White House was, believe it or not, firewood. He had to heat, he had to cook and he had to light his home by that. Today that problem is in every home in the United States. The thing that I am saying here is that I will support firewood if it takes to burn, to give the people the lights of this City that I intend to vote for these things whether it's nuclear power, solar energy, gas, cooking oil or anything like that that you bring them in here. I'm going to vote for them because I'm not going to do anything to jeopardize cutting the lights off of my citizens of San Antonio.

MAYOR COCKRELL: Dr. Cisneros.

DR. CISNEROS: Mayor, I voted in favor of the \$60 million allocation because I do believe that we need to proceed just as quickly as possible on coal plants. I have some reservations though on the nuclear part of it, not because I don't think the nuclear power is something that we need

to be moving towards but more because I don't think we've tied it down yet where we can give the proper assurances to the citizens of San Antonio.

My belief is that we have two energy goals that we need to meet in San Antonio. One is reasonable prices for residential customers which we're not presently being able to offer and the second one is competitive and stable prices for industry. Again, which we're falling seriously behind where we ought to be in that area. I think that if we want to move toward that then nuclear power may well be part of the strategy that moves us in that direction. But at the moment with the state of flux of the uranium market being what it is and our inability to tie down a contract, I don't think we can truthfully give those assurances that we put ourselves on the road to achieving those two goals. So I would like to be able to continue to press for that kind of type firm contract at the earliest possible date and the most effective means for doing that in my opinion is to be able to work with CPS again when they come forward for the next increments. So, I intend to vote for this motion which would postpone a hundred and fifty and put us in a position of being able to work with CPS on a closer basis as they come for the remaining ninety million of this issue.

MAYOR COCKRELL: Are there any other comments? All right, Mr. Hartman.

MR. HARTMAN: Madam Mayor, I would like to state that Councilman's Pyndus' observation as to the image being projected by this action, I think that's an astute observation. I would likewise believe that looking or say a lending agency, viewing this action would, to me, appear to be one that would indicate soundness, not weakness, that would indicate deliberativeness and not rushing into something, and I would certainly think that that is the proper perspective within which to view this. I think we have to look at it in terms of fiscal responsibility as relates to the citizens of San Antonio and I would so view this action.

MAYOR COCKRELL: All right, I would like to comment before voting that I understand the Council's concerns. I would like to state for myself that I feel that the actions by the CPSB in planning very carefully for the diversification of our fuel supply is certainly correct and proper. When we confronted the problem of not just our own local shortages of gas and the problem of our supplier not being able to fill the contracts and, therefore, being in power to go out and buy gas at the well head at much higher and still escalating prices we had to face up to the realities of the future in energy. So CPS has put in large supplies of oil on a standby for curtailment time of gas, they have moved to coal, and they have also moved in the direction of nuclear by joining in the South Texas Nuclear Plant Consortium. Now I feel that all these moves were good and correct moves to protect the energy needs of the citizens of San Antonio. I am going to vote against the postponement simply because I feel that the CPS has moved in the proper direction, and I support these moves. I do understand, however, the Council's concern about the fact that we do not yet have the final contract on the uranium supplies, the yellow cake, and I know, however, that these contracts are in negotiation while the final data is not yet ready for announcement, and I do have confidence that the price when available will be within range that will be attractive to our citizens. But I do understand and certainly appreciate some of the concerns that have been raised by the Council. Clerk will call the roll.

DR. CISNEROS: A vote is for postponement, is that correct?

MAYOR COCKRELL: Yes, that's correct.

AYES: Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Pyndus, Billa;
NAYS: Cockrell; ABSENT: None.

MAYOR COCKRELL: The motion has passed and, therefore, the action by the Council on endorsement of the concept of the \$150 million of bonds is postponed for up to three months. We have, however, approved the \$60 million bond issue, and it is certainly my hope that this will provide CPS the financial capability of continuing the efforts of providing energy for the City.

MR. BILLA: Mayor, doesn't the \$150 million suddenly become \$90 million.

MAYOR COCKRELL: That's correct. Fine. Thank you very much. All right, we move to the next item.

-

-

-

76-2 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Dr. Nielsen, seconded by Mr. Teniente, was passed and approved by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None; ABSTAIN: Pyndus.

AN ORDINANCE 46,119

AUTHORIZING THE CITY MANAGER TO EXECUTE STANDARD ENGINEERING CONTRACTS FOR VARIOUS SANITARY SEWER PROJECTS, AND ARCHITECTURAL CONTRACTS FOR THE DOWNTOWN PARKING GARAGE AND THE EAST SIDE YMCA BUILDING, APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

76-2 Note: Numbers 46,120 through 46,219 voided in error.

76-2 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Mr. Pyndus, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

AN ORDINANCE 46,220

ACCEPTING CERTAIN GRANTS FROM THE ENVIRONMENTAL PROTECTION AGENCY TOTTALLING \$931,201.00 FOR SEWER FACILITIES PLANNING IN THE RILLING ROAD SEWAGE TREATMENT PLANT & SYSTEM AREA AND IN THE LEON & SALADO CREEKS SEWER PLANTS & SYSTEMS AREAS; AUTHORIZING REVISIONS IN THE BUDGETS FOR THESE PROJECTS AND EXPENDITURE OF THE FUNDS FOR THE PROJECTS; AND AMENDING ORDINANCE NO. 45755.

* * * *

76-2 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: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

AN ORDINANCE 46,221

APPOINTING COUNCILMAN AL ROHDE TO REPLACE COUNCILMAN PHIL PYNDUS ON THE FIREMAN'S AND POLICEMAN'S PENSION FUND BOARD OF TRUSTEES.

* * * *

AN ORDINANCE 46,222

APPOINTING COUNCILMAN GLEN HARTMAN TO REPLACE MAYOR COCKRELL ON THE STEERING COMMITTEE OF THE SAN ANTONIO - BEXAR COUNTY URBAN TRANSPORTATION STUDY (SABCUTS).

* * * *

76-2 The following Ordinance was read by the Clerk and after consideration, on motion of Rev. Black, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,223

ESTABLISHING THE ST. PAUL SQUARE ADVISORY BOARD, AND PRESCRIBING ITS MEMBERSHIP, DUTIES AND FUNCTIONS.

* * * *

76-2 The following Ordinance was read by the Clerk and explained by Mr. John Rinehart, Operations Manager, Fiscal Planning and Control, and after consideration, on motion of Mr. Billa, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: Cisneros.

AN ORDINANCE 46,224

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF LABOR FOR A CETA TITLE III GRANT AS PRIME SPONSOR FOR THE ALAMO MANPOWER CONSORTIUM FOR A PROGRAM FOR THE LIMITED ENGLISH SPEAKING.

* * * *

Mr. Pyndus stated that he had voted "No" with the comment that he was not comfortable with the manner in which the funds for the CETA Program are being handled, and until they are utilized more effectively, he would not vote for the motion.

76-2 ZONING HEARINGS

1. CASE 6328 - to rezone Lot 1, NCB 12117, 2707 N. E. Loop 410 Expressway, from "F" Local Retail District to "B-3" Business District, located northeast of the intersection of N. E. Loop 410 Expressway and Perrin Beitel Road, having 201.36' on N.E. Loop 410 Expressway and 200' on Perrin Beitel Road.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 46,225

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 1, NCB 12117,
2707 N.E. LOOP 410 EXPRESSWAY, FROM "F"
LOCAL RETAIL DISTRICT TO "B-3" BUSINESS
DISTRICT, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED.

* * * *

2. CASE 6304 - to rezone Lot 13, NCB 11149, 547 Chavaneaux Road, from "B" Two Family Residential District to "I-1" Light Industry District, located on the north side of W. Chavaneaux Road, being 631.7' northwest of the intersection of Garnett Avenue, and W. Chavaneaux Road, having 50' on W. Chavaneaux Road and a maximum depth of 196.5'.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 46,226

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 13, NCB 11149,
547 CHAVANEUX ROAD, FROM "B" TWO FAMILY
RESIDENTIAL DISTRICT TO "I-1" LIGHT
INDUSTRY DISTRICT, PROVIDED THAT PROPER
REPLATTING IS ACCOMPLISHED.

* * * *

3. CASE 6258 - to rezone Lots 10, 28, 29 and 30, Block 10, NCB 13961, 5400 Block of Highway 90 West Expressway, 5400 Block of Zupan Lane, from "R-A" Residential-Agricultural District to "I-1" Light Industry District, located between Highway 90 West Expressway and Zupan Lane, being 275' and 195' east of Callaghan Road, having 50' on Zupan Lane, 150' on Highway 90 West Expressway and a maximum distance of 323' between these two right-of-ways.

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

Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Hartman seconded the motion.

Dr. Nielsen asked Mr. Camargo about the City's responsibility regarding the residences adjacent and nearby to the subject property being rezoned.

January 15, 1976
el

-13-

Mr. Camargo stated that staff had originally recommended the denial of the "I-1" zoning on the northern lot, on which the proponent enjoys non-conforming rights at this time for "I-1" use.

He said that the property in question is bounded by two large areas of industrial zoning. The staff has no objections in allowing the transition beginning on Highway 90 into industrial.

Mr. Pyndus asked what was planned for the residences that are immediately east of the property.

Mr. Camargo responded that this one large block will go into commercial and light industrial.

Mr. Billa made a substitute motion that the applicant's request be denied and that the staff's recommendation that Lots 28, 29 and 30 be rezoned "I-1", and that Lot 10 remain in non-conforming use be approved.

Mr. Pyndus seconded the motion.

Mr. William M. Porter, attorney for the applicant, appeared before the Council. He said that when the City annexed the area and with the building of the expressway, the Zoning Commission intended for the area to be industrial property because of the accessibility to the expressway. He asked that the Council approve the applicant's request and that Lot 10 as well as Lots 28, 29 and 30 be rezoned.

No one spoke in opposition.

After consideration, Mr. Billa's substitute motion which was seconded by Mr. Pyndus, carrying with it the passage of the following Ordinance, was passed and approved by the following roll call vote: AYES: Pyndus, Billa, Black, Hartman, Teniente, Cockrell; NAYS: Rohde, Nielsen; ABSENT: Cisneros.

AN ORDINANCE 46,227

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 28, 29 AND
30, BLOCK 10, NCB 13961, 5400 BLOCK
OF ZUPAN LANE, FROM "R-A" RESIDENTIAL-
AGRICULTURAL DISTRICT TO "I-1" LIGHT
INDUSTRY DISTRICT, PROVIDED THAT PROPER
REPLATTING IS ACCOMPLISHED.

* * * *

4. CASE 6326 - to rezone Parcel 102-C, NCB 16063, 7699 Highway 90 West Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located northeast of the intersection of Gunsmoke Drive and Highway 90 West, having 150' on Gunsmoke Drive and 205.64' on Highway 90 West.

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

No one spoke in opposition.

After consideration, Mr. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 46,228

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 102-C, NCB 16063, 7699 HIGHWAY 90 WEST EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

5. CASE 6296 - to rezone Lot 19 and the west 25' of Lot 20, Block 18, NCB 16528, 6700 Block of Highway 90 West Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the northwest side of Highway 90 West Expressway being 147.51' northeast of the cutback between Pinn Road and Highway 90 West Expressway, having 75' on Highway 90 West Expressway, with a maximum depth of 168.05'.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,229

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 19 AND THE WEST 25' OF LOT 20, BLOCK 18, NCB 16528, 6700 BLOCK OF HIGHWAY 90 WEST EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

6. CASE 6313 - to rezone Lots 11 and 12, Block 154, NCB 9437, 3215 Commercial Avenue, from "F" Local Retail District to "B-3" Business District, located on the west side of Commercial Avenue, being 100' north of the intersection of Amber Place and Commercial Avenue, having 50' on Commercial Avenue and a depth of 130'.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,230

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 11 AND 12,
BLOCK 154, NCB 9437, 3215 COMMERCIAL
AVENUE, FROM "F" LOCAL RETAIL DISTRICT
TO "B-3" BUSINESS DISTRICT.

* * * *

7. CASE 6316 - to rezone Lot 37 and the east 25' of Lot 38, Block 25, NCB 8948, 1127 S. W. Military Drive, from "E" Office District to "B-3" Business District, located on the north side of S. W. Military Drive, being 125' east of the intersection of S. W. Military Drive and Garnet Avenue having 75' on S. W. Military Drive and a depth of 152.5'.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the north property line. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,231

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 37 AND THE
EAST 25' OF LOT 38, BLOCK 25, NCB 8948,
1127 S. W. MILITARY DRIVE, FROM "E"
OFFICE DISTRICT TO "B-3" BUSINESS

DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

* * * *

8. CASE 6312 - to rezone Arbitrary Tract A save and except the northeast triangular 124' X 188.96', NCB 10598, 300 & 400 Blocks of Springfield Road, from Temporary "A" Single Family Residential District and "B" Two Family Residential District to "I-1" Light Industry District, located on the east side of Springfield Road and on the southwest side of N. E. Loop 410 Expressway being 140' southwest and 520' southeast of the intersection of Springfield Road and N. E. Loop 410 Expressway, having 625' on Springfield Road and 969.30' on N. E. Loop 410 Expressway.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,232

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS ARBITRARY TRACT A SAVE AND EXCEPT THE NORTHEAST TRIANGULAR 124' X 188.96', NCB 10598, 300 & 400 BLOCKS OF SPRINGFIELD ROAD, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

9. CASE 6294 - to rezone Parcel 7-B, NCB 15724, 11900 Block of I. H. 35 Expressway North, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of I. H. 35 Expressway, being 389.33' northeast of the cut-back between I. H. 35 Expressway and Bludau-Bishop Road, having 300' on I. H. 35 Expressway and a maximum depth of 307'.

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

Mr. Pyndus stated that the Planning Commission has recommended approval of the "I-1" zoning contrary to staff's recommendation for "B-3" zoning, and asked Mr. Camargo for clarification on the staff's recommendation.

Mr. Camargo replied that the "B-3" zoning would provide a buffer between the industrial uses and zoning to the southwest and the development which is occurring to the northeast of the property.

Mr. Eugene Stocking, President of Acme Steel Fabrications, Inc., appeared before the Council and stated he had been in operation since May of 1969 and asked for favorable consideration of his request.

No one spoke in opposition.

Mr. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Dr. Nielsen seconded the motion.

Mr. Pyndus again asked Mr. Camargo if the applicant could continue to operate under "B-3" zoning.

Mr. Camargo stated they could continue to operate under non-conforming rights but could not expand their operation under "B-3" zoning.

Mr. Billa stated that this case is different from the previous zoning case in that industrial zoning is not fronting on residential property.

After consideration, on the following roll call, the motion by Mr. Teniente, carrying with it the passage of the following Ordinance, was passed and approved: AYES: Pyndus, Billa, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Black, Hartman.

AN ORDINANCE 46,233

AMENDING CHAPTER 42 OF THE CITY CODE
 THAT CONSTITUTES THE COMPREHENSIVE
 ZONING ORDINANCE OF THE CITY OF SAN
 ANTONIO BY CHANGING THE CLASSIFICATION
 AND REZONING OF CERTAIN PROPERTY
 DESCRIBED HEREIN AS PARCEL 7-B, NCB
 15724, 11900 BLOCK OF I. H. 35 EXPRESSWAY
 NORTH, FROM TEMPORARY "R-1" SINGLE FAMILY
 RESIDENTIAL DISTRICT TO "I-1" LIGHT
 INDUSTRY DISTRICT, PROVIDED THAT PROPER
 REPLATting IS ACCOMPLISHED.

* * * *

10. CASE 6324 - to rezone Parcels 7 and 7A, NCB 15724, 11900 Block of I. H. 35 N. Expressway, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of I. H. 35 Expressway, being 689.33' northeast of the cutback between Bludau-Bishop Road and I. H. 35 Expressway, having 1245.51' on I. H. 35 Expressway and a maximum depth of 398.37'.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the northwest property line. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Black, Hartman.

AN ORDINANCE 46,234

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCELS 7 AND 7A, NCB 15724, 11900 BLOCK OF I.H. 35 N. EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE.

* * * *

11. CASE 6315 - to rezone Parcel 9A, NCB 15724, 12000 Block of O'Connor Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the northeast side of O'Connor Road being 1126.56' northwest of the cutback between I. H. 35 Expressway and O'Connor Road, having 377.72' on O'Connor Road and a maximum depth of 423.22'.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Black, Hartman.

AN ORDINANCE 46,235

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 9A, NCB 15724, 12000 BLOCK OF O'CONNOR ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

12. CASE 6293 - to rezone Lots 4, 5, and the remaining portions of Lots 6, 7, and the southeast irregular 115' of Lot 18, NCB 11625, 8000 & 8100 Block of Callaghan Road, from "A" Single Family Residential District to "B-3" Business District, located on the northwest side of Callaghan Road between Greatview Road and I. H. 10 Expressway, having 1025' on Callaghan Road 484' on Greatview Road and 758.73' on I. H. 10 Expressway.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Black, Hartman.

AN ORDINANCE 46,236

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 4, 5, AND THE REMAINING PORTIONS OF LOTS 6, 7, AND THE SOUTHEAST IRREGULAR 115' OF LOT 18, NCB 11625, 8000 & 8100 BLOCK OF CALLAGHAN ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

13. CASE 6282 - to rezone Lot 1, Block 6, NCB 3933, 1343 W. Hildebrand Avenue, from "F" Local Retail District to "B-3" Business District, located northeast of the intersection of Catalina Avenue and W. Hildebrand Avenue having 50' on W. Hildebrand Avenue and 173' on Catalina Avenue.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Black, Hartman.

AN ORDINANCE 46,237

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 1, BLOCK 6, NCB 3933, 1343 W. HILDEBRAND AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

14. CASE 6311 - to rezone a 0.3619 and 5.7502 acre tracts of land out of NCB 16159, being further described by field notes filed in the office of the City Clerk, 12200 Block of Blanco Road, from "R-3" Multiple Family Residential District to "B-2" Business District; and a 0.3543 acre tract of land out of NCB 16159, being further described by field notes filed in the office of the City Clerk, from "B-2" Business District to "R-3" Multiple Family Residential District.

"B-2"

The 0.3619 acre tract of land is located on the south side of Vista View Drive being an irregular tract and 475' west of the intersection of Blanco Road and Vista View Drive, having 240.22' on Vista View Drive and a maximum depth of 130.61'.

The 5.7502 acre tract of land is located northwest of the intersection of Blanco Road and Fox Tail Lane, having 581.56' on Blanco Road and 534.52' on Fox Tail Lane.

"R-3"

The 0.3543 acre tract of land is located 226.60' west of Blanco Road and 130.61' southeast of Vista View Drive, being an irregular tract of land having 178.56' in length and 160.22' in depth.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,238

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 0.3619 AND 5.7502 ACRE TRACTS OF LAND OUT OF NCB 16159, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 12200 BLOCK OF BLANCO ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 0.3543 ACRE TRACT OF LAND OUT OF NCB 16159, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "B-2" BUSINESS DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

January 15, 1976
el

-21-

410
15. CASE 6331 - to rezone Parcel 13, NCB 16587, being that portion presently inside of City limits, 16300 Block of Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located 1556.7' southwest of the cutback between Nacogdoches Road and F. M. 1604 Expressway, having approximately 245' on Nacogdoches Road and a depth of approximately 250'.

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

No one spoke in opposition.

After consideration, Mr. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 46,239

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 13, NCB
16587, BEING THAT PORTION PRESENTLY
INSIDE OF CITY LIMITS, 16300 BLOCK OF
NACOGDOCHES ROAD, FROM TEMPORARY "R-1"
SINGLE FAMILY RESIDENTIAL DISTRICT TO
"B-3" BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED.

* * * *

16. CASE 6310 - to rezone a 0.177 acre tract of land out of NCB 14591, being further described by field notes filed in the office of the City Clerk, from "R-3" Multiple Family Residential District to "B-1" Business District; and a 0.384 acre tract of land out of NCB 14591, being further described by field notes filed in the office of the City Clerk, 12500 Block of Nacogdoches Road, from "R-3" Multiple Family Residential District to "B-3" Business District.

The "B-1" zoning is located 215' southwest of Leonhardt Road and 230.60' southeast of Nacogdoches Road, having a length of 102.05' and a width of 75'.

The "B-3" zoning is located on the southeast side of Nacogdoches Road being 118.77' southwest of the cutback between Leonhardt Road and Nacogdoches Road having 76.30' on Nacogdoches Road and a maximum depth of 230'.

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

Mr. Pyndus objected to the request for rezoning and said that the zoning would encroach on the residences to the south of the area and eliminate the buffer zone.

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished, and that a six foot solid screen fence is erected and maintained adjacent to the single family subdivision. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Hartman; ABSTAIN: Pyndus.

AN ORDINANCE 46,240

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 0.177 ACRE TRACT OF LAND OUT OF NCB 14591, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; AND A 0.384 ACRE TRACT OF LAND OUT OF NCB 14591, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 12500 BLOCK OF NACOGDOCHES ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE SINGLE FAMILY SUBDIVISION.

* * * *

17. CASE 6330 - to rezone the northeast 550' of Parcel 14, NCB 15723, 14000 thru 14300 Blocks of Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District; and Parcel 15 and Parcel 14, save and except the northeast 550', NCB 15723, 14000 thru 14300 Blocks of Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

The "B-2" zoning is located on the southeast side of Nacogdoches Road approximately 881' northeast of the cutback at the intersection of O'Connor Road and Nacogdoches Road, having 550' on Nacogdoches Road and a depth of 1100'.

The "B-3" zoning is located east of the cutback between Nacogdoches Road and O'Connor Road, having 881' on Nacogdoches Road, 707.74' on O'Connor Road and 121.2' on the cutback between these two roads.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Cisneros, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Hartman.

AN ORDINANCE 46,241

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 NORTHEAST 550' OF PARCEL 14, NCB 15723, 14000 THRU 14300 BLOCKS OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND PARCEL 15 AND PARCEL 14, SAVE AND EXCEPT THE NORTHEAST 550', NCB 15723, 14000 THRU 14300 BLOCKS OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

18. CASE 6314 - to rezone Lot 10, Block 18, NCB 13033, 900 Block of Chulie Drive, from "B-3" Business District to "I-1" Light Industry District, located southwest of the intersection of Chulie Drive and Errol Drive, having 536.68' on Chulie Drive and 149.76' on Errol Drive.

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

No one spoke in opposition.

Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained abutting the single family residences to the south. Mr. Teniente seconded the motion.

Mr. Pyndus stated he would go along with the staff's recommendation that the request for rezoning to "I-1" be denied because of the adjacent single family dwellings.

Mr. Dick Lubel, applicant, appeared before the Council and asked for favorable consideration of his request. He said he would like the change for the construction of a Bekins Moving and Storage Company. He stated this area is going through transition and the proposed use would be appropriate at this time. He said no notices had been returned in opposition.

After consideration, Dr. Nielsen's motion, which was seconded by Mr. Teniente, carrying with it the passage of the following Ordinance, was passed and approved by the following roll call vote: AYES: Cisneros, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: Billa, Hartman.

AN ORDINANCE 46,242

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, BLOCK 18,
NCB 13033, 900 BLOCK OF CHULIE DRIVE,
FROM "B-3" BUSINESS DISTRICT TO "I-1"
LIGHT INDUSTRY DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED AND
THAT A SIX FOOT SOLID SCREEN FENCE IS
ERECTED AND MAINTAINED ABUTTING THE
SINGLE FAMILY RESIDENCES TO THE SOUTH.

* * * *

19. CASE 6321 - to rezone Lot 5, Block 3, NCB 11714, 7242 Blanco Road, from "A" Single Family Residential District to "B-2" Business District, located on the east side of Blanco Road, being 462.86' north-west of the intersection of Lockhill Selma Road and Blanco Road, having 146' on Blanco Road with a maximum depth of 736.80'.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,243

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 5, BLOCK 3,
NCB 11714, 7242 BLANCO ROAD, FROM "A"
SINGLE FAMILY RESIDENTIAL DISTRICT TO
"B-2" BUSINESS DISTRICT.

* * * *

20. CASE 6317 - to rezone the east 105' of Parcel 24E, Block 16, NCB 15367, 7300 Block of Marbach Road, from "B-2" Business District to "B-3" Business District, located on the north side of Marbach Road, being 110' west of the intersection of Westedge Drive and Marbach Road, having 105' on Marbach Road and a depth of 240.13'.

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

No one spoke in opposition.

Mr. Pyndus stated that staff had recommended denial of "B-3" zoning change contrary to the Planning Commission and that "B-2" would be a better transition and would not approve a "B-3" change.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the north property line. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the

passage of the following Ordinance, prevailed by the following vote;
 AYES: Cisneros, Black, Teniente, Nielsen, Cockrell; NAYS: Pyndus;
 ABSENT: Billa, Hartman, Rohde.

AN ORDINANCE 46,244

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 EAST 105' OF
 PARCEL 24E, BLOCK 16, NCB 15367, 7300
 BLOCK OF MARBACH ROAD, FROM "B-2"
 BUSINESS DISTRICT TO "B-3" BUSINESS
 DISTRICT, PROVIDED THAT PROPER RE-
 PLATTING IS ACCOMPLISHED AND THAT A
 SIX FOOT SOLID SCREEN FENCE IS ERECTED
 AND MAINTAINED ALONG THE NORTH PROPERTY
 LINE.

* * * *

76-2 The following discussion took place:

MR. PHIL PYNDUS: I would like to make a statement in defense of the voting and in defense of the voters not being there. I think we were elected to represent them and whether they are here or not, I think we should continue with a consistent pattern of transitional zoning, and I would not rule on one merely because someone was not here unable to protect their rights.

MAYOR PRO-TEM RICHARD TENIENTE: Madam Mayor, I'd like to comment on that. I think the fact that we are voting and voting in the manner we are maybe in the way that we feel the voters or the citizens want us to vote. We don't have to vote no on everything in order to do what the citizens want, Mr. Pyndus.

76-2 The meeting recessed for five minutes and reconvened at 10:50 A. M.

21. CASE 6323 - to rezone a 17.960 acre tract of land out of NCB 8696, being further described by field notes filed in the office of the City Clerk, from "F" Local Retail District and "B-3" Business District to "I-1" Light Industry District; and a 1.80 acre tract of land out of NCB 8696, being further described by field notes filed in the office of the City Clerk, 1400 Block of Austin Highway, from "F" Local Retail District to "B-3" Business District.

The subject property is located on the southeast side of Austin Highway being 594.64' southwest of the Harry Wurzbach Road and Austin Highway having a total frontage of 737.67' on Austin Highway and a depth of 954.1'. The "B-3" being on the southeast 125' of the southwest 665.37' of the subject property and the "I-1" being on the remaining portion.

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

Dr. Nielsen asked if the change in zoning was what the staff had recommended.

Mr. Camargo stated that originally the staff had recommended denial of the "I-1" entirely. Since then, there has been some "I-1" zoning going in. It was the staff's feeling that with the "I-1" zoning established there, the "B-3" zoning granted to the south with a non-access easement and a fence that they would have no objection at this time.

No one appeared in opposition.

Mr. Pyndus stated that this was not a good transitional zoning, and he would not be in favor of the rezoning request.

Mr. Rohde stated he was familiar with this property and has been vacant for approximately seven years, and that "I-1" would be a good transition, and would urge the Council to vote approval of this case.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the south property line, and that a non-access easement be imposed along the south property line. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: Hartman.

AN ORDINANCE 46,245

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 17.960 ACRE TRACT OF LAND OUT OF NCB 8696, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "F" LOCAL RETAIL DISTRICT AND "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; AND A 1.80 ACRE TRACT OF LAND OUT OF NCB 8696, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE, AND THAT A NON-ACCESS EASEMENT BE IMPOSED ALONG THE SOUTH PROPERTY LINE.

* * * *

22. CASE 6329 - to rezone the southeast 110' of Lot 25, Block 3, NCB 13765, 10510 I. H. 35 N. Expressway, from "B-3" Business District to "I-1" Light Industry District, located on the northwest side of Eveningway Drive, being 370' northeast of the intersection of Starlight Terrace and Eveningway Drive, having 115' on Eveningway Drive and a depth of 110'.

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

Mr. Thomas Hoy, representing the applicant, stated that he wished to speak against the recommendation of the Planning Commission of the requirement of a non-access easement along Eveningway Drive, so that traffic can come in from the rear of the building to the mobile home and to the rear of the building.

Mr. Pyndus objected to the "I-1" zoning being extended into the residential area, and asked if "I-1" was necessary.

Mr. Hoy said that it was necessary because he wanted to expand the business.

Mr. Camargo stated the property in question is presently zoned "B-3" Business and that this zoning was considered permissive enough to allow development of the property without extending the industrial use adjacent to the residential area.

In response to a question from Mr. Teniente, Mr. Camargo said that the Council could require a greater setback if they so desired.

Dr. Nielsen asked Mr. Hoy if he could possibly redesign his plans to have the unloading on the side.

Mr. Hoy stated that he had spoken to the residents of the area and no one was opposed to this change of zoning and that his request for zoning without the non-access easement be approved.

Mr. Pyndus stated he was for the preservation of the neighborhood and he felt that the request for "I-1" zoning should be denied.

Mr. Pyndus then made a motion that the Planning Commission's recommendation be overruled and the rezoning be denied. Dr. Cisneros seconded the motion and on the following roll call vote, was passed and approved: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Cockrell; NAYS: Teniente, Nielsen; ABSENT: Rohde.

The rezoning was denied.

23. CASE 6288 - to rezone Lots 20 thru 23, Block 8, NCB 3183, 2100 Block of Hicks Avenue, from "B" Two Family Residential District to "B-2" Business District, located northeast of the intersection of Hicks Avenue and Clark Avenue, having 100' on Hicks Avenue and 117' on Clark Avenue.

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

Mr. Joe Guajardo, speaking for the applicant, Ms. Gloria Guajardo, said that they were requesting a change in zoning in order to operate a produce outlet on the subject property.

No one spoke in opposition.

Mr. Teniente made a motion to approve the request for rezoning. For lack of a second, the motion died.

After consideration, Mr. Pyndus made a motion that the recommendation of the Planning Commission be overruled and the rezoning be denied. The motion was seconded by Mr. Billa and on the following roll call vote, was passed and approved: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: Teniente; ABSENT: Rohde.

The rezoning was denied.

24. CASE 6177 - to rezone Lot 7 and the west 19.8' of Lot 8, NCB 1724, 136 E. French Place, from Historic "D" Apartment District to Historic "B-1" Business District, located on the south side of E. French Place, being 175.8' west of the intersection of McCullough Avenue and E. French Place, having 69.8' on E. French Place and a depth of 147.28'.

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

Mr. Camargo also stated that he had spoken to Mr. Whitelaw, the applicant, and Mr. Whitelaw had indicated that an agreement had not been reached between the applicant and the Monte Vista Historical Society, and he would not appear at today's hearing.

Mr. Ron White, 116 E. French, spoke in opposition to the proposed request for rezoning, and presented a petition signed by 14 persons of the area in opposition to the change.

Mayor Cockrell turned the petition over to the City Clerk to check for its validity and to see if the signatures will require a vote of seven members of the Council.

The petitions were found to be valid and seven votes would be required to approve the change in zoning.

Mr. White again appeared before the Council and stated they were opposed to the change because this block is primarily residential.

Mr. Harry Jewett, member of the Board of Directors of the Monte Vista Historical Association, stated that the association had met and discussed this matter with Mr. Whitelaw and had recommended denial of this change in zoning.

A general discussion of the proposed use of the property took place.

Dr. Nielsen and Mr. Pyndus stated that the antique shop and art gallery that was proposed would not be detrimental to the neighborhood and they would favor the request for change in zoning.

Mr. Hartman asked Ms. Pat Osborne for her views on the proposed change.

Ms. Osborne stated that Mr. Whitelaw had not been before the Historic Review Board and the Board has very stringent regulations.

After consideration, Mr. Pyndus made a motion that the recommendation of the Planning Commission be approved and the rezoning be granted. Dr. Nielsen seconded the motion.

On the following roll call vote, the motion failed to carry; AYES: Pyndus, Hartman, Teniente, Nielsen; NAYS: Billa, Cisneros, Black, Cockrell; ABSENT: Rohde.

The rezoning was denied.

25. CASE 6305 - to rezone Lot 16, Block 15, NCB 1837, 105 W. Woodlawn Avenue, from Historic "B" Two Family Residential District to Historic "B-2" Business District, located on the north side of W. Woodlawn Avenue being 100' west of the intersection of N. Main Avenue and W. Woodlawn Avenue, having 50' on W. Woodlawn Avenue and a depth of 135.08'.

25. CASE 6305 - to rezone Lot 16, Block 15, NCB 1837, 105 W. Woodlawn Avenue, from Historic "B" Two Family Residential District to Historic "B-2" Business District, located on the north side of W. Woodlawn Avenue being 100' west of the intersection of N. Main Avenue and W. Woodlawn Avenue, having 50' on W. Woodlawn Avenue and a depth of 135.08'.

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

No one spoke in opposition.

Ms. Pat Osborne, Historic Preservation Planner, stated this case had come before the Historic Review Board and the plans have been approved by them and would recommend approval of this request.

After consideration, Mr. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the west property line. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Rohde.

AN ORDINANCE 46,246

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 16, BLOCK 15,
 NCB 1837, 105 W. WOODLAWN AVENUE, FROM
 HISTORIC "B" TWO FAMILY RESIDENTIAL DIS-
 TRICT TO HISTORIC "B-2" BUSINESS DISTRICT,
 PROVIDED THAT PROPER REPLATTING IS
 ACCOMPLISHED AND THAT A SIX FOOT SOLID
 SCREEN FENCE IS ERECTED AND MAINTAINED
 ALONG THE WEST PROPERTY LINE.

* * * *

CITIZENS TO BE HEARDJUPE ADDITION

Mr. Clyde R. Barton
Mrs. Geraldine Carnahan
Robert Taylor

Mr. Clyde Barton, Mr. Robert Taylor, and Mrs. Geraldine Carnahan representing the Jupe and Casa Linda addition, again appeared before the Council requesting that the serious drainage problem in their area be alleviated.

City Manager Granata stated that an engineer has been retained to do the engineering for the sanitary sewer system, but the drawings will take some future bond issue funds.

Mr. Hartman said that he is familiar with the area, and it is probably one of the worst drained areas in the county. The matter of drainage is one of the most urgent in the area.

Mr. Sueltenfuss stated that the temporary solution to the problems are not feasible. This project should be given top priority in the next bond issue. It was given priority by the last bond committee but was subsequently dropped from the bond election.

City Manager Granata stated that the only true solution would be to include this in a bond issue and the staff would make every effort to see that it is included.

Mayor Cockrell advised the citizen's who were present to speak up at the appropriate time to see that this project is funded in a future bond issue. She also suggested that Mr. Barton be appointed to serve in the Citizens Bond Committee when it is found.

76-2 The meeting recessed for lunch and reconvened at 1:45 P.M.

CITIZENS TO BE HEARD (CONT.)MR. RICHARD BARGANS

Mr. Richard Bargans, National Staff member of the National Federation of Settlements and Neighborhood Centers, appeared before the Council and spoke of the funds needed by the Ella Austin Community Center to continue their outstanding work in the community.

MR. JERRY RATZLAFF

Mr. Jerry Ratzlaff, President of the Bexar Chapter of the Texas Society of Professional Engineers, appeared before the Council. He stated that their Chapter had passed a resolution on January 5, 1976, concerning the Aquifer which states that the Aquifer is adequately safeguarded and that controlled development will not cause contamination.

LORRAINE LUTICH
VERA M. FOSTER

Mayor Cockrell stated these ladies had been in the Council meeting earlier in the morning. They are members of the San Antonio Genealogical and Historical Society and are trying to get a reaffirmation of the Declaration of Independence signed as a project.

MARIA J. DOMINGUEZ

Mrs. Maria J. Dominguez, 250 Freiling Drive, congratulated Mr. Pyndus on his appointment of Mrs. Armandina Saldivar as an administrative aide.

Mrs. Dominguez criticized the Police Department's handling of Blacks and Mexican-Americans. She also cited instances in Municipal Court where cases are handled in the judge's chambers instead of open court.

ELLA AUSTIN COMMUNITY CENTER

Mrs. Evelyn King, representing the Area Residents and Consumer Services Organization, spoke of the funds that Ella Austin Community Center needs in order to continue the worthwhile services.

Mr. John Small spoke in support of the request of Ella Austin's need for funds in order to make the necessary repairs to the center.

Mr. Jesse Solis spoke in support of Ella Austin Community Center's request for funds.

Mr. Joe Clayton also spoke requesting funds. He mentioned the valuable services for senior citizens that the center provides.

Mr. Wendall Carrington, of the Alamo City Chamber of Commerce, mentioned the great services that Ella Austin provides and asked the Council's support.

MR. ERVIN CAREY

Mr. Ervin Carey said he represented 100-300 Bexar County senior citizens. He read a prepared statement opposing the pass-through charge that City Public Service collects.

MRS. HELEN WALTER

Mrs. Helen Walter spoke of the need for a park on the northeast sector particularly in the Camelot area. She brought three letters from different organizations in the area requesting a community park. She also stated she did not want the Parks Department to use tax dollars to develop a lake in the Ray Ellison area.

MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, spoke regarding the Edwards Aquifer. He said that it should not be up to the taxpayers to buy the property located over the recharge zone.

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez again spoke about the conditions at the Police vehicle pound and the exorbitant charges that are imposed.

Mayor Cockrell asked City Manager Granata to report to the Council on this matter.

76-2 The Clerk read the following letter:

January 9, 1976

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

Madam and Gentlemen:

The following petitions were received by my office and forwarded to the City Manager for investigation and report to the City Council.

January 7, 1976

Petition submitted by Mr. Marshal S. Pogue, III, 779 Crestway Drive, San Antonio, Texas, 78239, requesting the City of San Antonio to deannex an area of land adjacent to the City of Windcrest, giving reasons for the request.

January 9, 1976

Petition submitted by Mr. Dick G. Thiesen, 306 Barbara Drive, San Antonio, Texas, 78216, requesting permission to construct a seven (7) foot fence on his property located at 306 Barbara Drive, San Antonio, Texas.

January 9, 1976

Petition submitted by Mrs. Dale E. Rayner, 155 Kelly Drive, San Antonio, Texas, 78214, and signed by other citizens, requesting the City of San Antonio to seal coat or repave Kelly Drive, from Mission Road to Roosevelt Avenue and widen the street from Dagley to Roosevelt Avenue.

G. V. JACKSON, JR.
City Clerk

76-2 There being no further business to come before the Council, the meeting adjourned at 2:50 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

January 15, 1976