

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 12, 1967 AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor Pro-Tem John Gatti, with the following members present: CALDERON, JONES, COCKRELL, GATTI, TREVINO, PARKER and TORRES; Absent: McALLISTER and JAMES.

67-628 The invocation was given by Dr. David Jacobson, Temple Beth-El.

67-628 Mayor Pro-Tem Gatti welcomed Mr. George Torres, President of the Political Science Club at Edgewood Independent School District who was accompanied by thirty students.

67-628 Councilman Torres introduced Mr. Frank J. Lombardino, State Representative, District 57, who distributed brochures to the Council published by the Chamber of Commerce entitled 'Open The Door To College Degrees For 65,000 Bexar County Families!'

Mr. Lombardino urged the Council not to approve SABCORP's request for space in the HemisFair area for use by them after HemisFair. He further urged them not to make any commitments of land for post Fair use in this area and requested the Council set aside a portion of the HemisFair area as a campus for a four year State supported college to be established after HemisFair.

He considered this the most beautiful location and the most accessible to all the people in Bexar County and felt it should be offered to the State of Texas as a college location.

He explained the Governor, Lt. Governor and Speaker of the House have all signed a bill to establish a four year State supported college in Bexar County. The State Co-ordinating Committee has also endorsed the San Antonio area as a site for the college. He appealed to the Council to join with the Chamber of Commerce, State Officials and many others in locating the college in this area.

Councilwoman Cockrell stated that she, as well as the Council, supported Mr. Lombardino's efforts in establishing a four year college in San Antonio. She explained that SABCORP does not envision using the entire area of HemisFair, but a small module for their office space. She explained that the Council already has made commitments for the post HemisFair period to several State and Federal agencies, as well as others and she doubted if there is enough land that is uncommitted to establish a first rate college.

Mayor Pro-Tem Gatti stated that the Council had directed the City Manager to prepare a Master Plan for post HemisFair use in this area.

Councilman Torres stated he thought this was a very vigorous proposal and is all for it if there is a possibility of using this area.

Mr. Lombardino stated this area would be ideal for the college as they could use the Convention Center and other facilities to supplement the college buildings. He explained a study has been made of establishing a college in this area and stated that San Antonio Junior College has 11,500 students on thrity-seven acres of land while eighty to one hundred acres would be necessary for a first rate college campus.

Councilman Parker asked Mr. Lombardino for a copy of this study, as it could be used as a guideline for the Council.

Mayor Pro-Tem Gatti thanked Mr. Lombardino for his presentation and stated that the Council will consider his request.

Mr. Al Tripp, Purchasing Agent, explained the following ordinances, and on motion made and duly seconded, were each passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

66-1149

AN ORDINANCE 35,834

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF L. G. BALFOUR COMPANY TO FURNISH THE CITY OF SAN ANTONIO, PERSONNEL DEPARTMENT WITH CERTAIN EMPLOYEE SERVICE AWARD PINS FOR A NET TOTAL OF \$1,413.50.

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66-881

AN ORDINANCE 35,835

ACCEPTING THE ATTACHED LOW QUALIFIED BIDS OF ALAMO IRON WORKS, CRANE SUPPLY COMPANY AND TELSCO INDUSTRIES TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PARKS AND RECREATION (NORTHEAST PRESERVE PICNIC AREA DEVELOPMENT) WITH CERTAIN ITEMS OF IRRIGATION MATERIALS FOR A TOTAL OF \$2,781.88 AND APPROPRIATING THIS AMOUNT FROM PARKS IMPROVEMENT BOND FUND 489-03 FOR PAYMENT OF SAME.

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OCT 12 1967

67-629

AN ORDINANCE 35,836

OCT 12 1967

ACCEPTING THE ATTACHED LOW QUALIFIED BIDS AS LISTED BELOW TO FURNISH THE CITY OF SAN ANTONIO, POLICE DEPARTMENT WITH CERTAIN RADIO TUBES FOR A TOTAL OF \$2,626.00.

Graybar Electric Co. - Items No. 1 & 19.
Modern Electronics - Items 4,5,6,7,10,
11,13,14,15,22,25,
28,29,31,32,33,36.
Motorola C & E - Item No. 26.
Radio & Television
Parts Company - Items 2,3,8,9,12,
16,17,18,21,23,24,
27,30,35.
Sterling Electronics
Inc. Items 20 & 34

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67-630

AN ORDINANCE 35,837

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF MATHESON SCIENTIFIC, INC. TO FURNISH THE CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH TEN AUTOMATIC DUST SAMPLERS FOR A NET TOTAL OF \$9,750.00.

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67-631

AN ORDINANCE 35,838

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF HARLEY-DAVIDSON OF SAN ANTONIO, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH THREE SOLO-MOTORCYCLES FOR A NET TOTAL OF \$6,108.00.

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66-999 The City Clerk read an ordinance accepting the proposal of R. E. Yarbrough and Company for installation and operation of Terrestrialscopes in the Tower of the Americas, and manifesting an agreement with respect thereto and the similar operations at International Airport and Brackenridge Park.

Mr. Al Tripp, Purchasing Agent, made the following report and recommendation to the Council:

1. The two proposals received meet all specifications and requirements as set forth in the invitation.

2. The proposal from the Lions Club was only on Item A, for a "single scope" operation. Item B calls for a multiple operation - two scopes and one audio unit per battery. The Yarbrough proposal was on both items. Either item being acceptable.
3. The Yarbrough proposal included a consolidation of two existing contracts with the City at Sunken Garden and the International Airport which the City receives 33 1/3% of the annual gross receipts. The proposed scale of percentage would apply on a combination of the three locations for the fair and post-fair periods.
4. There is no definite projection of anticipated gross during either the fair or post-fair periods. However, of the three escalation brackets, the Yarbrough percentages are higher as a whole for both periods. The additional gross from a consolidation of the two existing contracts will increase the existing revenue by at least 6 2/3% (from 33 1/3% to 40%).
5. It is recommended that the proposal of the R. E. Yarbrough Company be accepted for Item B, multiple battery installation, and that the existing contracts at Sunken Garden and the Airport be consolidated (Ordinance numbers 33494 and 33432) under these same terms and conditions.
6. The Director for Convention Facilities concurs.

Mr. W. R. Hizar, President of the Lions Club, advised the Council that if the Tower is a big success, profits should accrue to the City. He felt HemisFair and the Tower would be a success and under their proposal the City stands to gain. He presented a comparison of income based on varying usage of equipment during the six month period of HemisFair and each twelve month period after HemisFair.

He stated that he did not submit a bid on audio because the specifications called for a self contained power unit. He said however, they could provide audio, but felt it should be operated from a central point and would furnish it if the City would provide space of 36" wide X 18" deep X 24" high for the headquarters unit with an electrical outlet and conduit from the power source to desired locations of listening points.

Mr. R. E. Yarbrough explained his proposal and advised that the audio is programed in four different languages. He felt the Lions Club bid is overly optimistic in that the operation is seasonal and during the winter months the telescopes are used very little. He felt his bid was the best and in addition would combine the International Airport and Brackenridge Park operations with this contract, thereby raising the revenue from those locations by 6 2/3%.

OCT 12 1967

After lengthy consideration of the merits of the two proposals, Mr. Jones made a motion that the Council accept the Lions Club proposal. Seconded by Dr. Parker, the motion prevailed by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

It was the sentiment of the Council that the audio be furnished by the Lions Club in connection with this operation.

The Purchasing Agent advised that this could be worked out in the contract.

After preparation of the necessary ordinance, it was read by the Clerk as follows:

AN ORDINANCE 35,839

ACCEPTING THE PROPOSAL OF THE LIONS CLUB OF SAN ANTONIO FOR THE INSTALLATION AND OPERATION OF TERRESTRIALSCOPES IN THE TOWER OF THE AMERICAS AND AUTHORIZING EXECUTION OF A CONTRACT FOR SUCH OPERATIONS.

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On motion of Mrs. Cockrell, seconded by Dr. Calderon, the above ordinance was passed and approved by the following vote: AYES: Calderon, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister, Jones, James, and Parker.

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67-628 Mr. Pete Torres introduced Mrs. Mary Beth Rogers and other ladies present in the Council Chamber who were representing the Women's Activities Division of the AFL-CIO.

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Mayor Pro-Tem John Gatti was obliged to leave the meeting and Councilman Herbert Calderon presided.

67-632 Mr. Thomas Raffety, Director of Aviation, explained the following ordinance to the Council and on motion of Mr. Trevino, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Trevino and Torres; NAYS: None; ABSENT: McAllister, James, Gatti, Parker.

AN ORDINANCE 35,840

AUTHORIZING EXECUTION OF A LEASE OF SPACE AT INTERNATIONAL AIRPORT TO AMISTAD AIRLINES, INC.

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67-633 Mr. Thomas Raffety, Director of Aviation, explained the following ordinance and on motion of Mrs. Cockrell, seconded by Mr. Jones, was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Trevino and Torres; NAYS: None; ABSTAINING: Parker; ABSENT: McAllister, James, Gatti.

AN ORDINANCE 35,841

AMENDING CHAPTER 4 OF THE CITY CODE, MAKING IT UNLAWFUL TO PARK VEHICLES ON MUNICIPAL AIRPORTS EXCEPT AS PERMITTED BY OFFICIAL SIGNS; AND PROVIDING THAT ANY VIOLATIONS HEREOF SHALL BE PUNISHED BY FINE NOT TO EXCEED \$200.00.

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67-634 Mr. Sandy Clark, Land Division Chief, explained the following ordinance.

AN ORDINANCE 35,842

APPROPRIATING \$84,985.00 OUT OF VARIOUS FUNDS FOR ACQUISITION OF RIGHT OF WAY AND EASEMENTS PERTAINING TO U.S. 281 NORTH EXPRESSWAY, MISSION PARKWAY AND STORM DRAINAGE PROJECT # 84.

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In answer to questions from the Council, Mr. Clark stated that acquisition of property for the Mission Parkway would require a tremendous amount of legal work because 30 to 50% of the properties needed will result in condemnation proceedings as there are numerous title problems.

OCT 12 1967

OCT 12 1967

He stated it would probably be four to six months before acquisition would be complete, however, portions of the Parkway will be ready for HemisFair.

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

67-635 Mr. Sandy Clark, Land Division Chief, explained the following ordinance and on motion of Mr. Jones, seconded by Dr. Parker was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister, James, and Gatti.

AN ORDINANCE 35,843

CLOSING AND ABANDONING A PORTION OF S. SMITH STREET IN NEW CITY BLOCK 2348 AND AUTHORIZING A QUITCLAIM DEED TO OSCAR E. GUTIERREZ FOR A CONSIDERATION OF \$380.00.

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Mayor Pro-Tem Gatti returned to the meeting and presided.

67-636 Mr. Sandy Clark, Land Division Chief, explained the following ordinance and on motion of Mrs. Cockrell, seconded by Mr. Jones, was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSTAINING: Gatti; ABSENT: McAllister and James.

AN ORDINANCE 35,844

CLOSING AND ABANDONING A PORTION OF BLUM STREET BETWEEN ELM STREET AND THE WEST RIGHT OF WAY LINE OF I. H. 37 AND AUTHORIZING A QUITCLAIM DEED TO SAM BARSHOP, ET AL FOR A CONSIDERATION OF \$3,375.00.

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67-637 Mr. Sandy Clark, Land Division Chief, explained the following ordinance.

AN ORDINANCE 35,845

CLOSING AND ABANDONING BLUERIDGE STREET
LOCATED BETWEEN NEW CITY BLOCK 7474 AND
7475 AND AUTHORIZING A QUITCLAIM DEED TO
EDGEWOOD INDEPENDENT SCHOOL DISTRICT FOR
A CONSIDERATION OF \$10.00.

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Mr. Trevino asked if the City has any future plans for opening Blueridge Street.

Mr. Clark stated that the request of Edgewood Independent School District had been circulated to all City Departments and Agencies that it would concern and none of these Departments had any objections to quitclaiming this particular street, which is only a street on the plat that had never been open for public use.

On motion of Mr. Torres, seconded by Mrs. Cockrell, the ordinance was passed and approved by the following vote:
AYES: Calderon, Jones, Cockrell, Gatti, Trevino and Torres;
NAYS: None; ABSENT: McAllister, James, Parker.

67-638 Mr. Sandy Clark, Land Division Chief, explained the following ordinance, and on motion of Dr. Calderon, seconded by Dr. Parker was passed and approved by the following vote:
AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker, Torres;
NAYS: None; ABSENT: McAllister and James.

AN ORDINANCE 35,846

ACCEPTING THE BID OF P.K. CRAWFORD IN
THE AMOUNT OF \$9,300.00 FOR THE PURCHASE
OF CERTAIN CITY-OWNED LAND LOCATED IN
NEW CITY BLOCK 1771 AND AUTHORIZING THE
CITY MANAGER TO EXECUTE A DEED THERETO.

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67-639 Mr. Stewart Fischer, Director of Traffic and Transportation explained the following resolution, and on motion of Mrs. Cockrell, seconded by Mr. Jones, was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister, James.

A RESOLUTION

REQUESTING THE TEXAS HIGHWAY DEPARTMENT
TO PARTICIPATE IN AN EXPRESSWAY LIGHTING
PROJECT ON U.S. 281 NORTH EXPRESSWAY WITH-
IN THE CITY LIMITS.

OCT 12 1967

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Mayor Pro-Tem Gatti directed that in the future it would be wise for Mr. Fischer and Mr. Shelley to meet with the State Highway Department in order to reach a fair price for future illumination, installation and maintenance contracts with the State.

67-640

The Clerk read the following resolution.

A RESOLUTION

APPROVING AND ADOPTING THE SCHOOL MASTER PLAN AS A PART OF THE MASTER PLAN OF THE CITY OF SAN ANTONIO.

* * * *

Mr. Steve Taylor, Planning Director, showed the Council a large map of Bexar County with each school district outlined and sites for future schools. He explained the School Master Plan would necessitate the utmost cooperation between the Developers, the School Boards, the Parks Department and the City Planning Staff. Through this cooperation and good planning future schools and future park sites will be located adjacent to each other. The City would then develop the parks which could be used as recreation facilities for the schools.

He then introduced Mr. Hubert Nelson, Chief of Comprehensive Planning, a member of the Planning Department's Staff.

Mr. Nelson explained that the Planning Department is generally the first agency to know of a proposed subdivision or of a new school development. It would be the Planning Department's responsibility, before approval of the subdivision site or the new school site, to contact the School Board, Developer and Parks Department in order to determine the best site for a future school within a subdivision and a park site.

In answer to a question from Mayor Pro-Tem Gatti, Mr. Nelson stated that the City would not have control over the school districts nor the developers, however, by cooperation between them, each party would be helped.

He then showed the Council numerous map transparencies in detail as to what could be done as a result of the approval of the Master Plan.

After further discussion by the Council, Dr. Parker made a motion to approve the resolution to adopt a School Master Plan. Seconded by Mrs. Cockrell, the resolution was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

66-1256 Mr. C. W. McKennon, Assistant Public Works Director, explained the following ordinance, and on motion of Mr. Jones, seconded by Dr. Parker, was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

AN ORDINANCE 35,847

ACCEPTING THE LOW BID OF R. E. STROUD FOR THE BURKEDALE BLVD. CONNECTION PAVING PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SUCH WORK; APPROPRIATING \$68,837.00 OUT OF NO. 489-01 STREET IMPROVEMENTS BOND FUND - 1964 SERIES PAYABLE TO SAID CONTRACTOR; APPROPRIATING \$1,000.00 OUT OF THE SAME FUND AS A CONSTRUCTION CONTINGENCY ACCOUNT AND \$400.00 AS A MISCELLANEOUS ACCOUNT.

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67-641 Mr. George D. Vann, Jr., Director of Housing and Inspections, explained the following ordinance and on motion of Mr. Torres, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: Calderon, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister, Jones, James, and Parker.

AN ORDINANCE 35,848

GRANTING JOSKE'S OF TEXAS PERMISSION TO CONSTRUCT A FACADE EXTENDING OVER PUBLIC PROPERTY ON THE COMMERCE STREET SIDE OF ITS BUILDING.

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67-589 The Clerk read the following ordinance.

AN ORDINANCE 35,849

DETERMINING THAT THE PREMISES LOCATED AT 609 COLIMA, CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND THE CITY ATTORNEY IS DIRECTED TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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OCT 12 1967

Mr. George Vann, Director of Housing and Inspections, explained that the owner of the subject premises had been sent a notice on November 18, 1966, by certified mail that the structure was deteriorated by more than 50% of its value and is considered as dangerous. The owner is Mr. Agustin Torres.

He stated that Mr. Torres appeared before the City Council on June 29, 1967 and requested more time to renovate the building. Action was postponed and he was granted a 30 day extension in order to give him time to submit plans for improving the property in accordance with minimum requirements of the Building Codes and has failed to do so. He was again notified that a public hearing would be held this morning, however, he is not present in the Council Chamber.

After discussion by the Council, on motion of Dr. Calderon, seconded by Mr. Jones, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino; NAYS: None; ABSTAINING: Parker and Torres; ABSENT: McAllister and James.

67-642

The Clerk read the following ordinance.

AN ORDINANCE 35,850

DETERMINING THAT THE PREMISES LOCATED AT 2614 GUADALUPE, CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND THE CITY ATTORNEY IS DIRECTED TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George Vann, Director of Housing and Inspections, explained that the owner, Mr. Alfonso R. Martinez, had been sent a notice on July 21, 1967 by certified mail, that the structure was deteriorated more than fifty per cent of its value and is considered as dangerous premises. The owner was given thirty days to demolish this structure.

He was again notified that a public hearing would be held this morning, however, he is not present in the Council Chamber.

After discussion by the Council, on motion of Dr. Parker, seconded by Mrs. Cockrell, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

67-642

The Clerk read the following ordinance.

AN ORDINANCE 35,851

DETERMINING THAT THE PREMISES LOCATED AT 802 ESSEX, CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND THE CITY ATTORNEY IS DIRECTED TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George Vann, Director of Housing and Inspections, explained that the owner, Mr. Elmo V. Austin, had been sent a notice on May 5, 1967, by certified mail, that the structure was deteriorated more than fifty per cent of its value and is considered as dangerous premises. The owner was given thirty days to demolish this structure.

The owner was again notified that a public hearing would be held this morning, however, he is not present in the Council Chamber.

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

67-642

The Clerk read the following ordinance.

AN ORDINANCE 35,852

DETERMINING THAT THE PREMISES LOCATED AT 2415 COLIMA, CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND THE CITY ATTORNEY IS DIRECTED TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George Vann, Director of Housing and Inspections, explained that the owner, Cleotilde L. Sanchez, had been sent a notice on July 24, 1967, by certified mail, that the structure was deteriorated more than fifty percent of its value and is considered as dangerous premises. The owner was given thirty days to demolish this structure.

He stated that notice was again sent out notifying that a public hearing would be held this morning, however, the owner is now deceased and no heirs are present in the Council Chamber.

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

67-642 The Clerk read the following ordinance.

AN ORDINANCE 35,853

DETERMINING THAT THE PREMISES LOCATED AT 2616 GUADALUPE, CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND THE CITY ATTORNEY IS DIRECTED TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George Vann, Director of Housing and Inspections, explained that the owner, Alfonso R. Martinez, had been sent a notice on July 21, 1967, by certified mail, that the structure was deteriorated more than fifty percent of its value and is considered as dangerous premises. The owner was given thirty days to demolish this structure.

He stated the owner was again notified that a public hearing would be held this morning, however, he is not present in the Council Chamber.

After discussion, On motion of Dr. Parker, seconded by Mr. Jones, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

67-589 At this time, Mr. Agustin Torres, owner of the premises at 609 Colima Street, which the Council, earlier in the meeting by Ordinance 35849, declared to be a nuisance, fire, health and safety hazard, and instructed the City Attorney to take action to have the nuisance abated, addressed the Council.

Mr. Torres stated that part of the building has been demolished and he could bring the remainder up to standards. He has applied for a permit, but it was denied because the property is in a proposed Urban Renewal area and Mr. Roy Montez of the Urban Renewal Agency had said they did not want this house in that area. The Agency wants to buy the property and he is willing to sell it.

After a lengthy discussion of the pros and cons of this case, Councilman Torres made a motion that the Council reconsider its action in passing Ordinance 35849. The motion was seconded by Mr. Trevino. On roll call, the motion failed by the following vote: AYES: Cockrell, Trevino and Torres; NAYS: Calderon, Jones, Gatti, Parker; ABSENT: McAllister and James.

Ordinance 35849 remains in force but it was brought out that Mr. Agustin Torres will have some time to try to work something out satisfactorily before the City Attorney takes legal action.

67-643 Mr. Sam Wolf, City Attorney, explained the following ordinance and on motion of Dr. Calderon, seconded by Dr. Parker, was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

AN ORDINANCE 35,854

AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS IN CONCURRENCE WITH THE PRESIDENT OF THE BOARD OF TRUSTEES OF THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT AND THE COUNTY JUDGE OF BEXAR COUNTY, TEXAS TO VARIOUS OWNERS FOR PROPERTIES SITUATED IN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, IN CONSIDERATION OF SUMS LISTED HEREIN.

Mason Johnson-Lots 39,40,41,Blk.12, NCB 8997-\$350.00

Glenn E. Porter-Lots 7,8,9,10,11,Blk. 10, NCB 8997-\$650.00

Glenn E. Porter-Lots 25,26,Blk. 6, NCB 8282-\$75.00

Glenn E. Porter-Lot 32, Blk. 7, NCB 8282, \$15.00

Glenn E. Porter-Lot 47, Blk. 7, NCB 8282

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OCT 12 1967

The City Clerk read the following ordinance.

AN ORDINANCE 35,855

AN ORDINANCE DIRECTING THE GIVING OF NOTICE OF THE INTENTION OF THE COUNCIL OF THE CITY OF SAN ANTONIO TO PROVIDE FOR THE EXTENSION AND IMPROVEMENT OF THE ELECTRIC AND GAS SYSTEMS OF THE CITY AND TO ISSUE REVENUE BONDS TO PAY THE COST THEREOF, AND DECLARING AN EMERGENCY.

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The ordinance provides for publication of the following notice:

NOTICE OF INTENTION TO
EXTEND AND IMPROVE THE ELECTRIC AND
GAS SYSTEMS OF THE CITY OF SAN ANTONIO
AND TO ISSUE REVENUE BONDS

Pursuant to the provisions of Articles 1111 to 1118, inclusive, and Article 2368a, Revised Civil Statutes of Texas, 1925, and Chapter 35 of the Acts of the 53rd Legislature of Texas, 1953, (Art. 1118t, Vernon's Civil Statutes), notice is hereby given of the intention of the Council of the City of San Antonio, Texas, at a meeting to be held at 8:30 o'clock A.M. on November 16, 1967, to pass such ordinance and take such action as may be deemed necessary to authorize the issuance of \$30,000,000 principal amount of Electric and Gas Systems Revenue Improvement Bonds, Series 1968, maturing serially over a period of not more than thirty (30) years, with interest payable semi-annually at a rate or rates not exceeding six per centum (6%) per annum, for the purpose of obtaining funds to extend and improve the Electric and Gas Systems of said City.

Said bonds are to be secured by mortgage on said Electric and Gas Systems and are to be payable only from the net revenues derived from the operation of said systems and there will appear on the face of each bond the words "The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation." There are now outstanding \$49,480,000 principal amount of "Electric and Gas Revenue Refunding Bonds" dated February 1, 1951; \$7,400,000 principal amount of "Improvement Bonds, Series 1953"; \$16,170,000 principal amount of "Improvement Bonds, Series 1957" and \$18,620,000 principal amount of "Improvement Bonds, Series 1962", which are all of the present bonds or other indebtedness payable from the net revenues of the systems. The lien of such bonds on said systems and the revenues thereof will be coequal with the lien of said Electric and Gas Revenue Refunding Bonds, dated February 1, 1951, said Electric and Gas Systems Revenue Improvement Bonds of each of the Series of 1953, 1957, and 1962 secured by Trust Indentures between said City and Harris Trust and Savings Bank and F. O. Mann, Indenture Trustees, dated as of February 1, 1951, August 1, 1953, February 1, 1957, February 1, 1960, and August 1, 1962, respectively, and such additional bonds will also be secured by such Indentures and a Supplemental Indenture, which

together will include the usual and customary provisions, including a provision for foreclosure with power of sale in event of default, and for a twenty year franchise for the operation of said systems by the purchasers at any sale of the systems held thereunder.

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Mr. O. W. Sommers, General Manager of the City Public Service Board, stated he had no prepared statement. He had previously furnished members of the Council with information regarding the issuance of \$30,000,000 in revenue bonds and would answer any questions the Council may have.

To questions by Mr. Jones and Mrs. Cockrell, Mr. Wilber Matthews, General Counsel for the City Public Service Board, advised that by passage of the ordinance the bonds are limited to \$30,000,000. If the Council wanted to issue additional bonds, then they would have to start over. As to building a parking garage, if it could be done as a part of the electric and gas system, funds from the \$30,000,000 issue could be used.

Councilman Torres stated he understood that issuance of bonds are limited to 50% of the net property additions since the last bond issue.

Mr. Sommers confirmed this and explained how they arrive at net property additions.

Mr. Torres asked if the City Public Service Board has furnished the Council, as required by the indenture, a certificate of unbonded property additions and their value.

Mr. Matthews advised that it is substantially complete and that three weeks before November 16, when the Council will be taking action to issue the bonds, this would be in the hands of the Council. He added that the certificate will show that the unbonded property additions since the 1962 issue is \$107,000,000. He added that the ordinance which the City Public Service Board is asking to be passed today only gives notice of intention to issue bonds. This allows them to set up the schedule for the rest of the issuance procedure and meet the terms of the indenture. The procedure is the same as in the past.

Mr. Sommers reviewed the improvements to be made which include two generating units at the Brauning Plant, one generating unit at Calaveras Lake as well as work on the lake, substations, etc,. The generating units are to be conventional turbine type.

Assistant City Manager Henckel, in answer to a question by Mr. Torres, advised the City has a man in the utilities division, but is not qualified to handle technical and engineering aspects of utilities.

Councilman Torres then made the following statement:

OCT 12 1967

"The original trust indenture was for \$33,950,000. And today it is \$49,480,000-- we seem to be getting further away from consumer ownership.

We don't have an independent commission to study the matters that have been presented here and these criteria require a particular expertise. Thus, I personally would like to see the Council--before any action is taken on this proposal--appoint a commission to consist of a utility engineer, attorney and accountant to assist the Council in evaluating the proposal presented.

The City Public Service Board Trustees represent the bond holders and, frankly, our trust is to the consumer and to protect the public, it would be incumbent upon us to make this evaluation independently of the Board's presentation. That has not been done.

Further, we cannot possibly determine if the necessary predicates have been established lacking the certified list of unbonded property additions, which as I understand the trust indenture is required before we initiate any action to issue new bonds.

There is a mountain of information that should be placed at our disposal and for our study and I am disinclined to accept the Board's proposal at face value--especially as an example-- in view of statement in the City Public Service Board's 25th Annual Report at paragraph 5 where it is stated that in San Antonio the average price paid for power per residential kilowatt was \$2.04 while national average was \$2.19. That is an erroneous comparison in that the local average of our publicly owned facility is compared by the CPSB to the national average of privately owned utilities. According to the FPC's March, 1967 Report on comparative rates, the national average price paid by a residential user per kilowatt hour is \$1.53, considerably lower than what is charged in San Antonio (about 25%).

I may add that numerous publications which I have consulted indicate that turbine generation is obsolete for the 1970 time period (Public Utility Economics, Garfield and Lovejoy, Prentice-Hall, 1964) and this source of energy could also result in a considerable savings to consumers if rates inflect the lower operating costs (National Power Survey, FPC, 1964).

Recent Stock appraisals by Merrill Lynch on General Electric (August 3, 1967) on the Middle South Utilities (May 16, 1967) on the Consumers Power Company (April 5, 1967), American Electric Power Company (September 7, 1967) and on the General Public Utilities Corporation (April 5, 1967) all reflect the activity in nuclear fueled generating plants. Yet, the CPSB proposal is speaking strictly of conventional units. Thus, it would be immediately apparent to me that this Council should have the thinking of an independent commission on the matter of new plants and facilities for this time period.

I am particularly concerned over the renewal of these indentures because we are merely perpetuating the already self-perpetuating board required under the bonds and which place the complete management of the system in the CPSB. Thus, the commission I have proposed should be directed to study:

- a. The possibility of issuing new bonds to cover the existing indebtedness and immediate future needs ...The bond people with whom I have spoken have indicated to me that the low outstanding indebtedness coupled with the plant value would negate the necessity of an autocratic board such as we have now.
- b. The possibility of eventual joint management of all city utilities (Lights, Gas, Water and Transit) under a single utilities commission responsible to the City Council and making possible the combining of all personal and accounting departments as well as joint use of facilities.

Thus my initial proposal is for the creation of a Utilities Commission to study the proposal that has been presented here and to report back to the Council. "

Mr. Matthews advised that the City Public Service Board was appointed by ordinance of the City making the indenture. Article 1113 of the State Statutes provides that an incumbered utility be operated by the City under the terms of the indenture, in this case by a Board of Trustees. He added that the CPSB is a municipal board and represents the City of San Antonio and is the agency by which the City operates the utility. He concluded by saying that Harris Trust and Saving of Chicago is the trustee under the indenture and is the firm which looks to the interest of bondholders.

As to rates, Mr. Sommers felt the figures quoted included utilities which are subsidized by the Federal Government such as the Tennessee Valley Authority and Pacific Northwest which sell power very cheap.

Mayor Pro-Tem Gatti stated there may be some people who would advocate refunding the \$50,000,000 worth of bonds outstanding but despite whatever information Mr. Torres may have, to refund the bonds at a time when interest rates are the highest since 1924 would be placing a tremendous burden on the users and taxpayers and thought it is one of the most ridiculous suggestions he has heard in many years.

Mr. Torres apologized for not making himself clear as he did not mean at this time. He recognized that the time would not be propitious to have that particular venture entered into. What he was advocating at this juncture was that they should have a commission to study this particular matter.

After further discussion, Dr. Parker made a motion that the ordinance be passed and adopted as an emergency measure. Seconded by Mr. Jones, the motion prevailed by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino and Parker; NAYS: Torres; ABSENT: McAllister and James.

67-628 Mrs. Cockrell asked the Traffic Director what the status of the proposed Bandera Road Expressway is and what the Council needs to do to get it going.

Mr. Stewart Fischer, Director of Traffic and Transportation advised that the City went to the Texas Highway Commission and made a presentation in which it requested approval of the Bandera Expressway. He advised that the Texas Highway Commission has not made a decision as yet. The Highway Department is also trying to get authorization to make improvements to the existing highway. He said he would check into this and make a report next week.

67-645 The Clerk read the following ordinance.

AN ORDINANCE 35,856

PROVIDING FOR THE SALE AND CONVEYANCE OF CERTAIN PROPERTY IN BEXAR COUNTY, TEXAS. (Lot 43, Blk. 31, NCB 8114, Edgewood Addition from the City Public Service Board to H.B. Zachry Company for \$4,000.00).

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Mr. Harper MacFarlane, attorney for the City Public Service Board, advised the property was purchased for \$1,750.00 as a substation site. The property is not being used and has been declared surplus to the needs of the electric and gas system. Eight bids were received on the property with the highest being submitted by H. B. Zachry Company at \$4,000.00 and recommended adoption of the ordinance.

After consideration, on motion of Mrs. Cockrell, seconded by Dr. Calderon, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and James.

Mayor Pro-Tem John Gatti was obliged to leave the meeting and Councilman Calderon was designated to preside over the meeting.

66-526 The Clerk read the following ordinance.

AN ORDINANCE 35,857

ADOPTING AND APPROVING MINOR AMENDMENT NO. 4 TO THE URBAN RENEWAL PLAN FOR CENTRAL WEST PROJECT I, TEX. R-39 AND DIRECTING THAT SAID CHANGE BE FILED AS PART OF THE AMENDED URBAN RENEWAL PLAN FOR SAID PROJECT.

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Assistant City Manager Henckel advised that early this year a change was made in Project I to provide a pedestrian walk way from the expressway to the church. A sidewalk and fence were installed. He recommended the amendment be approved so that the City can get non-cash credit for this work.

On motion of Mr. Jones, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Trevino and Torres; NAYS: None; ABSENT: McAllister, James, Gatti, Parker.

67-646 Item 26 on the agenda, pertaining to approval of criteria for waste water collection and temporary waste water treatment plants in the Edward Recharge Zone was withdrawn from consideration at this time.

67-647 The following ordinance was read by the Clerk and on motion of Mr. Torres, seconded by Mr. Trevino was passed and approved by the following vote: AYES: Calderon, Jones, Cockrell, Trevino and Torres; NAYS: None; ABSENT: McAllister, James, Gatti; ABSTAINING: Parker.

AN ORDINANCE 35,858

AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE REFUNDS TO VARIOUS CONCERNS AND INDIVIDUALS DUE TO THE DOUBLEPAYMENT OF TAXES.

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OCT 12 1967

67-628

Mrs. Cockrell stated that in view of the request this morning by Representative Lombardino, it makes even more urgent the necessity of moving ahead with a Master Plan for the post HemisFair use of land in the HemisFair area. She urged the City Council to proceed with planning and review all requests made in this area in accordance with priorities.

67-628

Mr. Rupert Sprott, 614 Royal Court, presented the Council with a copy of a notice of a traffic violation given him for driving 30 mph in a 20 mph zone. Under 'Remarks' it states he was not going 30 mph, but between 20 and 30 mph.

The main reason he was appearing was because a friend of his, last Monday, came up to a stop light on the right lane, stopped for the red light, and turned right. She was given a \$15.00 ticket for not using the turn indicator. He said he spoke to several policemen and they did not know it was against the law. He stated he is for policemen and would like to see the sales tax passed and police salaries doubled, as he felt that with what they are being paid there are some who are not as good as he would like to see on the police force. He stated he would go to court with his ticket but the lady sent her \$15.00 in because she could not go to court.

Assistant City Manager Henckel advised he would have to check the facts before making any comment.

Mr. Sprott advised that the lady did not want her name used.

67-628

Mr. Torres stated that the matter of quotas had been discussed before and he felt sometimes there is some pressure brought on police officers. He said he was not making any accusations, but in speaking to various officers they say that sometimes pressure is brought to bear. If this is the situation, it would require corrective action by the Council as this is a serious matter. He added that many similar situations have been brought to his attention. A person can go to court where the guilt or innocence is determined and the Council cannot interfere with that. But when it comes to policy, that is going to be established for the officers who are issuing citations, the Council does have authority.

Dr. Parker stated that he has talked to four or five police officers and the only reply given by them is that the only order given is to enforce the law. He added that he had invited Mr. Sprott to come before the Council on this matter as he is also interested in getting the fines reduced. He asked Mr. Sprott if he had any idea of how to stop violations within the City.

772

Mr. Sprott replied that is the City's problem.

Dr. Calderon stated that ticket quotas were discussed previously and he personally checked into it. The only information he got is that they are only required to issue one ticket per week as a minimum which is not a unreasonable requirement. If it can be called a quota, it is a most reasonable thing because he, in driving to and from work, can see five to ten violations in one half hour of driving and certainly any alert policemen can issue one ticket per week. He concluded by saying that he has not found any information that there is any quota philosophy in the Department.

City Manager Shelley assured Mr. Sprott and the Council that there has never been a quota system in the Department and there is none today. The men are specifically told to do their job as policemen which is what they are hired to do. It is unfortunate that someone sometimes gets a ticket for what can be considered a minor situation, but that is what the Courts are for and Mr. Sprott is going to Court and he is doing the right thing if he feels he is not guilty.

Mr. Jones stated that sometime ago the Council increased the fines for traffic violations and felt it is time to review them. He said he would like for the City Manager to present to the Council some statistics as to how the fines are working out, including income from fines, as well as the number of violations since the ordinance was passed.

The City Manager was instructed to make a report along these lines.

67-628 The Clerk read the following letter.

October 10, 1967

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

Gentlemen and Madam:

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

OCT 12 1967

10-3-67

Petition of Joske's of Texas requesting the City's permission to construct a facade on the south face of petitioner's building facing on Commerce Street which is contemplated to extend on the west wing 1'7" beyond the property line and on the east wing 4'0", (in both cases facing will not extend beyond the existing canopy line, the west wing facing is 3' 1½" behind the canopy line and the east wing is 4' behind canopy line) A plat showing the property line, the existing canopy line, and the new facade line is in the Building Inspector's Office.

10-4-67

Petition of Mr. Lloyd A. Denton, LBD Development Company requesting annexation of a 12.235 acre tract of land known as Garden Court East, Unit 2.

/s/ J. H. INSELMANN
City Clerk

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There being no further business to come before the Council, the meeting adjourned.
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A P P R O V E D :

M. McAllister

M A Y O R

ATTEST:

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