

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 26, 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, COCKRELL, JAMES, NIELSEN, TREVINO, HILL, CALDERON,
TORRES, BURKE; Absent: NONE.

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70-13 The invocation was given by Reverend Leslie McDaniel, Palm
Heights Methodist Church.

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The minutes of the meeting of March 19, 1970 were approved.

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70-13 Mrs. Frances Hamilton, President of the San Antonio Teachers'
Council in the San Antonio Independent School District, advised that
the Executive Committee has made suggestions concerning use of
HemisFair Plaza. They recommend that the Council consider a Youth
Center Complex where various youth activities could be carried on,
perhaps sponsored and supervised by professional or civic groups.
This would include ice and roller skating rinks and additional
activities other than amusement areas, such as special crafts,
library and study areas.

She asked that the City research, plan and coordinate such
a Youth Center Complex and look into the availability of Federal
funds for such a project.

The request was referred to the Advisory Committee on
HemisFair Plaza for study.

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70-13 The following Ordinances were read by the City Clerk and
explained by Purchasing Agent, John Brooks, and after consideration
on motion made and duly seconded were each passed and approved by
the following vote: AYES: McAllister, Calderon, Burke, James,
Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,398

ACCEPTING THE ATTACHED LOW QUALIFIED
BID OF J. C. JONES PAINTS, INC. TO
FURNISH THE CITY OF SAN ANTONIO
INTERNATIONAL AIRPORT WITH CERTAIN
TRAFFIC PAINT FOR A TOTAL OF
\$2,518.80.

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AN ORDINANCE 38,399

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF LEAR SIEGLER INC., LIGHTING DIVISION TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF TRAFFIC AND TRANSPORTATION WITH CERTAIN TRAFFIC SIGNAL LAMPS FOR A TOTAL OF \$1,692.00.

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AN ORDINANCE 38,400

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF AEROIL PRODUCTS COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO INTERNATIONAL AIRPORT WITH ONE RUBBERIZED ASPHALT KETTLE FOR A TOTAL OF \$4,917.00.

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AN ORDINANCE 38,401

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF FRUEHAUF DIVISION OF FRUEHAUF CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH FIVE HYDRAULIC DUMP TRAILERS FOR A NET TOTAL OF \$22,610.80.

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AN ORDINANCE 38,402

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF ALAMO WELDING SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PARKS AND RECREATION WITH 300 CYLINDERS CHLORINE GAS FOR A TOTAL OF \$5,679.00.

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70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,403

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH ALAMO FLYERS, INC. FOR LEASE OF SPACE AT STINSON MUNICIPAL AIRPORT FOR A TERM OF FIVE YEARS.

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Mr. Tom Raffety, Director of Aviation, explained that this is a renewal of a lease. It is for a five (5) year period and involves 27,574 square feet of building space and 94,176 square feet of adjacent ground space, which will be used to operate a general aviation full service facility. Monthly rental is \$789.08.

After consideration on motion of Mr. Hill, seconded by Mr. James, the ordinance was passed and approved by the following vote: AYES: McAllister, Burke, James, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Calderon, Cockrell.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,404

AUTHORIZING A CONTRACT WITH LODAL & BAIN ENGINEERS, INC. TO FURNISH PROFESSIONAL SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR EXPANSION OF THE COMMERCIAL PARKING LOT AND 1970 TAXIWAY AND STORM DRAINAGE IMPROVEMENTS AT INTERNATIONAL AIRPORT, AND AUTHORIZING PAYMENT OF \$8,027.50 TO THE ABOVE FIRM FOR SUCH SERVICES.

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Mr. Tom Raffety, Director of Aviation, explained that the estimated cost of the parking lot expansion is \$74,500.00. The taxiway and three (3) storm drainage installations will cost \$10,000.00. This will provide 400 additional spaces, for an overall total of 1,000 parking spaces. It was explained that unless it is a very large project City engineers are used. However, the Staff's work load is such that they are recommending an outside engineer be hired for this project. Everything being done is with a view to handling the large passenger aircrafts. The Master Plan provides for expansion and development of the airport through 1996.

The Mayor suggested that when several flights come in at the same time that a sign be placed by each baggage conveyor saying that baggage from a certain flight can be picked up there.

Mr. Raffety stated that they have a similar system in which an announcement is made over the loudspeaker in the baggage area stating from which conveyor passengers may pick up their baggage. The problem is that the truck driver does not always put the baggage on the right conveyor. This will be brought to the attention of the air lines who are participating in this system.

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After consideration on motion of Dr. Calderon, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-13 The following Ordinances were read by the City Clerk and explained by Mr. Tom Raffety, Director of Aviation, and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 38,405

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH UNITED STATES OF AMERICA, FEDERAL AVIATION AGENCY, FOR THE LEASE OF CERTAIN PREMISES AT STINSON MUNICIPAL AIRPORT FOR THE PURPOSE OF OPERATING AND MAINTAINING A REMOTE TRANSMITTER.

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AN ORDINANCE 38,406

AUTHORIZING THE DIRECTOR OF AVIATION TO GRANT PERMITS TO ARTISTS TO DISPLAY THEIR ART WORKS ON WALL SPACE IN THE PROMENADE LEADING TOWARD THE INTERNATIONAL SATELLITE AT INTERNATIONAL AIRPORT, AND APPROVING A FORM PERMIT TO BE ISSUED.

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AN ORDINANCE 38,407

GRANTING AN EXTENSION OF 180 DAYS TO DEE HOWARD COMPANY, LESSEE, UNDER SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 301 TO COMPLY WITH ARTICLE V SECTION 4 OF SAID LEASE.

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70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,408

AMENDING THE CURRENT BUDGET BY AUTHORIZING 46 ADDITIONAL TEMPORARY POSITIONS WITHIN THE PARKS AND RECREATION DEPARTMENT IN ORDER TO PROVIDE PERSONNEL FOR AN EXPANDED 1970 SUMMER RECREATION PROGRAM AND APPROVING A TRANSFER OF FUNDS.

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Mr. Bob Frazer, Director of Parks and Recreation, explained that this will provide funds for the expanded City Recreation Program. It provides for ten (10) additional centers, which will bring the total of such summer playgrounds to 51.

After consideration on motion of Mr. Hill, seconded by Mrs. Cockrell, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,409

AMENDING THE CURRENT BUDGET BY AUTHORIZING 120 ADDITIONAL TEMPORARY POSITIONS WITHIN THE PARKS AND RECREATION DEPARTMENT TO PROVIDE PERSONNEL FOR SUMMER PROGRAM KNOWN AS PROJECT "SET;" ESTABLISHING SPECIAL PROJECT ACCOUNT 99-11-09 AND AUTHORIZING A TRANSFER OF \$78,000.00 INTO SAID ACCOUNT FROM VARIOUS FUNDS AND ALSO AUTHORIZING EXECUTION OF A CONTRACT WITH ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS PERTAINING TO SAID SUBJECT PROGRAM.

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Mr. Bob Frazer, Director of Parks and Recreation, explained that this is a Federal Program to provide summer jobs for college students. San Antonio participated in this program last summer as a pilot project and found it to be beneficial. Most of the students hired will be residents of San Antonio who need jobs in order to continue their education. Students are qualified by the colleges and referred to the City. These students will be used to fill positions in the regular budgeted summer recreation program. By doing this, 70% of their salaries will be paid with Federal funds. They will fill positions of Playground Leader Aide, Clerical Aide, Laborer, Maintenance Man, Student Assistant and Lifeguard. While \$78,000.00 is being set aside for this program, it will only cost the City between \$10,000.00 and \$20,000.00.

Mr. Frazer then discussed the shortage of lifeguards and the program for training and recruiting them. He felt it would be less of a problem this year.

Mr. Torres and Dr. Nielsen suggested the lifeguard training program for youths who live near neighborhood pools. The City Manager was asked to make a Staff report on the possibility of such a program.

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After consideration on motion of Mr. Trevino, seconded by Mr. Hill, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-13 The Clerk read the following Ordinance, which was explained by Mr. Bob Frazer, Director of Parks and Recreation, and after consideration on motion of Dr. Calderon, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,410

ACCEPTING THE BID OF TEZEL & COTTER AIR CONDITIONING COMPANY FOR INSTALLATION OF A HEATING AND AIR CONDITIONING SYSTEM FOR LIONS FIELD BUILDING; AUTHORIZING EXECUTION OF A CONTRACT FOR SAID WORK; AUTHORIZING PAYMENT OF \$4,582.00 TO SUBJECT CONTRACTOR AND ESTABLISHING A CONSTRUCTION CONTINGENCY ACCOUNT IN THE AMOUNT OF \$225.00.

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70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,411

AUTHORIZING PAYMENT OF \$3,857.71 TO FRONTIER ENTERPRISES CONSISTING ONE HALF (1/2) OF ADVERTISING COSTS PERTAINING TO THE TOWER OF THE AMERICAS RESTAURANT.

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Mr. Bill Lindquist, Assistant Director of Municipal Facilities, stated that this was for billboard, newspaper and magazine advertising for the Tower of the Americas. The billboard advertising is on a yearly basis. This bill is for one half (1/2) of the cost over a three (3) month period.

The Mayor asked the City Manager to give the Council a current report on the operation of the Tower of the Americas.

After consideration on motion of Dr. Calderon, seconded by Mr. Hill, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

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70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,412

ACCEPTING THE HIGH BID IN THE AMOUNT OF \$41,120.00 SUBMITTED BY HARLANDALE INDEPENDENT SCHOOL DISTRICT, BEXAR COUNTY, TEXAS, FOR THE SALE OF CITY-OWNED VACANT PROPERTY AND AUTHORIZING EXECUTION OF A DEED THERETO (5.708 ACRES OUT OF NEW CITY BLOCK 7665, MISSION ROAD AT EAST SOUTHCROSS).

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Mr. W. S. Clark, Land Division Chief, explained that a few years back the City bought some property in this area. There was a projection of land not offered for sale at the time, as well as one (1) residence and some other vacant property. The School District wanted to go ahead and buy that property and exchange it with the City for the 5.708 acres, which is being sold to them by this ordinance. This could not be done, because of State law, which requires bids be taken in the sale of private land. The City went ahead and bought that land for \$41,120.00 and the School District agreed to bid the amount which it cost the City, in order to acquire the 5.708 acres.

After consideration on motion of Mr. Hill, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-13 The following Ordinances were read by the City Clerk and explained by members of the Administrative Staff, and after consideration on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,413

APPROPRIATING \$6,748.00 OUT OF SEWER REVENUE FUND PAYABLE TO THE CITY PUBLIC SERVICE BOARD FOR EXTENSION OF A GAS MAIN TO SERVE THE RILLING ROAD SEWAGE PLANT.

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AN ORDINANCE 38,414

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE TEXAS HIGHWAY DEPARTMENT PERTAINING TO THE INSTALLATION AND OPERATION OF TRAFFIC SIGNALS AT THE I. H. 10 INTERCHANGE WITH CULEBRA AVENUE.

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70-13 The Clerk read the following Resolution:

A RESOLUTION

APPROVING THE SUBMISSION OF AN
APPLICATION FOR LAW ENFORCEMENT
ASSISTANCE GRANTS TO THE JUSTICE
DEPARTMENT'S LAW ENFORCEMENT
ASSISTANCE ADMINISTRATION

* * * *

WHEREAS, Title I of the Omnibus Crime Control and Safe Streets Act of 1968 provides for Grants to local Governments for law enforcement programs, and

WHEREAS, the City of San Antonio is among those cities eligible to receive such discretionary funding, and

WHEREAS, the Federal Funds available under this program will assist the Police Department of the City of San Antonio in improving its law enforcement capabilities, NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

That the City Manager is hereby authorized to prepare, submit and sign an application on behalf of the City of San Antonio. A copy is attached hereto and made a part hereof.

* * * *

Police Chief George Bichsel stated that the Resolution proposes to authorize the City Manager to submit an application for grants in certain categories, which they hope will be financed by the Law Enforcement Assistance Administration through the Criminal Justice Council in some instances and some through discretionary funds in other instances. He then reviewed the tentative proposals for law enforcement grants, which provides for training and establishment of a task force to work in areas of Robbery with Firearms, Muggings, Burglaries, Auto Thefts, Gang Fights and Shootings, Narcotic Activity, Unlawful Weapons and Citizen Intelligence.

Chief Bichsel also discussed with the Council the program of Job Placement for Ex-convicts, Special Surveillance for Organized Crime, Long Range Recruiting, Detoxification Center and Rehabilitation of Narcotic Addicts.

The Chief stated that it will take some time to prepare the application and wanted the Council's feelings on what should be included in it.

Discussion brought out that there is no funding provided at this time. When grant funds are approved, an ordinance will be presented to the City Council for funding of the programs.

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It was the sentiment of the Council that the Resolution should be approved, so that the Staff can proceed to prepare the application. But, prior to finalizing same, it should be again presented to the Council to determine what additional projects should be included and priorities be given them.

On motion of Mrs. Cockrell, seconded by Mr. Torres, the Resolution was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,415

ACCEPTING GRANTS TOTALING \$9,304.00
FROM THE TEXAS CRIMINAL JUSTICE
COUNCIL IN ORDER TO CONDUCT FEASIBILITY
STUDIES PERTAINING TO CENTRALIZED
RADIO COMMUNICATIONS TOGETHER WITH
A REGIONAL CRIME LABORATORY AND
MEDICAL EXAMINER, ALSO AMENDING THE
CURRENT BUDGET BY PROVIDING FOUR (4)
ADDITIONAL TEMPORARY EMPLOYEE POSITIONS
AND ALLOCATING THE FOREGOING FUNDS.

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Police Chief George Bichsel stated that the City has received \$4,100.00 from the Criminal Justice Council to inaugurate a communications study with a view to creating a new dispatcher's office to service the Sheriff's Department and other cities in the County who want to participate, insofar as fire and police communications are concerned. The Ordinance also provides for a Crime Lab and Medical Examiner Feasibility Study with the view of creating a lab such as the one in Austin operated by the State.

After consideration on motion of Mr. Hill, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-13 Mrs. Cockrell then discussed with the Council the Indianapolis Plan in which individual police officers use patrol cars while off duty. While such a plan requires an additional investment in vehicles, she understood that results have been beneficial in having that many more additional police cars visible, even though the policemen are off duty.

Police Chief Bichsel stated that there is quite a bit of interest in this plan by police officers.

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Police Chief Bichsel was asked to submit a Staff report on the Indianapolis Plan.

Police Chief Bichsel then stated that he had received a letter, addressed to the Mayor, from the National League of Cities, which asks San Antonio to participate, as one of the 29 largest cities, in a program, which they will sponsor under a Federal Grant. The program will require the part-time services of an officer and a secretary, which will cost about \$5,500.00 a year. The purpose of the program is to make a survey of law enforcement problems throughout the Country. The League in turn would offer assistance in helping decide what programs would help solve the problems.

City Manager Henckel stated that he would not recommend participation in the program, as the City would get a copy of the report, since the City is a member of that organization. He felt that the City would not get the benefit for the amount of money expended in such a program. He felt the money could be used better in other programs, as the problems of San Antonio are not the same as in the other major cities.

70-13 The Mayor was obliged to leave the meeting and Mayor Pro-Tem Cockrell presided.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,416

AMENDING THE CURRENT BUDGET BY
AUTHORIZING THREE ADDITIONAL
EMPLOYEES IN THE WELFARE DIVISION
OF THE HEALTH DEPARTMENT AND
APPROVING TRANSFER OF \$54,250.00
FROM THE CONTINGENCY ACCOUNT TO
THE WELFARE DIVISION ACCOUNT FOR
THE PURPOSE OF INCREASING THE
CITY'S CONTRIBUTION TO THE FOOD
STAMP PROGRAM.

* * * *

Mr. Brooks Barker, Administrative Assistant to the City Manager, explained that this ordinance is presented today for Council's approval, as the result of its adoption of the Food Stamp Committee Report, and provides the necessary additional funding for the program for the balance of the fiscal year.

After discussion, on motion of Dr. Nielsen, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

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70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,417

CANCELLING THE EXISTING PERMIT ISSUED TO HORSE AND CARRIAGE TOURS OF SAN ANTONIO, INC. AND AUTHORIZING A PERMIT FOR THE OPERATION OF HORSE DRAWN CARRIAGES TO RUBEN GONZALEZ FOR A THREE YEAR PERIOD.

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Mr. Brooks Barker, Administrative Assistant to the City Manager, stated that Mr. Gonzalez has purchased the equipment owned by Mr. Lebman, who formerly had a permit to operate horse drawn carriage rides in the City.

Two (2) changes have been made in the permit to be issued and which will be regulated by the Director of Traffic and Transportation. One is that Mr. Gonzalez will try to have a volume operation and charge twenty-five cents (25¢) for ten (10) to fifteen (15) minute rides. Formerly, the charge was two dollars (\$2.00) per person for thirty (30) minute rides. He will operate in City parks, however, Brackenridge Park is specifically excluded, because of the traffic there. It further provides that in the event that this operation becomes a nuisance it may be cancelled by the Council. The City will receive ten per cent (10%) of gross receipts from the operation.

After consideration on motion of Mr. Trevino, seconded by Dr. Nielsen, the ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,418

MANIFESTING AN AGREEMENT WITH GREATER SAN ANTONIO SAFETY COUNCIL FOR THE USE OF BUILDINGS 206 THROUGH 215, AT HEMISFAIR PLAZA, TO BE USED FOR CONDUCTING SAFETY CLASSES FOR ELEMENTARY SCHOOL CHILDREN.

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Assistant City Manager Ancil Douthit stated that the Safety Council will use the buildings during the period of April 3 through 11 to conduct safety classes for children. The space is being made available free of charge to the Safety Council, but they will pay for utilities and provide public liability and property damage insurance.

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After consideration on motion of Mr. Hill, seconded by Dr. Nielsen, the ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,419

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CHARLES J. MULLER AND SOMERS PFEUFFER, A PARTNERSHIP, PROVIDING FOR THE LEASE OF BUILDING 509 AT HEMISFAIR PLAZA, FOR USE AS A FOOD AND DRINK ESTABLISHMENT SPECIALIZING IN ITALIAN FOOD, FOR A TERM OF FIVE YEARS.

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Assistant City Manager Ancil Douthit stated they will sell spaghetti and meat balls, soft drinks and beer. The building contains 400 square feet and rental between the months of April and September will be forty cents (40¢) a square foot and from October through March it will be ten cents (10¢) a square foot, but never to be less than ten per cent (10%) of gross receipts.

After consideration on motion of Dr. Nielsen, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,420

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JESSE C. CROOM DBA THE AMERICAN, FOR LEASE OF BUILDING 517 AT HEMISFAIR PLAZA, FOR USE AS A FOOD AND DRINK ESTABLISHMENT, FOR A THREE YEAR TERM, WITH A THREE YEAR EXTENSION OPTION.

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Assistant City Manager Ancil Douthit stated this space is located in the Goliad Food Cluster and contains 400 square feet. Rental will be under the same terms as the previous ordinance. They propose to sell hamburgers, hot dogs, corn dogs and soft drinks.

After consideration on motion of Mr. Hill, seconded by Mr. James, the ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,421

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH R. A. CORTEZ, SR. DBA CORTEZ ENTERPRISES, FOR LEASE OF BUILDING 512-B AT HEMISFAIR PLAZA, FOR USE AS A FOOD AND DRINK ESTABLISHMENT FOR A TERM OF THREE YEARS.

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Assistant City Manager Ancil Douthit stated that this is the lease of 600 square feet of space on the same basis as the previous ordinance and is located in the Goliad Food Cluster.

After consideration on motion of Mr. Trevino, seconded by Dr. Nielsen, the ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,422

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ANTHONY NICASTRO DBA JO-TO, FOR LEASE OF BUILDING 529 AT HEMISFAIR PLAZA, FOR USE AS AN ITALIAN FOOD AND DRINK ESTABLISHMENT, FOR A ONE YEAR TERM, WITH A ONE YEAR RENEWAL OPTION.

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Assistant City Manager Douthit explained this was lease of space in the Goliad Food Cluster under the same conditions as the others, except this is for a one (1) year term with a one (1) year option.

After consideration on motion of Dr. Calderon, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

70-13 Mayor McAllister returned to the meeting and presided.

The City Manager made the following statement:

I passed to the Council the proposed changes in the Chilled Water Rates. The Staff of the City and the Water Board have been working for quite some time on the proposed changes in the Chilled Water Rates at HemisFair Plaza. As you are well aware, this has been one of the major problems in securing lessees for the facilities in the Plaza. The changes in essence are (1) we will provide and abide by our present contract with the Water Board, which provides for seven cents (7¢) per ton hour for the first 2500 tons, five cents (5¢) for the next 75 ton hours and two cents (2¢) for all in addition, with a minimum monthly charge which would be two dollars (\$2.00) per ton of demand. This is the present contract that we now have with the Water Board.

Under the proposed change, the contract, as now exists, would stay in effect, except the Convention Center, the Lone Star Pavilion, Tower of the Americas, the Texas Pavilion and the Federal Pavilion would be served as they are presently, by direct service from the Water Board. All of the customers in HemisFair Plaza would be billed by the City. The Water Board would install meters on each facility, so that every lessee would pay for exactly the amount of tonnage that he actually uses, rather than on an estimate, as they have been doing in the past. The City would then charge the users under the following rate: five cents (5¢) per ton hour for the first 75 tons, two cents (2¢) per ton hour on all in excess of the first 75, with a minimum charge of one dollar (\$1.00) per ton of demand. This rate, according to our engineering staff, would be comparable to the rate for air conditioning in similar facilities with square footage in other areas of the City. In other words, we think this is a competitive rate and would not be excessive of what a lessee would pay if he was renting the same amount of square footage in some other facility in San Antonio. In essence, it would mean that the City would pay the difference between the cost of chilled water to the Water Board and the cost that we receive -- the revenue we receive from our concessionaires. The second page indicates what the monthly charges would be and what the loss to the City would be. This is the maximum loss that we feel we would receive in this period, which amounts annually to \$30,000.00. This would be a subsidy in essence to the Water Board for the operation of the chilled water. And the subsidy in this case would be paid by the City and not by the users. In return, the Water Board would not request from the City, additional funds for subsidy, according to the ordinance that the Council passed at the time the Chilled Water Plan was constructed. I personally feel this is a very fair method of subsidizing the Water Board, because it is our obligation. I think that it's the only way that we're going to get concessionaires into HemisFair Plaza. We have quite a number of leases that are pending that we've been holding up until we could get a determination on the Chilled Water Rates. Mr. Van Dyke and I have discussed this on numerous occasions. We discussed it yesterday. He is in full accord and if the Council is in accord, we will have the necessary ordinances next week amending the present contract with the Water Board and providing for the charges for our concessionaires.

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Councilman Torres stated that in view of the City Attorney's opinion of a few weeks ago saying that a direct subsidy to the City Water Board, under the present agreement, would be illegal, he asked his view on the proposed new rate structure.

City Manager Henckel stated that under the '67 Ordinance, it was a direct subsidy to the City Water Board. Under the proposed rate structure, the City of San Antonio is paying the City Water Board under the terms of its contract and will charge the City's customers less for the services. The City is absorbing an operational loss on service to customers.

The City Attorney agreed.

Mr. Torres then spoke against the proposal.

The Mayor spoke in favor.

After discussion on motion of Mrs. Cockrell, seconded by Mr. James, the City Manager was instructed to prepare the necessary ordinances along the lines contained in the City Manager's recommendation for adoption at the next Council Meeting.

On roll call, the motion prevailed by the following vote:
AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Hill;
NAYS: Torres; ABSENT: Trevino.

70-13

ARRIAGA MORA FAMILY

Mr. Jose F. Olivares, Jr. advised that the Arriaga Mora Family, who entertained millions during HemisFair '68, was in San Antonio for a benefit performance in behalf of Holy Cross High School. This being the Mayor's 81st Birthday, Mayor McAllister was treated to a rendition of Las Mananitas and Happy Birthday.

70-13

NORTH EXPRESSWAY

Mayor McAllister presented each member of the Council with a copy of a Resolution concerning the North Expressway, which he asked be adopted. He stated that a meeting has been arranged with the Highway Department, San Antonio Chamber of Commerce, County Judges of 12 Counties and Commissioners in the immediate area of San Antonio. They will meet with the Highway Commission in Austin on Tuesday morning. The Resolution requests the Texas Highway Department to get busy and build the North Expressway. He felt that the Highway Department, with strong urging, will proceed to build the highway without Federal participation and this is what he intends to request that they do.

The Resolution is as follows:

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A RESOLUTION

WHEREAS, on March 27, 1961, the City of San Antonio, acting through its City Council, did enter into a cooperative agreement with the Texas Highway Department for the purpose of developing, to freeway-expressway standards, the previously designated portion of U. S. Highway 281 extending from Interstate Highway 35 North to the north city limits of San Antonio, and

WHEREAS, said agreement provided for certain performance by the City of San Antonio with reference to right of way, and

WHEREAS, on that portion of the proposed project extending from Interstate 35 and downtown San Antonio to Loop 410 and the International Airport, the City has complied fully with the cooperative agreement between the City and the State, and all right of way has now been secured, and

WHEREAS, the responsibility of construction finance rests entirely with the State Highway Commission, and

WHEREAS, the citizenship of Texas and San Antonio has the utmost confidence in its State Highway Commission, and

WHEREAS, the citizenship has waited for over ten years for the construction of this project, NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

That the City of San Antonio does now duly call upon the State Highway Commission to fulfill their part of the cooperative agreement and proceed with the construction of the project utilizing whatever funds and legal action that may be required.

* * * *

Dr. Nielsen then read the Resolution, which he introduced at the meeting of March 19, and moved its adoption. The motion was seconded by Mr. Torres.

Dr. Nielsen's Resolution is as follows:

RESOLUTION

WHEREAS, the existing agreement for the proposed "North Expressway" project provides that no construction or related expenses of any nature are to be incurred by the City of San Antonio; and

WHEREAS, upon conferences being held recently between representatives of the City and of the Texas Highway Department, with regard to the said expressway, it was reported that agreement had been reached by which construction expenses might be incurred, without federal reimbursement, but from whatever other sources might be available;

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NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF SAN ANTONIO:

That no agreement be reached or entered into by this City, or any representatives thereof, with any other persons or agency, by which funds of the City or any of its agencies could be in any way agreed to be utilized for construction expenses or any other expenses for said expressway project.

* * * *

Mrs. Cockrell then made a substitute motion that the Resolution introduced by the Mayor be adopted.

Dr. Calderon stated that he would second the motion provided that in the last sentence between the words, whatever funds, that the following be inserted, "State or Federal." This was agreeable to the Mayor and Dr. Nielsen, who then withdrew his motion.

Mrs. Cockrell then made a motion that the Mayor's Resolution be adopted with the insertion of the words, "State or Federal" in the last line between whatever funds. The motion was seconded by Mr. James.

Mr. Torres stated he would like to see Dr. Nielsen's Resolution be included as part of the Mayor's Resolution.

After discussion, Mr. Torres made a substitute motion urging the Texas Highway Department to initiate a study for an alternate route for that segment of the North Expressway between Mulberry and Tuxedo Avenues, in accordance with Secretary Volpe's memorandum of December 23, 1969. The motion was seconded by Dr. Nielsen.

On roll call, the motion failed by the following vote:
AYES: Nielsen, Torres; NAYS: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill; ABSENT: None.

Dr. Nielsen then proposed the following substitute motion, which was seconded by Mr. Torres:

WHEREAS, this Council bears the heavy burdens of properly discharging its responsibilities under the Laws of the Land and assuring the proper expenditure of funds of taxpayers of this City, and

WHEREAS, tremendous time and expense has been directed toward the proposed North Expressway Project with an apparent total inability for construction to proceed as witnessed by the recent statements to State Highway officials that said the project is totally stymied, and

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WHEREAS, it is advisable, within the responsibilities imposed upon this Council, to determine the exact status of such project by a report in writing from appropriate City personnel, State Highway Department personnel. That report to be submitted as expeditiously as possible, particularly because most members, and as a matter of fact, all members of this Council, as far as I'm concerned, have never had any opportunity to consider the apparently unforeseen legal and policy ramifications thereof, NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

That a full report on the exact status of the proposed North Expressway be submitted in writing within one (1) week from this date with specific information on total costs expended, probable future costs, if pursued, present legal status and probable date of construction and completion within the applicable framework of the law.

* * * *

After discussion, the motion failed by the following vote: AYES: Nielsen, Torres; NAYS: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill; ABSENT: None.

The question was then called on the original motion to adopt the Mayor's Resolution. The motion prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill; NAYS: Nielsen, Torres; ABSENT: None.

Dr. Nielsen then made a motion that the City request a status report on the North Expressway from the Texas Highway Department. The motion was seconded by Mr. Trevino.

After discussion, on roll call, the motion failed by the following vote: AYES: Nielsen, Trevino, Torres; NAYS: McAllister, Calderon, Burke, James, Cockrell, Hill; ABSENT: None.

Mr. Torres then made a motion that City Manager Gerald C. Henckel or his designated representative go to the meeting on March 31 as the City's official representative and that he advise the Council of the results of the meeting. The motion was seconded by Dr. Nielsen.

Mayor McAllister spoke against the motion, however, he stated that he had no objection to having City Manager Henckel go to the meeting with him.

After discussion, on roll call, the motion failed by the following vote: AYES: Nielsen, Torres; NAYS: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill; ABSENT: None.

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70-13 The Mayor was obliged to leave the meeting and Mayor Pro-Tem Cockrell presided.

70-13

CITIZENS TO BE HEARD

FREE SCHOOL LUNCHES - MODEL CITIES AREA

Mr. Leonard Quinlin spoke concerning the free school lunches in the Model Cities Area for children attending parochial schools. He stated that he supported the philosophy of separation of Church and State. He also agreed with the Model Cities Program and the School Lunch Program, as well as the Supreme Court decisions on the subject.

Mr. Stephen Harvasty also spoke concerning the free school lunch program and the third party contract between the San Antonio Independent School District and the Catholic Archdiocese. He stated that he had received a copy of the City Attorney's opinion on the subject and took exception to same.

ABC RENDERING PLANT

Mr. Jay Sam Levy, representing the ABC Rendering Plant, asked the Council to consider the following.

Two years ago a suit was filed by the State of Texas to enjoin the ABC Plant with reference to pollution. The Plant was originally outside of the City and refuse and pollution was going into Leon Creek. ABC entered into an agreed injunction in this lawsuit. Tons of pollution were taken from the Creek. The Plant is operating efficiently now. The Court allowed them one (1) year to complete a new building. They have filed, with the Court, for an extension of four (4) to six (6) months to complete the building. The reason they are asking for an extension is that they had a fire four (4) months ago. They are appearing before the Council with the approval of the City Manager and Assistant City Attorney Hubbard. He asked that the City not press the matter, because they have been unable to complete the building on time. The Court will go along with this if there is no objection from the City.

He presented two (2) progress reports furnished the City and requested by the Court. He stated that the Plant, when completed, will be the best rendering plant in San Antonio. This one and one operated by Roegelein Provision Company are the only two plants who are trying to comply with regulations. He emphasized that there is no menace to public health or pollution, as they are presently operating.

Mr. Levy then made a formal request that the Council grant an additional six (6) months to complete the building and not close operations, in accordance with the agreed injunction.

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Mr. Bob Barvin then reviewed the financial contributions of the Plant to the economy of the City. He stated that there are two (2) trailer parks in the vicinity and they have received no complaints from them.

After consideration, Dr. Calderon made a motion that the City Manager allow ABC Rendering of San Antonio, Inc. an additional six (6) months to complete construction of their new Plant. Seconded by Mr. James, the motion prevailed by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

Mr. Clayton Russell spoke concerning the need to get the most complete census possible for San Antonio; annexation; bond issue; and, Chapter revision.

Mr. Raul Rodriguez spoke to the Council concerning his request of last week to pass a Resolution that the flag not be flown in front of the County Jail.

Mayor Pro-Tem Cockrell stated that she was proud the flag is flown in front of public buildings. The responsibility for things that happen at the County Jail rests with the County officials.

Mrs. Hettie Cook showed the Council a screen, which she had invented for space heaters. She felt that perhaps people who could not afford another type of heater could be made aware of this safety screen and would perhaps prevent injuries and deaths from fires started by space heaters.

The safety screen was referred to the City Manager to check out and to confer about same with the Urban Renewal Agency.

Mrs. Peggy Parker, Supervisor of Youth for God and Country, spoke of their concern with the drug problem in our schools and with our youth.

Miss Diane Sharp stated they have formed "Texas Youth for the Prevention of Drug Abuse." They aim to become active in all schools in this area. They hope to inspire anyone who may be on drugs to seek help from them.

Miss Susan Durr read a letter from Governor Preston Smith commending them for their activities in the field of drug abuse.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,423

APPOINTING AND REAPPOINTING MEMBERS TO THE URBAN RENEWAL AGENCY BOARD OF COMMISSIONERS (JOHN A. BITTER, JR., BOB G. ROTH, CHARLES O. SCHEER, MAX MARTINEZ, FOR TERMS ENDING MARCH 19, 1971; WILBUR FITE, FOR TERM ENDING MARCH 19, 1972, TO REPLACE ROLAND C. BREMER, RESIGNED; RALPH WINTON, JR., FOR TERM ENDING MARCH 19, 1972, TO REPLACE MORRIS COLLINS).

* * * *

On motion of Dr. Calderon, seconded by Mr. Hill, the ordinance was passed and approved by the following vote:
AYES: Calderon, Burke, James, Cockrell, Trevino, Hill; NAYS: Nielsen, Torres; ABSENT: McAllister.

70-13 The Clerk read the following Ordinance:

AN ORDINANCE 38,424

APPOINTMENT OF A MEMBER TO THE MUNICIPAL CIVIL SERVICE COMMISSION TO FILL THE VACANCY CREATED BY THE RESIGNATION OF ELOY CENTENO (GEORGE DE LA GARZA).

* * * *

On motion of Dr. Calderon, seconded by Mr. Hill, the ordinance was passed and approved by the following vote:
AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill;
NAYS: Torres; ABSENT: McAllister.

70-13

REQUEST OF
RESEARCH AND PLANNING COUNCIL
FOR A
COMPREHENSIVE TRANSPORTATION STUDY

City Manager Henckel stated that the Administrative Staff is in accord with the plan presented by the Research and Planning Council and recommended that such a study be authorized. He said the Council should study the proposal and determine if they want to make an award as recommended by the Research and Planning Council or get other proposals. Because of the technical nature of the study, he felt the Council would need help in screening the proposals and they should not make the decision themselves.

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After consideration, Mr. Walter Stoneham, Executive Director of the Research and Planning Council, was asked to submit, in writing, a summary of their proposal for a transportation study. The summary should include information about the three (3) proposals, which the Research and Planning Council considered, as well as the process of its review of them and how they arrived at picking one company, which they have recommended to the Council to make the study.

The City Manager was also asked to submit a report, in writing, outlining his recommendations.

70-13

GLUE SNIFFING ORDINANCE

City Manager Henckel reported that the Council's request for a history of the enforcement and what can be done to strengthen the ordinance has been referred to the Health Department and Police Department. As soon as the study is complete, the Council will be advised.

70-13

SCHOOL LUNCH PROGRAM - MODEL CITIES AREA

City Manager Henckel stated that Mr. Roy Montez, Executive Director of Model Cities Program, was present to answer any questions in connection with the program. The Manager felt that the program through Model Cities is within the legal framework of the law and did not recommend that the Council go into it further.

Mayor Pro-Tem Cockrell stated that the report made by the City Manager on the question of the free school lunch program was very comprehensive and clear. She felt no need for considering it further, unless other members of the Council wished to do so. No Council Member asked that the matter be pursued further.

70-13

SAFETY ORDINANCE

City Manager Henckel stated that they have again reviewed the ordinance, as presented by Mr. Elton Schroeder. The City Attorney's opinion is still the same. The State has preempted the field and the City cannot adopt a valid ordinance on the subject. The Texas Occupational Safety Board has established an office in San Antonio, which includes a staff of two registered professional engineers and one safety expert. This new office was created to enforce the Occupational Safety Standards, which have been prepared as a result of the Texas Occupational Safety Act.

Councilman Torres disagreed that the field has been preempted and stated that he hoped to come up with a type of ordinance that the Council will adopt.

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City Manager Henckel stated that in response to a request by Mr. Torres, the Staff had checked with the Fiesta Commission and were advised they do not have any additional request for a carnival in the business district. They also advised they will not contract for a carnival. The City will have a full-scale carnival in HemisFair Plaza during Fiesta Week. The City has received no request from the Fiesta Commission for a carnival activity, which they must approve. In addition, the Code prohibits carnivals in the downtown district.

The Manager extended invitations to civic organizations from all areas of the City who desire to put on a function for their particular group at HemisFair Plaza as a money-making activity.

Councilman Torres stated that for many years there was a carnival on the streets of San Antonio. Two years ago, it was eliminated. He hoped that through use of Urban Renewal Agency property and other property, there could be one in the future. A Community Relations Commission Member has expressed concern about not having the traditional carnival for people on the West side.

He presented a copy of the contract between Mr. Gene Love, a carnival operator, and Mr. Dave Burnett, Executive Vice President of the Fiesta Commission. Under the ordinance, the Fiesta Commission coordinates Fiesta activities and has the right to ask the City for approval of additional activities. He stated that the Fiesta Commission has renigged on the contract. He also added that he felt pressure had been applied to keep Urban Renewal land from being available for a carnival. He felt the City should try to work toward having a carnival in the downtown area, West of City Hall.

Mr. Gene Love advised the Council that he has retained Mr. Ralph Langley, an attorney, in connection with the matter. He stated that he has talked to a real estate man and has obtained land for operating a carnival in this area. He did not know if the contract with the Fiesta Commission will be honored.

City Manager Henckel stated that the City has a contract for Fiesta Commission to coordinate all activities and the City will not grant the use of City facilities without a request from the Fiesta Commission and approved by the Council. Mr. Love should go to the Fiesta Commission first.

The City Manager added that the Urban Renewal land, which was previously used for a carnival, has been sold to the Four Seasons Corporation and is now privately owned.

Mr. Love advised the Council that he desired to work the matter out with the Fiesta Commission.

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70-13 Dr. Nielsen presented each member of the City Council with a book entitled "The Environmental Handbook," which has been prepared for the First National Environmental Teach-In to be held on April 22, 1970.

70-13 City Manager Henckel introduced Mr. Bob McDonald, whom he has appointed as the City's Federal Coordinator for the purpose of obtaining Federal Grants.

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

A P P R O V E D

ATTEST:

JH Duschmann
C i t y C l e r k

MT McQuister
M A Y O R