

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, AUGUST 20, 1970.

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The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: McALLISTER, CALDERON, BURKE, JAMES, NIELSEN, TREVINO, HILL, TORRES, HABERMAN; Absent: NONE.

70-37 The invocation was given by Reverend M. H. Van Hoose, St. James AME (Methodist) Church.

Consideration of the minutes of the meeting of August 13, 1970, was postponed to the next Council Meeting.

70-37 Mayor McAllister stated that Mr. Arnold Swartz wished to make a statement for Mr. and Mrs. Henry E. Catto, Jr.

Mr. Swartz made the following statement:

"In 1967 we had the idea of donating to the City, and in time for HemisFair, a piece of sculpture. We wanted it to be exciting, strong and forward-looking, and the best the contemporary idiom had to offer. So, we commissioned Tony Smith to do a special work. In 1968 we gave "Asterikos," the sculpture, to the City as a tribute to the late Governor William Pettus Hobby, a forward-looking man himself, whose memory we had hoped to honor. It was a great pleasure to have been able to make this kind of contribution to San Antonio. As you all know, this giant sculpture was destroyed and junked by the City. Precise responsibility has not yet been determined.

We gave the sculpture to be a joy to San Antonio, not a burden, and in order to protect the taxpayer from shouldering a financial burden which in no way should be his, we propose the following:

1. That the City give the sculpture on permanent loan to the McNay Art Institute.
2. That the McNay provide the base, paint, and maintenance.
3. That the City provide transportation of the sculpture to the McNay, plus the use of whatever equipment and whatever help might be appropriate.
4. That we provide the major cost, which will be for reconstruction.

We think this is a good time to suggest that the City appoint an expert as curator of its gifts of City-owned art. This would prevent any future destruction and protect the City's treasures.

Further, we certainly feel the City should take the strongest possible steps to insure itself that this kind of wanton destruction will not

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happen again.

We would like to close with special thanks to the hundreds of people who signed the petition (not presented because of the Mayor's prompt and sympathetic attention) in order to show their concern for the future of art in San Antonio.

Respectfully,

Jessica and Henry Catto"

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The Council expressed general agreement with the proposals made by Mr. and Mrs. Catto and the City Manager was instructed to have the proper ordinance prepared for the next meeting of the City Council.

70-37 Mayor McAllister stated that he wished to read a statement with reference to an interview he had on NBC Television several weeks ago.

Shortly after Mayor McAllister began to read his statement, he was interrupted by persons in the audience, who objected on the grounds that this was not included in the agenda.

Mayor McAllister distributed copies of his statement to members of the Council and members of the press, which is as follows:

Due to the controversy regarding my statement on NBC Television on the ambition of Mexican-Americans in our City, I would like to set the record straight on this issue. I regret and am concerned and disturbed that my words were misunderstood. After meeting with various responsible individuals and with the IMAGE organization, the following is presented to clarify my feelings on our citizens of Mexican descent once and for all. The particular statement taken out of context by NBC-TV in which I stated that Mexican-Americans are not ambitiously motivated is incorrect, for nothing could be farther from the truth.

There is a very strong and large segment of the Mexican-American community that is most aggressive and progressive in the business and professional life of our City. They are members of the Chamber of Commerce, Manufacturers Association, Real Estate Association - doctors, lawyers, dentists, architects, businessmen, builders, contractors and merchants. They compete in their chosen field and hold their own at all times. They are civic minded and hold membership and are officers in many of our community organizations. There are numerous Mexican-Americans on public boards and commissions and they hold offices by election, such as Councilmen, State Representatives, the National Congress, Judges, and state and local Boards of Education. Certainly these people are not lacking in ambition. To say so, or even imply it, as has been falsely implied by the NBC news film, is nothing less than a gross misrepresentation of the facts - and my intent.

A large portion of the charm and uniqueness of San Antonio is the Spanish and Mexican influence. I was born here and it has been my life-long home. The progress we have achieved has come from cooperation and unity of Americans of all ancestries. Because this is our home, where we earn our livelihood, where our pride and

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industry can be shown - and because we are all Americans - let us strive for the cooperation that has brought us this far, and continue to progress to an even greater future.

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70-37 ZONING HEARINGS

a. CASE 3843 - to rezone 0.899 acres of land out of Lot 14, NCB 10747 (being further described by Field Notes), from "A" Single Family Residential District to "B-1" Business District, and 0.761 acres of land out of Lot 14, NCB 10747 (being further described by Field Notes), from "A" Single Family Residential District to "B-3" Business District, located northwest of the intersection of Grobe Road and Rigsby Avenue; having 262.01' on Grobe Road and 257.37' on Rigsby. The "B-3" zoning being on the south 120.21' and the "B-1" zoning on the remaining portion.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Dr. Nielsen, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:

AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,828

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 0.899 ACRES OF LAND OUT OF LOT 14, NCB 10747 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, AND 0.761 ACRES OF LAND OUT OF LOT 14, NCB 10747 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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b. CASE 3861 - to rezone Lot 8, NCB 12058, from "A" Single Family Residential District to "B-2" Business District, located on the northwest side of Maltsberger Road, 192.40' southwest of the cutback to Bitters Road; having 600.02' on Maltsberger Road and a maximum depth of 155.90'.

Planning Director, Steve Taylor, explained the proposed

change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
 AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,829

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 8, NCB 12058,
 FROM "A" SINGLE FAMILY RESIDENTIAL
 DISTRICT TO "B-2" BUSINESS DISTRICT.

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c. CASE 3888 - to rezone Lot 7, NCB 12058, from "A" Single Family Residential District to "B-3" Business District, located southwest of the intersection of Maltsberger Road and Bitters Road; having 192.40' on Maltsberger Road, 80.0' on Bitters Road and 17.40' on the cutback between Maltsberger Road and Bitters Road.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
 AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,830

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 7, NCB 12058,
 FROM "A" SINGLE FAMILY RESIDENTIAL
 DISTRICT TO "B-3" BUSINESS DISTRICT.

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d. CASE 3898 - to rezone Lot 53, Blk. 1, NCB 3720, from "A" Single Family Residential District to "R-3" Multiple Family Residential

District, located northwest of the intersection of Glover Avenue and Bremen Avenue; having 95.0' on Glover Avenue and 145.01' on Bremen Avenue.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,831

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 53, BLK. 1, NCB 3720, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

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e. CASE 3926 - to rezone Lot 34, Blk. 29, NCB 11829, from "A" Single Family Residential District to "O-1" Office District, located south of the intersection of Dalewood Place and Military Drive; having 144.57' on Military Drive and 165.66' on Dalewood Place.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Torres, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,832

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 34, BLK. 29, NCB 11829, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

f. CASE 3941 - to rezone the west 60.0' of the east 150.0' of Lot 20, Blk. 144, NCB 9419, from "C" Apartment District to "B-1" Business District, located on the northside of Hutchins Boulevard, 90.0' west of Hilton Avenue; having 60.0' on Hutchins Boulevard and a depth of 127.0'.

The west 100.0' of the east 250.0' of Lot 20, Blk. 144, NCB 9419, from "C" Apartment District to "B-2" Business District, located on the northside of Hutchins Boulevard, 150' west of Hilton Avenue; having 100.0' on Hutchins Boulevard and a depth of 127.0'.

The west irregular shaped 177.43' of Lot 20, Blk. 144, NCB 9419, from "C" Apartment District to "B-3" Business District, located northeast of the intersection of Hutchins Boulevard and Aviation Boulevard East; having 177.43' on Hutchins Boulevard and 146.28' on Aviation Boulevard.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mrs. Haberman, seconded by Mr. Torres, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Hill, Torres; NAYS: None; ABSENT: Trevino.

AN ORDINANCE 38,833

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 WEST 60.0' OF THE EAST 150.0' OF LOT 20, BLK. 144, NCB 9419, FROM "C" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT; THE WEST 100.0' OF THE EAST 250.0' OF LOT 20, BLK. 144, NCB 9419, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT; AND, THE WEST IRREGULAR SHAPED 177.43' OF LOT 20, BLK. 144, NCB 9419, FROM "C" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT.

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g. CASE 3947 - to rezone that portion of Lot 5, Blk. 1, NCB 10596 (1.572 acres), being presently inside the city limits, from "B" Two Family Residential District to "B-3" Business District, located southeast of the intersection of Seguin Road and Springfield Road; having 179.20' on Springfield Road and 444.36' on Seguin Road.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

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No one spoke in opposition.

After consideration, on motion of Mr. Torres, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Hill, Torres; NAYS: None; ABSTAIN: Trevino; ABSENT: None.

AN ORDINANCE 38,834

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 THAT PORTION OF LOT 5, BLK. 1, NCB 10596 (1.572 ACRES), BEING PRESENTLY INSIDE THE CITY LIMITS, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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h. CASE 3964 - to rezone Lot 13, Blk. 24, NCB 2067, from "F" Local Retail District to "I-1" Light Industry District, located on the north side of Culebra Avenue between Goodrich Avenue and Adaes Avenue; having 292.8' on Culebra Avenue, 155.55' on both Goodrich Avenue and Adaes Avenue.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Nielsen, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,835

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, BLK. 24, NCB 2067, FROM "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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i. CASE 3975 - to rezone Lot 24, Blk. 17, NCB 3940, from "B" Two Family Residential District to "I-1" Light Industry District,

located southwest of the intersection of San Francisco and Jerry Street; having 77.66' on San Francisco and 112.69' on Jerry Street.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. James, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,836

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 24, BLK. 17,
NCB 3940, FROM "B" TWO FAMILY
RESIDENTIAL DISTRICT TO "I-1"
LIGHT INDUSTRY DISTRICT.

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j. CASE 3976 - to rezone Lot 36, Blk. 5, NCB 10937, from "B" Two Family Residential District to "B-1" Business District, located on the north side of Hot Wells Boulevard, 113.64' west of Clark Avenue; being irregular in shape with 25' frontage on Hot Wells, a depth of 324.5' and a width of 100' on the building line.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Torres, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,837

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 36, BLK. 5,
NCB 10937, FROM "B" TWO FAMILY
RESIDENTIAL DISTRICT TO "B-1"
BUSINESS DISTRICT.

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k. CASE 3982 - to rezone the north 90' of Lot 24, NCB 3056, from "C" Apartment District to "I-1" Light Industry District, located on the west side of Mesquite Street, 200' south of Iowa Street; having 90.0' on Mesquite Street and a depth of 132.8'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

Dr. Calderon made a motion that the recommendation of the Planning Commission be approved, provided that a 6' solid screen fence is to be erected along the north property line and that a non-access easement is provided on the north 50' of the east property line. The motion was seconded by Mr. Hill. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,838

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 NORTH 90' OF LOT 24, NCB 3056, FROM "C" APARTMENT DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A 6' SOLID SCREEN FENCE IS TO BE ERECTED ALONG THE NORTH PROPERTY LINE AND THAT A NON-ACCESS EASEMENT IS PROVIDED ON THE NORTH 50' OF THE EAST PROPERTY LINE.

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1. CASE 3985 - to rezone 23.669 acres out of Lot 1, NCB 14524 (being further described by Field Notes), from "B" Two Family Residential District and Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, 9.518 acres out of Lot 1, NCB 14524 (being further described by Field Notes), from Temporary "R-1" Single Family Residential District to "B-3" Business District, 7.788 acres out of Lot 1, NCB 14524 (being further described by Field Notes), from Temporary "R-1" Single Family Residential District to "B-2" Business District, 8.900 acres out of Lot 1, NCB 14524 (being further described by Field Notes), from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District and 41.408 acres out of Lot 1, NCB 14524 (being further described by Field Notes), from Temporary "R-1" Single Family Residential District to "R-4" Mobile Home District; subject property is located on the south side of Rittiman Road, east of Industry Park Drive; having 1946.19' on Rittiman Road and a depth of 2008.44'. The Business and Apartment zoning being on the north 583.41' and the "I-1" and "R-4" zoning on the south 1425.03'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Dr. Nielsen, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:

AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill; NAYS: None; ABSTAIN: Torres; ABSENT: None.

AN ORDINANCE 38,839

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 23.669 ACRES OUT OF LOT 1, NCB 14524 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, 9.518 ACRES OUT OF LOT 1, NCB 14524 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, 7.788 ACRES OUT OF LOT 1, NCB 14524 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, 8.900 ACRES OUT OF LOT 1, NCB 14524 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT AND 41.408 ACRES OUT OF LOT 1, NCB 14524 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT.

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70-37 Mayor McAllister was obliged to leave the meeting and Mayor Pro-Tem Calderon presided.

m. CASE 3987 - to rezone 0.984 acres out of Lot 31, NCB 10946 (being further described by Field Notes), from "B" Two Family Residential District to "B-3" Business District and 0.495 acres out of Lot 31, NCB 10946 (being further described by Field Notes), from "B" Two Family Residential District to "B-2" Business District, located on the southwest side of Goliad Road, 177.30' northwest of

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I. H. 37; having 240.80' on Goliad Road and a maximum depth of 435.58'. The "B-2" zoning being on the east irregular 100' and the "B-3" zoning on the remaining portion.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
AYES: Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres;
NAYS: None; ABSENT: McAllister.

AN ORDINANCE 38,840

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 0.984 ACRES OUT OF LOT 31, NCB 10946 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT AND 0.495 ACRES OUT OF LOT 31, NCB 10946 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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n. CASE 3997 - to rezone Lot 17, NCB 2040, from "F" Local Retail District and "C" Apartment District to "B-3" Business District, located 150' east and 120' south of the intersection of Culebra Avenue and Hamilton Avenue; having a frontage of 125' on Culebra Avenue and 46.59' on Hamilton Avenue.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
AYES: Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres;
NAYS: None; ABSENT: McAllister.

AN ORDINANCE 38,841

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 17, NCB 2040,
FROM "F" LOCAL RETAIL DISTRICT AND "C"
APARTMENT DISTRICT TO "B-3" BUSINESS
DISTRICT.

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o. CASE 3998 - to rezone Lot 27, NCB 12116, from "A" Single Family Residential District to "B-3" Business District, located on the west side of Perrin-Beitel Road, 228.15' north of the cutback to Loop 410; having 108.77' on Perrin-Beitel Road and a maximum depth of 407.4'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:

AYES: Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres;
NAYS: None; ABSENT: McAllister.

AN ORDINANCE 38,842

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 27, NCB 12116,
FROM "A" SINGLE FAMILY RESIDENTIAL
DISTRICT TO "B-3" BUSINESS DISTRICT.

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p. CASE 4004 S.R. - to rezone 2.194 acres out of Lot 13, NCB 11687 (being further described by Field Notes), from "R-3" Multiple Family Residential District to "O-1" Office District and 2.606 acres out of Lot 14, NCB 11687 (being further described by Field Notes), from "R-3" Multiple Family Residential District to "B-1" Business District for a hospital, located on the east side of Vance Jackson Road, 766.63' north of Loop 410. The "O-1" zoning having 329.20' on Vance Jackson and a maximum depth of 290'. The "B-1" zoning for a hospital being an irregular flag-shaped lot with the nearest point being 180.92' east of Vance Jackson Road; having a mean depth of 310' and a maximum width of 329.12'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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After consideration, on motion of Mr. Trevino, seconded by Mrs. Haberman, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 38,843

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 2.194 ACRES OUT OF LOT 13, NCB 11687 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT AND 2.606 ACRES OUT OF LOT 14, NCB 11687 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT FOR A HOSPITAL.

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70-37 Mayor McAllister returned to the meeting and presided.

q. CASE 4010 - to rezone Lot 17, NCB 7912, from "B" Two Family Residential District to "B-3" Business District, located on the west side of I. H. 35 Expressway, 329.13' north of the cutback to Division Avenue; having 200' on I. H. 35 Expressway and a maximum depth of 213.18'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

Dr. Calderon made a motion that the recommendation of the Planning Commission be approved, provided that a 6' solid screen fence be erected on the north and west property lines. The motion was seconded by Mr. Hill. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,844

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 17, NCB 7912, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT

TO "B-3" BUSINESS DISTRICT, PROVIDED
THAT A 6' SOLID SCREEN FENCE BE
ERECTED ON THE NORTH AND WEST
PROPERTY LINES.

* * * *

r. CASE 4012 - to rezone Lot 32, NCB 14214, from "B" Two Family Residential District to "B-2" Business District, located northwest of the intersection of Fairmeadows and Palo Alto Road; having 88.00' on Palo Alto Road and 125.32' on Fairmeadows.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

Mr. Hill made a motion that the recommendation of the Planning Commission be approved, provided that a 6' solid screen fence be erected along the west property line. The motion was seconded by Mr. Trevino. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,845

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 32, NCB 14214,
FROM "B" TWO FAMILY RESIDENTIAL DISTRICT
TO "B-2" BUSINESS DISTRICT, PROVIDED
THAT A 6' SOLID SCREEN FENCE BE ERECTED
ALONG THE WEST PROPERTY LINE.

* * * *

s. CASE 3981 - to rezone Lot 3, Blk. 3, NCB 14446, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located east of the intersection of Wurzbach Road and Data Point Drive; having 200' on Wurzbach Road and 195' on Data Point Drive.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. James, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

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AN ORDINANCE 38,846

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 3, BLK. 3,
NCB 14446, FROM TEMPORARY "R-1"
SINGLE FAMILY RESIDENTIAL DISTRICT
TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

t. CASE 3768 - to rezone Lot 26, NCB 11862, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the east side of North New Braunfels Avenue, 145.0' north of Oak Leaf Drive; having 167.50' on North New Braunfels Avenue and a depth of 502.0'.

Planning Director, Steve Taylor, stated that this case has been considered twice by the Planning Commission, but that it was not forwarded to the Council the first time, because the necessary plats had not been received. In July of this year, the case was heard again and the proper platting provided. The Planning Commission recommended the change in zoning. In the plans presented to the Commission, screening was shown on all four sides of the property and the Commission recommended that this screening be made a requirement.

Dr. Calderon expressed concern about encroaching into the single family residential area on Oak Leaf. He felt that this vacant property had been relied on for many years as a buffer between the residential area and the commercial area to the north.

Mr. Bruce Shephard, the applicant, appeared before the Council to speak for the rezoning. He explained the basic plans for an apartment project and how the parking area would be used as a buffer.

Mr. Taylor further explained the proposed plans and also stated that the adjacent owners had withdrawn any objections they may have had.

No one spoke in opposition.

After consideration, on motion of Mr. James, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,847

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

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DESCRIBED HEREIN AS LOT 26, NCB 11862,
FROM "A" SINGLE FAMILY RESIDENTIAL
DISTRICT TO "R-3" MULTIPLE FAMILY
RESIDENTIAL DISTRICT.

* * * *

u. CASE 3801 - to rezone Lot 21, NCB 1860, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located northeast of the intersection of Howard Street and Craig Avenue; having 180.12' on Howard Street and 93.52' on Craig Street.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Torres, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
AYES: McAllister, Calderon, Burke, James, Haberman, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 38,848

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 21, NCB 1860,
FROM "B" TWO FAMILY RESIDENTIAL DISTRICT
TO "R-3" MULTIPLE FAMILY RESIDENTIAL
DISTRICT.

* * * *

v. CASE 3833 - to rezone Lot 65, Blk. 2, NCB 11314, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located on the north side of Weir Avenue, 1273.17' west of General McMullen Drive; having 114.26' on Weir Avenue and a depth of 744.5'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council. He said that 17 notices had been mailed. One notice was received in opposition and two were received in favor of the rezoning. He also stated that the Edgewood Independent School District had expressed opposition to the request.

No one spoke in opposition.

After discussion, Mr. Trevino stated that he would be opposed to rezoning this property for multi-family apartments in view of the opposition of the school district. He made a motion that the recommendation of the Planning Commission be overruled and

that the request for rezoning be denied. The motion was seconded by Mr. Torres and passed by the following vote: AYES: Calderon, James, Haberman, Trevino, Hill, Torres; NAYS: McAllister; ABSTAIN: Burke; ABSENT: Nielsen.

w. CASE 4006 - to rezone Lot 47, Blk. 10, NCB 10269, from "B" Two Family Residential District to "B-3" Business District, located on the east side of I. H. 10 Expressway between Sterling Street and Dorie Street; having 154.18' on Dorie Street, 24.44' on Sterling Street and 317.46' on I. H. 10.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. James, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 38,849

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 47, BLK. 10,
NCB 10269, FROM "B" TWO FAMILY
RESIDENTIAL DISTRICT TO "B-3"
BUSINESS DISTRICT.

* * * *

x. CASE 3993 - to rezone Lot 21, Blk. 159, NCB 8817, from "F" Local Retail District to "B-3" Business District, located northeast of the intersection of I. H. 10 Expressway and West Avenue; having 182.99' on I. H. 10 Expressway and approximately having a frontage of 150.5' along the West Avenue R.O.W.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 38,850

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 21, BLK. 159,
 NCB 8817, FROM "F" LOCAL RETAIL
 DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

y. CASE 3938 - to rezone Lots 5 and 22, Blk. 159, NCB 8817, from "B" Two Family Residential District to "B-3" Business District. Lot 5 is located on the south side of West Hermine Boulevard, 165' east of the cutback to West Avenue; having 50' on West Hermine Boulevard and a depth of 120'.

Lot 22 is located on the north side of West Thorain Boulevard, 67.86' east of I. H. 10 Expressway; having 82' on West Thorain Boulevard and a depth of 117.5'.

Planning Director, Steve Taylor, explained that the applicant in this case is the Humble Oil Company, who was also the applicant in Case Number 3993, and that these properties abut each other. It is intended that the entire area will be used for construction of a "Car Care Center." The Planning Commission had recommended that rezoning be denied by the City Council.

Mr. Al Rohde, representing the applicant, spoke to the Council. He described the screening and planting that would be provided adjacent to the property of the only person objecting and explained that in view of these plans, objections had been withdrawn.

No one spoke in opposition.

After consideration, Mr. Torres made a motion that the recommendation of the Planning Commission be overruled and the rezoning be granted. The motion was seconded by Mr. Trevino. On roll call, the motion, carrying with the the passage of the following Ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 38,851

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 5 AND 22,
 BLK. 159, NCB 8817, FROM "B" TWO
 FAMILY RESIDENTIAL DISTRICT TO "B-3"
 BUSINESS DISTRICT.

* * * *

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z. CASE 3995 - to rezone Lot 12, Blk. 35, NCB 11475, from "A" Single Family Residential District to "B-3" Business District, located on the north side of Culebra Road, 200.0' west of Benrus Boulevard; having 50.0' on Culebra Road and a depth of 153.0'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mrs. Maria C. Medina, the applicant, appeared before the Council. Speaking in Spanish, she explained that she wished to have an on-premises beer license, which would require "B-3" zoning.

The following property owners, who live within 200 feet of the applicant's property, appeared to speak in opposition:

Mrs. William A. Shaley - who has property abutting on the north.

Mrs. Marian Karcher, 4111 Culebra.

Mr. R. Valdez - who owns property on Rita Street.

After consideration, Dr. Calderon made a motion that the recommendation of the Planning Commission be upheld and the rezoning denied. The motion was seconded by Mr. Torres and passed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

zz. CASE 3983 - to rezone 0.846 acres of land out of NCB 11604 (being further described by Field Notes), from "R-3" Multiple Family Residential District to "B-3" Business District, located west of the intersection of Babcock Road and Sunshine Ranch Road; having 573.20' on Babcock Road and 132.80' on Sunshine Ranch Road.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. Stuart Alexander spoke for Mr. Simon Alexander, the applicant. He described the odd-shaped area and explained that it was intended to construct a Mr. M Food Store. He also stated that he was requesting "B-2" zoning instead of "B-3" zoning.

Mrs. W. C. Hudson, 454 Concord, across the street from the property being considered, opposed the rezoning saying that the neighborhood is aroused and does not want a business zone there. She pointed out that a convenience center is located only one block away and that another one is not necessary. She also described the traffic problems in the area.

Mr. John Hendry, owner and developer of a ten-acre tract to the south, spoke in opposition to business zoning, although he would not oppose "R-3" zoning.

Mr. Harold Linaham, representative of Mr. M Food Stores, spoke in rebuttal.

After consideration, Mr. James made a motion that the recommendation of the Planning Commission be upheld and the rezoning denied. The motion was seconded by Mr. Hill and passed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Hill; NAYS: Trevino, Torres; ABSENT: Nielsen.

70-37 The following Ordinances were read by the Clerk and explained by the City Controller, Art Brown, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Burke, James, Haberman, Hill; NAYS: None; ABSTAIN: Torres; ABSENT: Calderon, Nielsen, Trevino.

AN ORDINANCE 38,852

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$160,000.00 TO PAY CURRENT EXPENSES OF CITY-COUNTY TUBERCULOSIS FUND DURING THE FISCAL YEAR 1970-71.

* * * *

AN ORDINANCE 38,853

MAKING AND MANIFESTING A CONTRACT BETWEEN THE FROST NATIONAL BANK OF SAN ANTONIO AND THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE MAKING OF LOANS, IN THE AMOUNT OF \$32,500,000.00 BY SAID BANK TO SAID CITY DURING THE PERIOD BEGINNING AUGUST 1, 1970 AND ENDING JULY 31, 1971, AND THE PAYMENT OF INTEREST ON DEPOSITS TO SAID CITY FOR SAID FISCAL YEAR.

* * * *

70-37 The following Ordinances were read by the Clerk and explained by Roy Montez, Director of Model Cities, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Hill, Torres; NAYS: None; ABSENT: Nielsen, Trevino.

AN ORDINANCE 38,854

APPROPRIATING \$147,272.00 OUT OF MODEL CITIES SUPPLEMENTAL FUNDS TO BE UTILIZED IN CONNECTION WITH THE PARKS IMPROVEMENT PROJECT; APPROVING A TRANSFER OF FUNDS; AND DESIGNATING THE DEPARTMENT OF PARKS & RECREATIONS TO ADMINISTER AND CARRY OUT SAID PROJECT, ALL SUCH ACTIONS SUBJECT TO AND CONTINGENT UPON APPROVAL OF THE MODEL CITIES SECOND ACTION YEAR PROGRAM BY THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT.

* * * *

AN ORDINANCE 38,855

APPROPRIATING \$860,000.00 OUT OF MODEL CITIES SUPPLEMENTAL FUNDS TO BE UTILIZED IN CONNECTION WITH THE COLLECTOR STREET IMPROVEMENTS PROJECT; ESTABLISHING A NEW ACCOUNT; AUTHORIZING A TRANSFER OF FUNDS; AND DESIGNATING THE DEPARTMENT OF PUBLIC WORKS TO ADMINISTER AND CARRY OUT SAID PROJECT; ALL OF SUCH ACTIONS SUBJECT TO AND CONTINGENT UPON APPROVAL OF THE MODEL CITIES SECOND ACTION YEAR PROGRAM BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

* * * *

70-37 The Clerk read the following Ordinance, which was explained by Roy Montez, Director of Model Cities, and after consideration, on motion of Mr. Torres, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Hill, Torres; NAYS: None; ABSTAIN: Trevino; ABSENT: None.

AN ORDINANCE 38,856

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE BEXAR COUNTY HOSPITAL DISTRICT FOR CARRYING OUT THE MODEL CITIES PARA-MEDICAL TRAINING PROGRAM (PART I), ESTABLISHING A NEW ACCOUNT, AUTHORIZING A TRANSFER OF FUNDS, AND APPROPRIATING \$92,728.00 PAYABLE TO BEXAR COUNTY HOSPITAL DISTRICT FOR SERVICES TO BE RENDERED; ALL SUCH ACTIONS SUBJECT TO AND CONTINGENT UPON APPROVAL OF THE MODEL CITIES SECOND ACTION YEAR PROGRAM BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

* * * *

70-37 The Clerk read the following Ordinance, which was explained by Sam Granata, Director of Public Works, and after consideration, on motion of Dr. Nielsen, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Hill, Torres; NAYS: None; ABSENT: Trevino.

AN ORDINANCE 38,857

AUTHORIZING A CONTRACT WITH OZUNA AND ASSOCIATES, INC. CONSULTING ENGINEERS FOR PROFESSIONAL SERVICES IN REGARD TO CONSTRUCTION OF COLLECTOR STREET IMPROVEMENTS IN CERTAIN SECTIONS OF THE MODEL NEIGHBORHOOD AREA; APPROPRIATING \$46,200.00 PAYABLE TO SAID ENGINEERS OUT OF FUND NO. 708 AND \$2,000.00 OUT OF THE SAME FUND TO BE USED AS A CONTINGENCY ACCOUNT.

* * * *

TELEPHONE RATES

Mr. Felix B. Trevino, Chairman of the Telephone Council Committee, made the following report:

COUNCIL TELEPHONE COMMITTEE REPORT

The telephone council committee, following the instructions of the City Council to negotiate a telephone rate schedule with the telephone company, met on three separate occasions. The first meeting of the committee and staff was held for the purpose of studying the telephone company's rate proposal, as well as to agree on a basis for negotiation.

The committee then met with company officials to discuss possible reductions in their proposed rates, as well as elimination of interzone charges. The committee held a final meeting yesterday, August 19, 1970, at which time a counter proposal was adopted by the committee majority for submission to the City Council. An optional suggestion was also adopted by the committee's majority which will be explained at the end of this report.

The Telephone Company's Request is as follows:

The request of the telephone company is for an increase in telephone rates sufficient to increase their percentage of return on their investment from 4.13% (corrected from 3.94% by Mr. Bennett Bolen) to a 5.59% return. The fair value of exchange property used by the telephone company in the San Antonio Metropolitan Exchange is valued at \$132,400,000. The last rate increase approved by the City Council took place on February 11, 1954. Since then, the telephone company has spent in excess of \$100 million in capital outlay and this year alone will spend \$25.8 million in new construction in order to keep up with the growth of our city.

The request of the company involves changes in the telephone rates, as well as charges made for miscellaneous services, which represent less than 3% of the total increase being requested. The rates, as proposed by the telephone company, are as follows:

	<u>Principal and First Tier</u>		<u>Second Tier</u>	
	<u>Present</u>	<u>Proposed</u>	<u>Present</u>	<u>Proposed</u>
Individual lines, residence	5.50	6.60	7.50	8.60
Two-party lines, residence	4.70	5.10	5.75	6.15
Individual lines, business	15.50	18.00	18.00	20.50

Among the proposed changes in charges for miscellaneous services is a proposed increase in the one-time service connection charge from \$8.50 to \$12.00 for business phones; and from \$6.00 to \$8.50 for residence phones. Also included is a reduction from \$5.00 to \$2.50 in the one-time charge for color telephones.

Counter Proposal

After many hours of study and deliberation, the Council telephone committee would like to make the following recommendations:

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A. That interzone charges, as approved by the City Council in May, 1959, be eliminated. We all know that many of our citizens living in the first tier zone have to pay from ten to thirty cents toll charges, depending on the zone to be called. While this plan may have been necessary back in 1959, it can no longer be justified in 1970. The telephone company has advised us that elimination of said interzone charges would represent a revenue loss of approximately \$340,000 annually. Construction costs, including central office switching equipment, circuit equipment and outside plant, would amount to \$5,150,000 and would require two years to complete the job. The Council committee therefore recommends the elimination of interzone charges two years from date of Council action, thus allowing the telephone company time to gear itself for the change.

B. We recommend that the following rates be approved:

Principal and First Tier Zones

	<u>Present</u>	<u>Proposed</u>	<u>Recommended</u>
Individual lines, residence	5.50	6.60	6.50
Two-party lines, residence	4.70	5.10	4.90
Individual lines, business	15.50	18.00	17.75

Second Tier Zones

Individual lines, residence	7.50	8.60	8.50
Two-party lines, residence	5.75	6.15	5.95
Individual lines, business	18.00	20.50	20.25

C. We further recommend that the schedule of miscellaneous rates and charges contained in the telephone company's proposal sheets, one through eleven, be approved, which includes an increase in the one-time service connection charge. This schedule, as mentioned before, represents less than 3% of the total increase being requested by the telephone company.

The recommendations, as herein presented, are acceptable to the telephone company. It would result in a percentage return of 5.47%, as compared to the 5.59% requested. This .12% less represents a gross revenue loss of \$340,000. This amount, added to the revenue loss, which will result from the elimination of the interzone charges within two years, will amount to a total loss of \$680,000, not to mention the \$5,150,000 to be spent by the company in order to eliminate interzone charges.

At this point, the committee would like to make note of the fact that in the presence of telephone company officials, Dr. D. Ford Nielsen suggested a three-year agreement calling for a \$6.40 private line rate the first year; \$6.50 the second; and \$6.60 the third year. The committee immediately rejected the idea, thus eliminating any further discussion on this matter. The committee considered Dr. Nielsen's suggestion as not being in the best interest of the citizens of San Antonio.

During the course of studying the company's proposal, it was noted that a further increase in the one-time service connection charge to the level recommended for communities having over 70,000 telephones, would generate as much revenue to the company as would 10¢ monthly investment in the private line rate. We have in San Antonio 414,000 telephones in service at the present time and so would qualify for the higher connection rates. Increasing the charge would accomplish two things; first, it would allow the telephone company to make a charge more in keeping with the actual costs incurred in providing the service; second and much more important, it would permit a 10¢ reduction from \$6.50 to \$6.40 on the private line rate. Whereas the higher one-time service connection charges would affect approximately 60,000 connections, the 10¢ reductions would benefit 187,308 residential customers on a continuing basis. Acceptance of the option by the City Council would call for an increase in the one-time service connection charges from \$8.50 to \$15.00 for business phones (instead of \$12.00) and from \$6.00 to \$10.00 for residence phones (instead of \$8.00).

The committee thought enough of this possibility that we decided to present it to you as an option. Two ordinances have been drawn up by staff, one with the option and one without. The telephone company has indicated that they would have no objection to either ordinance. I have a letter from Mr. Bill Griep confirming their willingness to agree on either delivered to me this morning.

The committee wishes to publicly acknowledge its appreciation and thanks to Mr. Bennett Bolen, our Finance Director, for a most splendid and commendable performance.

The committee consisted of Mr. Edward H. Hill, Dr. D. Ford Nielsen and Mr. Felix B. Trevino, Chairman.

* * * *

Dr. Nielsen asked that the minutes reflect that Dr. Calderon also had suggested \$6.30 as a possible rate for a single party line. A discussion followed on how the committee pursued its work, after which Dr. Nielsen asked the Council to seriously consider not acting today and that as quickly as possible empower the committee or the City Manager to seek competent counsel in this matter.

Mrs. Haberman spoke against the recommendation, saying it was felt that the Council has been delaying action on the telephone request. The committee has met and there have been many discussions regarding the rate request and a recommendation has been made. She referred to the optional choice as a possibility, because it would help more citizens. She then made a motion that the Council adopt the ordinance with the optional proposal. The motion was seconded by Mr. Hill.

Mr. Torres spoke at length against the motion. He said to accept the optional proposal was to accept the figures and facts given by the telephone company. He reviewed Finance Director Bolen's report of August 10. He felt that a real study of the telephone company's books has not been made, in order to arrive at the fair value of the telephone company's property upon which the rate of return is determined. He cited cases, styled the City of Weslaco versus General Telephone Company of the Southwest and one in the State of Colorado, to support his contention that consistency should be used in determining depreciation to arrive at fair value and annual expense.

A discussion then took place in which San Antonio's rates were compared with other cities.

After further discussion, Mr. Torres made a substitute motion that the Council hire a utilities consultant to evaluate the telephone company's proposal. The motion was seconded by Dr. Nielsen.

After a lengthy discussion, the motion to hire a utilities consultant failed by the following vote: AYES: Nielsen, Torres; NAYS: McAllister, Calderon, Burke, James, Haberman, Trevino, Hill; ABSENT: None.

Mr. Torres offered a substitute motion that at the conclusion of Mrs. Haberman's motion the following be added:

"Provided that upon adoption of this ordinance, wages paid to all San Antonio employees doing comparable work with Southwestern Bell Telephone Company employees in Dallas and Houston, shall be paid the same wages paid to said employees in Dallas and Houston."

The motion failed for lack of a second.

The Clerk then read the Telephone Rate Ordinance in full, which is captioned, as follows:

AN ORDINANCE 38,858

PRESCRIBING RATES AND CHARGES FOR THE
SAN ANTONIO METROPOLITAN EXCHANGE OF
SOUTHWESTERN BELL TELEPHONE COMPANY.

* * * *

After the reading of the Ordinance, Mr. Burke asked why there has to be a two-year period to discontinue the interzone charges.

Mr. Bill Griep, Division Manager of the Telephone Company, stated it is not a matter of just billing or stopping billing. The problem is that when interzone message charges are eliminated, the rate of calling will go up tremendously. This is based upon past experience in other communities. If you do not have, in the additional equipment, trunks between various central offices and additional switching equipment, then the customers who are making more calls, since it doesn't cost an interzone message charge, will not be able to get through. In other words, the service will deteriorate very rapidly. There will not be enough facilities to handle the increased calling load when the interzone message charges are taken off. That is the reason for having a 24-month period to rebuild the plant to handle the increased load. In his opinion, this was the earliest time that installation of new equipment, to handle the increased load, can be completed.

On roll call, Mrs. Haberman's motion to adopt the ordinance, which was seconded by Mr. Hill, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Trevino, Hill; NAYS: Nielsen, Torres; ABSENT: None.

(A transcript of the discussion of the telephone rates is filed with the papers of this meeting.)

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70-37 The Clerk read the following letter:

August 14, 1970

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

Gentlemen and Madam:

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

8/13/70

Petition of Mr. G. A. Merbeth of
1843 Mulberry Avenue, et al, requesting
the installation of a storm sewer on
North Elmendorf Street.

/s/ J. H. INSELMANN,
City Clerk

* * * *

There being no further business to come before the Council,
the meeting was adjourned.

A P P R O V E D

J. W. McAllister
M A Y O R

ATTEST:

J. H. Inselmann
C i t y C l e r k