

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 18, 1969.

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The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: MCALLISTER, CALDERON, JAMES, COCKRELL, NIELSEN, TREVINO, HILL, TORRES: ABSENT: BURKE.

69-55 The invocation was given by Rev. L. A. Crenshaw, Palestine Baptist Church.

The minutes of the meeting of December 11, 1969 were approved with a correction on page 21 to reflect that Mr. Hill voted "Aye".

69-55 The Clerk read the following Ordinance:

AN ORDINANCE 38,161

SETTING A DATE, TIME AND PLACE
FOR A PUBLIC HEARING ON THE PRO-
POSED ANNEXATION OF 9.704 ACRES
OF LAND BY THE CITY OF SAN ANTONIO
AND AUTHORIZING AND DIRECTING THE
CITY MANAGER TO PUBLISH NOTICE OF
SUCH PUBLIC HEARING.

* * * *

Mr. Steve Taylor, Planning Director, explained that this property is known as University Estates Unit #4 located near the intersection of Wurzbach and IH 10. The action is being taken at the request of the owner, H. B. Zachry, Inc. The hearing is set for 10:00 a.m., December 30, 1969.

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

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69-55

The Clerk read the following Ordinance:

AN ORDINANCE 38,162

SETTING A DATE, TIME AND PLACE FOR
A PUBLIC HEARING ON THE PROPOSED
ANNEXATION OF 27.959 ACRES OF LAND
BY THE CITY OF SAN ANTONIO AND AUTHO-
RIZING AND DIRECTING THE CITY MANAGER
TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

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Mr. Steve Taylor, Planning Director, explained that this property is known as Unit #3 of El Dorado Subdivision. Action is being taken at the request of the owner, Community Properties, Inc. This will be a single family development located near Perrin-Beitel Road and Nacogdoches Road. The hearing will be at 10:00 a.m. December 30, 1969.

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

69-55

The Clerk read the following Ordinance:

AN ORDINANCE 38,163

APPROPRIATING \$100,000 OUT OF MODEL
CITIES SUPPLEMENTAL FUNDS AND TRANS-
FERRING THE SAME TO ACCOUNT 78-10-80;
AUTHORIZING PAYMENT OF SAID AMOUNT TO
THE SAN ANTONIO RIVER AUTHORITY TO
BE USED IN CONNECTION WITH THE
APACHE CREEK PROJECT.

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Mr. Roy Montez, Model Cities Administrator, explained that this ordinance establishes money in this account for the project which was previously approved by the City Council. This will allow the River Authority to commence work.

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He added this is partial funding for the work the River Authority will do which consists of the 19th Street bridge and the dam at Elmendorf Lake. There will also be a payment to the Corps of Engineers. Other work in the amount of two million dollars will be done by the Department of Public Works. Funding will be through Model Cities.

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

69-55 The Clerk read the following Ordinance:

AN ORDINANCE 38,164

AUTHORIZING EXECUTION OF A CONTRACT
WITH THE HOUSING AUTHORITY TO FURNISH CERTAIN OFFICE SPACE IN CONNECTION WITH THE MODEL CITIES COMMUNITY RELATIONS PROGRAM.

* * * *

Assistant City Manager, Ancil Douthit, explained that this will provide office space at Alazan-Apache Courts, San Juan Homes, Cassiano Homes, Veramendi Homes, Mirasol Homes, and Lincoln Heights Courts for community relations offices. These locations are all in the Model Cities area. Cost of each location is \$36.70. Four other community relations offices were authorized and will be housed in areas outside the Model Cities area.

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

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The Clerk read the following Ordinance:

AN ORDINANCE 38,165

AMENDING THE CURRENT BUDGET BY ESTABLISHING A MENTALLY HANDICAPPED RECREATION PROGRAM TRUST FUND; AUTHORIZING TRANSFER OF \$8,025.00 FROM THE CONTINGENCY ACCOUNT TO SAID FUND; ACCEPTING THE OFFER OF BEXAR COUNTY BOARD OF TRUSTEES FOR MENTAL HEALTH AND MENTAL RETARDATION TO SHARE EXPENSES OF SAID PROGRAM IN THE AMOUNT OF \$8,025.00 ALSO AUTHORIZING THREE ADDITIONAL EMPLOYEE POSITIONS IN THE PARKS AND RECREATION DEPARTMENT.

* * * *

Assistant City Manager Ancil Douthit stated that this establishes an account for this program. The Bexar County Board of Trustees is funding one half of the cost and the city, by this ordinance, is appropriating its share.

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

DOG-CATCHING PROCEDURES

Councilman Nielsen stated that he had received two complaints about an article in the Evening News about a procedure used to catch dogs running at large. He asked that the Health Department be advised so that this incident will not be repeated.

City Manager Henckel stated that Dr. Ross has already been advised of this.

APPOINTMENTS TO CITY WATER BOARD AND TRANSIT SYSTEM

69-55 Councilman Torres stated that he understood that the Council was going to recess and consider appointments and then reconvene and make the appointments. He asked that the matter be postponed in order for it to be placed on next week's agenda and put the community on notice on the proposed action.

The Mayor stated that the intention was to recess the meeting in order to discuss vacancies and then reconvene and act if the Council so desires.

COMPLAINT OF WOODROW BANKS
(3815 Manchester)

69-55 Dr. Nielsen stated that he had received a telephone call from Mr. Woodrow Banks regarding a complaint about the way the City Public Service Board handled Account #0262078017.

The City Clerk advised that the complaint had been forwarded to the City Public Service Board.

69-55 ZONING HEARING

a. The first case heard was Zoning Case 3608 to rezone a 1.07 acre tract out of Lot 24, NCB 11962, formerly being part of Lot 11, NCB 11962 from "A" Single Family Residential District to "B-1" Business District. Subject property is located on the northwest side of Gault Lane, 200' southwest of Cindy Lane; having 123.40' on Gault Lane and a maximum depth of 431.61'.

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

No one spoke in opposition

On motion of Mr. Hill seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: James, Cockrell, Nielsen, Trevino, Hill, McAllister, Calderon; NAYS: None; ABSENT: Burke, Torres.

AN ORDINANCE 38,166

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 1.07 ACRE TRACT OUT OF LOT 24, NCB 11962, FORMERLY BEING PART OF LOT 11, NCB 11962 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT.

* * * *

b. Next heard was Zoning Case 3739 to rezone Lot 15, Blk. 4, NCB 10870, located on the southwest side of Glasgow Dr. 137.35' southeast of Military Highway (Loop 13); having 180.0' on Glasgow Drive and a depth of 136.69'. The requested change is from "B" Two Family Residential District to "B-3" Business District.

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

No one spoke in opposition.

On motion of Mr. Hill seconded by Dr. Nielsen, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: Hill, McAllister, Calderon, Cockrell, Nielsen, Trevino; NAYS: None; ABSTAINED: Torres; ABSENT: Burke, James.

AN ORDINANCE 38,167

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 15, BLK. 4, NCB 10870 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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c. Next heard was Zoning Case 3740 to rezone the east 25' of Lot 53, Blk. 23, NCB 1644, being that portion not presently zoned "J" Commercial, from "B" Two Family Residential District to "I-1" Light Industry District. Subject property is located on the north side of Westfall Avenue, 150' east of S. New Braunfels Avenue; having 25' on Westfall Avenue and a depth of 150'.

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

No one spoke in opposition.

On motion of Dr. Calderon seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Cockrell, Nielsen, Hill, Trevino, Torres; NAYS: None; ABSENT: Burke, James.

AN ORDINANCE 38,168

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 25' OF LOT 53, BLK. 23, NCB 1644, BEING THAT PORTION NOT PRESENTLY ZONED "J" COMMERCIAL FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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d. Next heard was Zoning Case 3771 to rezone Lot 21, NCB 11674 from "B" Two Family Residential District to "B-3" Business District located east of the intersection of E. Commerce Street and Dafoste Avenue; having 97' on E. Commerce Street and 316.08' on Dafoste Avenue.

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

No one spoke in opposition.

On motion of Mr. Hill seconded by Dr. Nielsen, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: Torres, McAllister, Calderon, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSENT: Burke, James.

AN ORDINANCE 38,169

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 21, NCB 11674 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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e. Next heard was Zoning Case 3791 to rezone Lots 37 and 38, Blk. 1, NCB 11857, from "A" Single Family Residential District to "B-3" Business District, located southeast of the intersection of Nacogdoches Road and N. E. Loop 410; having 255.72' on Nacogdoches Road, 584.52' on N. E. Loop 410, and 192.39' on the cutback between Nacogdoches Road and N. E. Loop 410.

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

No one spoke in opposition.

On motion of Dr. Nielsen seconded by Mr. Hill, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Cockrell, Nielsen, Trevino, Torres, Hill; NAYS: None; ABSENT: Burke, James.

AN ORDINANCE 38,170

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 38 & 37, BLK. 1, NCB 11857 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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f. Next heard was Zoning Case 3794 to rezone Lot 53, Blk. 22, NCB 1635 from "B" Two Family Residential District to "B-2" Business District, located southeast of the intersection of Denver Street and S. New Braunfels Avenue; having 100' on Denver Street and 140' on S. New Braunfels Avenue.

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

No one spoke in opposition.

On motion of Mr. Hill seconded by Dr. Nielsen, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: Torres, McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSENT: Burke.

AN ORDINANCE 38,171

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 53, BLK. 22, NCB 1635 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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g. Next heard was Zoning Case 3795 to rezone Lot 1, Blk. 40, NCB 3639 from "B" Two Family Residential District to "B-2" Business District located southeast of the intersection of Leal Street and N. W. 24th Street; having 50' on Leal Street and 159.82' on N. W. 24th Street.

Planning Director Steve Taylor explained the proposed change which the Planning Commission recommended be approved by the City Council. Mr. Taylor also stated that the Planning Commission had recommended that a 6' solid screen fence should be erected along the east boundary of the property to protect the adjacent property owner.

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

AN ORDINANCE 38,172

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLK. 40, NCB 3639 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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h. The next case heard was Zoning Case 3803 to rezone Lot 34, Blk. 5, NCB 8674 from "A" Single Family Residential District and "F" Local Retail District to "B-3" Business District located on the northeast side of the proposed U. S. Highway 281 North between Loop 410 and Halm Road; having 272.60' on the proposed U. S. Highway 281 North, 157.46' on Loop 410 and 68.00' on Halm Road.

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

Discussion brought out that the property is a portion of the tract of land which is under Protective Ordinance 37750. The applicant, Jesse H. Oppenheimer, proposes to use the property for a car rental agency. There is "F" Local Retail and "B-3" zoning to the east and "F" and "J" Commercial zoning to the west of the property.

There was some reluctance on the part of the Council to grant the change in zone because of the possibility that if a permanent building was constructed, the City would then have to purchase it at such time as they were ready to build the interchange.

Planning Director Steve Taylor informed the Council that the applicant has promised to furnish a letter stating that a permanent building will not be erected on the premises.

Assistant City Manager Ancil Douthit stated that the City could not deny use of the property for very long. He felt the City would be better off to approve the change in zone.

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

AN ORDINANCE 38,173

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 34, BLK. 5, NCB 8674 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

j. Next heard was Zoning Case 3808 to rezone Lot 8, Blk. 1, NCB 8963 from "B" Two Family Residential District to "B-2" Business District, located on the south side of Division Avenue, 350' east of Commercial Avenue; having 50' on Division Avenue and a depth of 125'.

Planning Director Steve Taylor explained the proposed change which the Planning Commission recommended be denied by the City Council. Mr. Gilbert Gonzales, attorney representing the applicant, Mr. Juan Lopez, advised that his client has lost the lease on Lot 9. He wants to have Lot 8 rezoned so that he can remodel the house and convert it into a grocery store. Two ladies who live in the area by the name of Garza but not related spoke in favor of the change in zoning. One of the ladies stated that there is no other store within a 10 block area and felt that a grocery store is essential to the neighborhood.

Mr. Guadalupe Becerra, son of the owner of Lot 9, spoke against the rezoning. He stated that he was going to operate the grocery store which is presently operated by Mr. Lopez.

After a lengthy discussion, Dr. Calderon made a motion that the recommendation of the Planning Commission be overruled and the property be rezoned. Dr. Nielsen seconded the motion. The motion which required seven affirmative votes to carry prevailed and carried with it the passage of the following ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSENT: Burke, Torres.

AN ORDINANCE 38,174

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 8, BLK. 1, NCB 8963 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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LULAC PARK WEST APARTMENTS PROJECT - FHA
115-44012-NP-SUP, McMULLEN & RUIZ STREET

69-55 Mr. Frank Valdez, Architect for the San Antonio LULACS reviewed the project and plans for the 200-unit apartment complex (A copy of the proposal is filed with the papers of this meeting). Mr. Valdez stated that the Edgewood Independent School District is generally opposed to any additional multi-family apartment complexes in that school district. He added that the school district for this would get approximately \$31,000 in taxes per year from this project.

Dr. Nielsen felt that the land use study and development of the Master Plan for Model Cities area should be completed before taking action on this project.

Mr. Roy Montez, Model Cities Administrator, explained that they have completed 50% of the land use study. He also stated that this tract of land is located between the two corridors for the proposed expressway. There are also two schools in this area. He felt confident that this property would not be needed for the expressway in the future.

After consideration, Mr. Torres made a motion that the Council approve the project as presented by the Lulacs. The motion was seconded by Mr. Trevino. Mrs. Cockrell spoke in favor of the motion and stated that this project has been under study for many months. The CPPC has been having difficulty in reaching a conclusion. She felt that the income from this project will help the district and housing is desperately needed. City Manager Henckel explained that the Council does not need the approval of any other agency. The CPPC Board has adopted a resolution that they will not approve any project for multiple housing in the Model Cities program. The Department of Housing and Urban Development looks only to the approval given by the City Council. He urged that the Council approve the project.

On roll call, the motion to approve the project was passed and approved by the following vote: AYES: James, Cockrell, Trevino, Hill, Torres; NAYS: McAllister, Calderon, Nielsen; ABSENT: Burke.

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i. Last heard was Zoning Case 3777 to rezone Lot 87 and the remaining portion of Lots 58 and 59, NCB 11508 from "B" Two Family Residential District and "A" Single Family Residential District to "B-2" Business District located on the southeast side of Cheryl Drive, 315.34' southwest of Bandera Road; having 130.09' on Cheryl Drive and a maximum depth of 495.87'.

Planning Director Steve Taylor explained the proposed change which the Planning Commission recommended be denied by the City Council. Mr. Taylor advised that the Commission recommended denial of the original request and instead recommended "B-2" Business District save and except the west 80' of Lot 59. The applicant would not agree to the 80' buffer and therefore is appealing the decision of the Planning Commission.

Mr. Bob Schultz, representing the applicant, suggested that instead of the 80' buffer required by the Planning Commission, that there be only a 10' buffer along the west property line and agreed to build a 6' solid screen fence along the west and south property lines. By having the 10' buffer it would still leave sufficient area to meet the parking ratio requirements of the Zoning Ordinance. Mr. Schultz added that the property across the street on Cheryl Drive is owned by the Church of God and they have built buildings over the entire property. These people will need to park and they will be parking on the street or on the Gibson parking lot. Gibson's has agreed to dedicate land on Cheryl Drive for future widening of it.

To questions by the Council, Planning Director Steve Taylor stated that if the Council was inclined to rezone the property, he suggested that there still be an 80' buffer but only to a depth of approximately 150'. Mr. Maury Apfel who owns the property next to Mrs. Surtees, who is selling the property to Gibson's stated that they had lived there 10 years. He felt that expansion would create a traffic problem. The 80' buffer zone proposed by the Planning Commission would be of some consolation. Also the proposal to erect a privacy fence is good.

Mr. Herbert Gibson, Jr., representing the applicant, stated that they could not live with the 80' buffer because it would cut off three rows of parking. If this was done, then they could not meet the parking ratio requirement. He added he would not meet the requirement even if the 80' buffer was only to a depth of 150'. He emphasized that they needed the frontage on Cheryl Drive for ingress and egress to the property.

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After consideration, Mr. Hill made a motion that the recommendation of the Planning Commission be overruled and the property be rezoned provided that there be a 10' buffer zone along the west property line and that a 6' privacy fence be erected on the west and south property lines as well as having the property replatted.

The motion was seconded by Rev. James. On roll call, the motion which required seven affirmative votes to pass, failed by the following votes: AYES: James, Cockrell, Nielsen, Hill, Torres, Trevino; NAYS: McAllister; Calderon; ABSENT: Burke.

Since all the members of the Council were not present, the Mayor stated that he would entertain a motion to reconsider the action but not take action till next week.

Mr. Torres then made a motion that the Council reconsider the action taken on Case 3777 but not to take action until the next meeting when all Council members are present. The motion was seconded by Mr. Hill. On roll call, the motion prevailed by the following vote: AYES: McAllister, James, Calderon, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke.

69-55
time:

The Clerk read the following ordinance for the first

AN ORDINANCE 38,175

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 15.781 ACRES OF LAND WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Planning Director Steve Taylor explained that the property is known as Shenandoah Subdivision, Unit #8 and the action is being taken at the request of the owners, Community Properties, Inc.

No one spoke in opposition.

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

69-55

CITIZENS TO BE HEARD

Mr. Jim Tidmore, 339 E. Sunset Rd., a local artist and designer, presented a proposal and drawing for development of Hemisfair Plaza. He asked the Council to consider it.

Mayor McAllister thanked him for the plan which will be made available to the Council and will be considered along with the Chamber of Commerce report which has not yet been received. The Mayor added that if it was agreeable to the Council, they can arrange to set a time at a future meeting and have Mr. Tidmore make a more comprehensive presentation.

Mr. Hubert Delaney, 207 Latch Dr., President of the Senior Citizens Council of Bexar County, stated that they had been trying to get figures from the Transit System which show that it would not be economically feasible to have reduced fares for senior citizens. He stated that 40 cities have done this. If the figures show it is not feasible, then they will drop the matter.

Mrs. Cockrell stated that probably the whole Council would like to see these figures as she was aware that some cities have reduced fares during non-rush hours.

Mayor McAllister stated that he will see that this request is transmitted to the Transit System. He asked Mr. Delaney to furnish him with the list of 40 cities that have reduced the fares for senior citizens.

Mr. Clayton Russell, 122 San Rafael, spoke to the Council concerning the new temporary County Democratic Chairman, annexations, and extension of service to new areas.

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PARKING LOT ORDINANCE

69-55 Mr. Torres advised the Council that he had sent a memo to each member of the Council, City Manager, City Attorney, along with an ordinance proposing a parking lot license and tax for parking lots. He asked that the City Attorney study the ordinance and make a report to the Council after which he would ask the Council to consider its passage.

(A copy of the ordinance is filed with the papers of this meeting.)

COMPLAINT OF MR. GEORGE A. RIGLEYRE: CHARGES FOR ACCIDENT REPORTS AT CORPORATION COURT

69-55 Dr. Nielsen inquired if the City Manager had a report on this complaint.

Assistant City Manager Ancil Douthit stated that a report will be made to the Council.

69-55 The meeting then recessed and members of the Council went into executive session to discuss appointments to the City Water Board and the Transit System.

After a fifteen minute recess, the meeting reconvened.

69-55 BOARD APPOINTMENTS - CITY WATER BOARD AND TRANSIT BD.

Mr. Torres stated that there was a distinction in discussing appointments and taking action on them. Since this matter was not on the agenda, he asked the City Attorney if ordinances making the appointments can be adopted at this time.

City Attorney Walker advised that there is now a decision in Texas to the effect that any ordinance which is passed contrary to that law is void. He added that this has been determined where the governing body, prior to the meeting, is aware of a matter to be considered for action, it is incumbent on a governing body to give the necessary notice of three days with reference thereto.

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The Mayor stated that in light of this new decision that the agenda for December 23 state that the Council will consider appointments to the City Water Board and the Transit Board.

Mrs. Cockrell requested a written statement from the City Attorney on this matter. This interpretation is new and she feels the Council wants to comply with the law. She was aware that notice of meetings were required but was not aware that any items not on the agenda could not be considered without prior notice.

PROHIBITING ADVERTISING BY PUBLIC UTILITIES

69-55 Mr. Torres asked that the ordinance be placed on the agenda of December 23, 1969.

There being no further business, the meeting was adjourned.

A P P R O V E D:

John M. Masten
M A Y O R

ATTEST: *J. H. Sullivan*
C i t y C l e r k

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