

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 18, 1967 AT 8:30 A.M.

* * *

The meeting was called to order by the Presiding Officer, W. W. McAllister, with the following members present: McALLISTER, CALDERON, JONES, JAMES, COCKRELL, TREVINO, PARKER and TORRES; Absent: GATTI.

67-305 The invocation was given by the Reverend Wil A. Schaefer, Trinity Methodist Church.

The minutes of the May 11, 1967 Council Meeting were approved.

67-305 Mayor McAllister welcomed thirty-six students from the Ursuline Academy accompanied by Sister Mary Elizabeth.

67-305 The Mayor recognized Mr. Leo Schoch, Commander of the 20th District of the American Legion.

Mr. Schoch presented the Mayor with a book telling the "American Legion Story" in appreciation of his understanding of the problems of the military veterans.

The Mayor thanked Commander Schoch and wished the American Legion prosperity and good fortune.

67-306 First zoning case heard was case 2937 to rezone Lot 19 and the west 100' of the south 50.03' of Lot 20, NCB 11961 from "D" Apartment District to "B-1" Business District; and the east Irregular 269.51' of Lot 20, NCB 11961 from "D" Apartment District to "B-3" Business District, located on the southeast side of Gault Lane, approximately 660' southwest of North Loop 410, having 200' on Gault Lane, and a maximum depth of 369.51'. The "B-1" zoning being on the northwest 100' and "B-3" on the remaining portion.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Mr. Alfred W. Rohde, Jr. of the Rohde Planning and Research Company stated that he was requesting the change in zone in order to have a neighborhood shopping center on a portion of the property and a "B-1" Business zoning on the front and to act as a buffer for the apartment house.

He stated that there was no opponent at the Planning Commission meeting. He further explained that he was obligated to the Humble Oil Company to construct the street with a 60' right-of-way in order to meet the City of San Antonio street specifications. This street would be dedicated to the City and located along the south property line of the property.

No one spoke in opposition.

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

AN ORDINANCE 35,424

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 19 AND THE WEST 100' OF THE SOUTH 50.03' OF LOT 20, NCB 11961 FROM "D" APARTMENT TO "B-1" BUSINESS ; AND THE EAST IRREGULAR 269.51' OF LOT 20, NCB 11961 FROM "D" APARTMENT TO "B-3" BUSINESS DISTRICT.

* * *

67-307 Next heard was case 2964 to rezone Lot 45, Blk. 4, NCB 7295 from "C" Apartment District to "B-2" Business District located on the south side of Odell Street 100' west of Belknap Place, having 100' on Odell Street and a depth of 100'.

Mr. Burt Lawrence, Assistant 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 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, Jones, James, Cockrell, Trevino, Parker, and Torres; NAYS: None; ABSENT: Gatti.

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AN ORDINANCE 35,425

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 45, BLK. 4, NCB 7295 FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT.

* * *

67-308 Next heard was case 2972 to rezone Lots 36 through 45, NCB 13431, Lots 9 through 16, NCB 13866 from "A" Single Family Residence District to "R-2" Two Family Residence Districts located on the north and south side of Southtrail Drive and on the west side of Conbes Drive; having 621.96' on the north side of Southtrail and a depth of 107.5'; 602.55' on the southside of Southtrail and a depth of 123.78' and 127.72' on Conbes Drive with a maximum depth of 187.28'.

Mr. Burt Lawrence, Assistant 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. Jones, seconded by Mr. James, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 35,426

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 36 THROUGH 45, NCB 13431 and LOTS 9 THROUGH 16, NCB 13866 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICTS.

* * *

67-309 Next heard was case 2979 to rezone Lots 17 and 26, Blk. 2, NCB 10365 from "B" Residence District to "O-1" Office District located on the south side of E. Southcross Boulevard, 68.12' east of Stringfellow Avenue, having 185' on E. Southcross and a depth of 117.75'.

Mr. Burt Lawrence, Assistant 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. Parker, seconded by Mr. Torres, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Parker and Torres, NAYS: None; ABSTAINING: Jones; ABSENT: Gatti.

AN ORDINANCE 35,427

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 17 AND 26, BLK. 2, NCB 10365 FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

* * *

67-310 Next heard was case 2980 to rezone Lot 63, Blk. 2, NCB 11314 from "B" Residence District to "R-4" Mobile Home District located on the north side of Weir Avenue, 816.1' west of General McMullen Drive; having 171.40' on Weir Avenue and a depth of 744.50'.

Mr. Burt Lawrence, Assistant 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. Jones, 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, Jones, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: Gatti.

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AN ORDINANCE 35,428

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 63, BLK. 2, NCB 11314 FROM "B" RESIDENCE DISTRICT TO "R-4" MOBILE HOME DISTRICT.

* * *

67-311 Next heard was case 2986 to rezone Lot 8, NCB 13856 from "A" Single Family Residence District to "R-3" Multiple Family Residence District located on the southeast side of Northwest I. H. 410, 661.67' southwest of the cutback to Fredericksburg Road, having 404.75' on I. H. 410 and a maximum depth of 719.60'.

Mr. Burt Lawrence, Assistant 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. Jones, 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, Jones, James, Cockrell, Trevino and Parker; NAYS: None; ABSTAINING: Torres; ABSENT: Gatti.

AN ORDINANCE 35,429

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 8, NCB 13856 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

* * *

67-312 Next heard was case 2988 to rezone Lots 31,32, Blk. 1, NCB 7185 from "A", "D" and "E" Single Family Residence, Apartment District, and Office District to "B-2" Business District located northeast of the intersection of Vance Jackson Road and Sherwood Drive; having 145' on Vance Jackson, 410' on Sherwood Drive and 200.13' on I. H. 10 Expressway beginning 140' east of Vance Jackson Road.

Mr. Burt Lawrence, Assistant 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 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, Jones, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 35,430

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 31 AND 32, BLOCK 1, NCB 7185 FROM "A, D AND E" SINGLE FAMILY RESIDENCE, APARTMENT AND OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

* * *

67-280 Next heard was case 2928 to rezone Lots 1 thru 12, Blk. 1, NCB 11362; Lots 1 thru 12, Blk. 3, NCB 11364; Lots 12 thru 22, Blk. 4, NCB 11365 from "B" Residence District to "R-3" Multiple Family Residence District; property located in NCB's 11362 and 11364 is on west side of Barney Avenue between Carnation Street and Beech Street, having 298.8' on Carnation and Beech Streets and 448' on Barney Avenue; property in NCB 11365 is located on the north side of Beech Street between Dahlgreen Street and Barney Avenue, having 580.8' on Beech and 112' on Dahlgreen and Barney. (Hearing continued from May 4, 1967)

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. J. Anthony Guajardo representing the Cupples Corporation requested the Council to postpone this case since there were only eight members present and it would require seven affirmative votes to overrule the recommendation of the Planning Commission which was to deny the rezoning.

Mr. Jones stated that after a study conducted by the Council at the location, the Council felt that moving the noise zone 100 feet one way or the other would not be a detriment.

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Mr. Ed Rendondo, representing Kelly Field, stated that Kelly Field was opposed to the rezoning and that the property in question, as situated, is in a high level noise zone.

Mayor McAllister stated that no lessening of the noise would ever take place, in fact it would possibly increase. He felt it would have to be the way an individual can become used to noise. He warned the applicant in advance as to these facts.

Mr. Jones made a motion to overrule the recommendation of the Planning Commission, seconded by Mr. Torres the ordinance approving rezoning of the property from "B" Residence District to "R-3" Multiple Family Residence District was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino and Torres; NAYS: Parker; ABSENT: Gatti.

AN ORDINANCE 35431

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 1 THRU 12, BLK. 1, NCB 11362; LOTS 1 THRU 12, BLK. 3, NCB 11364, LOTS 12 THRU 22 BLK. 4, NCB 11365, FROM "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

* * *

67-313 Last case heard was case 2995 to rezone Lot 8, Blk. 17, NCB 3422, from "B" Residence District to "B-3" Business District located on the south side of Jennings Avenue, 135' west of Nogalitos; having 50' on Jennings and a depth of 125'.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mrs. Margaret Bowman, applicant, stated she requested the rezoning in order to provide additional parking for her employees. She would move the house presently situated on this property and build a fence on the west side of the lot. She planned to asphalt the entire lot.

In answer to a question from Councilman Torres she said she did not contemplate using the property to enlarge her carhop service.

Mr. Jones then stated that with the present zoning of the property which is "B" Residence District, Mrs. Bowman could perhaps get a variance from the Board of Adjustment.

Mr. W. Weigan, who lives immediately across the street from the property, opposed any change in zone because of the disturbance the business created late in the evening. In fact he opposed the drive-in business being located there.

Councilman Jones made a motion to uphold the recommendation of the Planning Commission and deny the rezoning and suggested that Mrs. Bowman appear before the Board of Adjustment for variance. Seconded by Mr. Trevino, the request for rezoning was denied by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker; NAYS: None; ABSTAINED: Torres; ABSENT: Gatti.

The Mayor explained to Mrs. Bowman the action of the Council and stated she should go to the Board of Adjustment and request a variance for the removal of the home on the subject property enabling her to asphalt the area in order for her to use it for parking purposes.

Members of the Administrative Staff briefed the Council on the following ordinances and resolution and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: Gatti.

67-290

AN ORDINANCE 35,432

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF DAVIS TRUCK PARTS, INC. TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PUBLIC WORKS WITH 35 REFUSE COLLECTION BODIES FOR A NET TOTAL OF \$138,750 AND APPROPRIATING FUNDS THEREFOR.

* * *

66-1239

AN ORDINANCE 35,433

APPROPRIATING \$83,000.00 OUT OF PARK IMPROVEMENT BOND FUND #489-03 TO BE USED BY THE PUBLIC WORKS DEPARTMENT FOR THE PURCHASE OF MATERIALS AND SUPPLIES NECESSARY IN CONSTRUCTING THE MISSION PARKWAY PROJECT.

* * *

67-268

AN ORDINANCE 35,434

GRANTING A LICENSE TO ALAMO GUIDED TOURS
TO OPERATE A GUIDED TOUR SERVICE IN THE
CITY OF SAN ANTONIO.

* * *

66-918

A RESOLUTION

ENDORING THE CONCEPT AND CONSTRUCTION
OF A WOMAN'S PAVILION AT HEMISFAIR 1968
AND FAVORING THE CONTINUANCE OF SUCH
FACILITY AFTER HEMISFAIR, PROVIDED IT
MEETS LEGAL REQUIREMENTS FOR PUBLIC
USE AND FINANCIAL RESPONSIBILITY IS
ESTABLISHED.

* * *

67-314

The Clerk read the following ordinance.

AN ORDINANCE 35,435

AN ORDINANCE DIRECTING THE PUBLICATION OF
NOTICE OF INTENTION TO ISSUE CITY OF SAN
ANTONIO SEWER SYSTEM REVENUE BONDS, SERIES
1967, DATED JUNE 1, 1967, IN THE PRINCIPAL
AMOUNT OF \$5,000,000.

* * *

Councilman Torres asked whether the proposed new
sewage plant and Salado Creek outfall main were in the 1960-
1970 sewer system improvement program and by the \$1,600,000
per year to be derived from the sewer service charge, which
would eliminate the need for a bond issue.

City Manager Shelley advised that the ten year
program was to finance \$16,000,000 worth of improvements based
on estimates at that time. He referred to the report given the
Council which showed what the program was in 1960 and the esti-
mated cost of the items, which was revised in 1964 and again
in 1966. He pointed out that the Salado Creek outfall line will
cost about \$5,000,000 instead of the \$2,000,000 previously esti-
mated in 1960. He felt the question was where to get additional
funds for the needed improvement or whether to let the need ex-
ist until such time that funds have been accumulated. He added
that a \$6,000,000 revenue bond issue was sold in 1964 to make
needed improvements.

Mr. Torres stated his only concern regarding this bond issue is that when the matter of the sewer charge went to court, he felt the court relied heavily on the fact that the sewer charge was going to cover the capital improvements for the 10 year program.

After further discussion, Mrs. Cockrell stated that they are going to have to face the fact that costs have been rising and estimates made in 1960 are no longer valid and therefore moved the adoption of the ordinance. The motion was seconded by Mr. Jones.

Mr. Torres then made a substitute motion that since the sewer tax in fact has replaced the bond issue, that the sewer tax be abolished. The motion failed for lack of a second.

Mr. Torres then made a second substitute motion that all sewer tax funds that were not actually used for sewer system improvements in the last six years be refunded to the people. The motion failed for lack of a second.

Mr. Torres then made a third substitute motion that the proposed bond issue be submitted to a vote of the people on July 15, 1967. The motion failed for lack of a second.

Mr. Torres made a fourth substitute motion that the City pay for the proposed improvements with the "magic penny" that he has heard so much about. The motion failed for lack of a second.

The question was then called on Mrs. Cockrell's motion and on roll call the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino and Parker; NAYS: Torres; ABSENT: Gatti.

67-314

The Clerk read the following ordinance.

AN ORDINANCE 35,436

AN ORDINANCE DIRECTING PUBLICATION OF NOTICE
OF BOND SALE.

* * *

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

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67-314

The Clerk read the following ordinance.

AN ORDINANCE 35,437

ACCEPTING THE PROPOSAL OF McCALL, PARKHURST AND HORTON TO ACT AS BOND COUNSEL IN CONNECTION WITH THE PROPOSED CITY OF SAN ANTONIO SEWER REVENUE BOND ISSUE.

* * *

Councilman Torres asked if proposals for some other firm could be obtained to make this award competitive and possibly get a lesser rate.

City Manager Shelley stated the charges for services as bond counsel is \$6,750.00 and there are two firms in Texas which the buyers of bonds recognize and it is most important that only recognized firms be used. He added that the rate structure would be the same as they use the standard schedule of fee for Texas Bond Attorneys.

After further discussion, Dr. Parker made a motion to adopt the ordinance. Seconded by Dr. Calderon the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino and Parker; NAYS: Torres, ABSENT: Gatti.

67-314

The Clerk read the proposal of Rauscher Pierce & Co., Inc. to act as financial advisors for the City of San Antonio in connection with the proposed City of San Antonio Sewer Revenue Bond issue.

Mr. Torres asked what the cost will be and whether other firms in the City qualify to perform the services would submit proposals.

City Manager Shelley advised the price is \$8,387.50 and the fee is computed in accordance with the minimum standard fee schedule recommended by the Municipal Advisory Council of Texas. He said various firms have performed such a service for the City at various times. Rauscher Pierce & Company happens to be the firm that handled the last issue in 1964 and are familiar with the indenture under which the proposed bonds will be issued. He agreed that there are other qualified companies in San Antonio and it was his understanding that all use the accepted schedule of rates.

After further discussion, Dr. Parker made a motion that the ordinance be adopted. The motion was seconded by Mr. Jones. On roll call the motion failed by the following vote: AYES: McAllister, Jones, James, Parker; NAYS: Calderon, Cockrell, Trevino and Torres; ABSENT: Gatti.

Mrs. Cockrell explained that she voted "No" because there seemed to be a lack of unanimity on the matter and if there is a question in the minds of several Councilman she felt it wise to explore it further.

After discussion of which firms to ask to submit proposals as financial advisors on this bond issue, Mr. Jones made a motion that the City Manager contact the qualified San Antonio firms for proposals. The motion was seconded by Mr. Trevino and carried by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: Gatti.

67-315

The Clerk read the following ordinance.

AN ORDINANCE 35,438

ACCEPTING THE GIFT OF A FOUNTAIN TO BE
KNOWN AS THE WITTE MUSEUM FOUNTAIN FROM
THE SAN ANTONIO SAVINGS ASSOCIATION.

* * *

Present concerning this matter were Mr. and Mrs. Walter McAllister, Jr., representing the donor of the fountain, San Antonio Savings Association, Mr. Albert Hirschfield, President of the San Antonio Museum Association and Dr. William Burns, Director and Curator of the Witte Museum.

Mr. Hirschfield stated that it is particularly gratifying to him to have the privilege of accepting the wonderful gift in the form of a beautiful fountain for the Museum. He thanked Mayor McAllister, his family and San Antonio Savings Association for the gift.

Mrs. Walter McAllister, Jr. described the design and construction of the fountain and presented sketches of same for review by the Council.

Dr. William Burns stated that in his opinion the fountain is one of the most beautiful he has ever seen and welcomed it as an addition to the Museum. He then extended to the City Council an invitation to visit with them on May 21st which has been designated as "Witte Museum Day" at which time ground breaking ceremonies for the fountain will be conducted.

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

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Members of the Administrative Staff briefed the Council on the following ordinances, and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker, Torres; NAYS: None; ABSENT: Gatti.

67-316

AN ORDINANCE 35,439

GRANTING A PERMIT TO ARTHUR VAN OVERBORG TO CONSTRUCT AND MAINTAIN AN UNDERGROUND 6 INCH GALVANIZED IRRIGATION PIPE ACROSS WEST COMMERCE STREET, EAST OF CALLAGHAN ROAD FOR PURPOSES OF IRRIGATING HAY CROPS.

* * *

67-303

AN ORDINANCE 35,440

ACCEPTING THE LOW BID OF STAGE DECORATION & SUPPLIES, INC., FOR THEATER STAGE EQUIPMENT FOR THE CITY OF SAN ANTONIO CONVENTION CENTER; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK; APPROPRIATING THE SUM OF \$85,840.00 OUT OF COMMUNITY AND CONVENTION CENTER BOND FUND NO. 489-05, PAYABLE TO SAID CONTRACTOR.

* * *

67-272

City Manager Shelley reviewed the information which he had forwarded to the City Council concerning personnel turnover rate, the increase in operating costs of the City departments, and what has been done and is being done to increase recruitment.

He then reported on the meeting between the San Antonio Police Officers Association and the Chief of Police at which the following items were discussed.

1. General Recruitment - The Police Association feels that initial pay for cadets should be increased to \$400.00 instead of \$365.00.

2. An Operational Item - Winos have been using the Policemen's shower facilities prior to being taken to court. Other arrangements are being made on this.

3. Additional Parking - There is still need for additional parking, particularly for the incoming 2:30 P.M. Police shift. There is no problem with the other shifts.

4. Eating and Drinking Coffee - Officers are required to drink coffee singly. The Chief sees no problem as he feels its a morale factor and it would be alright to let two officers go out together for coffee.

5. Pay Raise - The Police Association has suggested pay raises for Policemen.

6. Residence Requirements - The Association felt the rule that City Employees must live in the City should be changed.

7. Sick Leave Termination Pay.

8. Cowboy Boots - The Police Chief sees no objection to officers wearing cowboy boots on duty.

9. Payroll Deductions for Police Association Dues - The Association recommends this in accordance with recent legislation.

10. Medical Treatment - Police Association requested that members be attended by family physician when injured on duty rather than by the regular City physician.

11. The Association recommended the fleet of black and white patrol cars be increased.

67-305 Mr. Shelley then reviewed the problem of work stoppage by garbage division employees at the North Loop Service Center. He presented copies of the written request of the employees , which is as follows:

SUBJECT: Proposals to City Manager, Jack Shelley, Sam Granata, Public Works Director:

PROPOSAL NO. 1

THAT ALL WORKERS GET PAID FOR ALL HOURS WORKED IN EXCESS OF EIGHT (8) HOURS IN ANY TWENTY-FOUR (24) HOUR PERIOD, UNTIL ALL CITY ROUTES ARE ADJUSTED TO AN EIGHT (8) HOUR BASIS.

PROPOSAL NO. 2

THAT THE CITY COUNCIL APPOINT A COMMITTEE AT THEIR NEXT REGULAR MEETING TO MEET WITH REPRESENTATIVES OF THE WORKERS TO HEAR AND DISCUSS ANY AND ALL GRIEVANCES CONCERNING ALL CITY EMPLOYEES. SUCH COMMITTEE TO HAVE THE AUTHORITY TO SETTLE SUCH GRIEVANCES AS SOON AS POSSIBLE.

Fraternally yours,

/s/ Humberto Villalpando.

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Mr. Shelley advised the Council of items normally encountered in the garbage collection operation such as hours worked, hours payed on payroll ending May 5th that covered the prior two weeks, the workload by truckload, absenteeism, and shortage of personnel, etc,. He then reviewed the incentive program for the garbage division for which they are payed for 48 hours a week for which they are expected to complete assigned work. He felt that in all instances these employees have been payed more hours than have been worked.

He reviewed the work load at the various service centers and said it was found there is inbalance of work loads and equipment. Therefore it is planned to supplement the North Loop Service Center on Mondays and Tuesdays with equipment and personnel from other centers and at whatever other times this is necessary. Also a review will be made towards better equalization of equipment and personnel assignments.

Mr. Shelley then reported that a meeting will be held on Friday morning with at least four representatives from each service center who will meet with Mr. Granata and Mr. McCollough to work out a solution and also to see if there are other grievances existing.

After discussion of the second proposal, Mr. Torres made a motion that a Committee of three members of the City Council be appointed to hear grievances of these City employees.

Mrs. Cockrell advised that there is already in effect. a procedure for handling grievances and asked if the grievances had been filed with it.

City Manager Shelley stated that the Personnel Director has not received any request. The established procedure is the one to be utilized at the meeting tomorrow and he felt the grievance could be worked out satisfactorily.

After further discussion, Mr. Torres withdrew his motion and expressed hope that the grievances could be worked out satisfactorily.

Mr. Humberto Villalpando thanked the Council for hearing their problem and stated they would meet with the Administrative Staff on Friday to try to solve them.

67-289 Mr. F. C. Magee, representing the Pioneer Lancers Club of San Antonio, discussed with the City Council his petition to use the Pioneer Hall which is presently under the control of the Advisory Committee of Pioneers, Trail Drivers and Texas Rangers.

Mr. Robert Frazer, Director of Parks and Recreation, reviewed the matter with the Council and stated that the City Attorney in 1943 was of the opinion that the building was for the exclusive use of the Pioneers, Trail Drivers and Texas Rangers Association. He stated in 1965 the City Attorney was asked for an opinion. It was ruled that while requirements were not specific in the organization agreement the City Attorney was of the opinion that the City of San Antonio was to maintain control of the building. He added this was the first formal request for the use of the building by another organization and felt the matter could be worked out.

After discussion, the Mayor asked that the City Attorney arrange for a conference with representatives of each Association present and work out a solution.

67-305 Mr. Stanley Rosenberg with the firm of Lang, Byrd, Cross, Ladon & Oppenheimer, spoke to the Council concerning their petition protesting the private airport on the east side of Heimer Road and asked that the City stop the illegal additions to buildings on the property.

Mr. George Vann, Director of Housing and Inspections, advised the Council that the owner of the property has been given violation notices and it was also pointed out to him that the construction is not to continue. The owner has informed the Housing and Inspections Department that he is going to the Planning Commission to try to rezone the property so that he may continue the airport operation and to expand same.

Mr. David Harner, Assistant City Manager, advised the Council that under present policy where a violation was discovered and an individual applies for a zoning change, the City does not carry forward with legal action until the zoning case is heard and the matter determined.

67-305 Mr. Tom Cahill asked that Sunday, May 27, 1967 be designated as Father Sherrill Smith Day.

The Mayor stated the request would be taken under consideration.

After a short recess, the meeting reconvened.

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67-317 Councilman Calderon submitted with regret his resignation as a representative of the City Council on the Board of Directors of the Economic Opportunity Development Corporation, effective immediately.

On motion of Mr. James, seconded by Mr. Trevino the resignation from the EODC Board was accepted by the following vote: AYES: McAllister, Jones, James, Cockrell, Trevino, Parker, Torres; NAYS: None; ABSTAINING: Calderon; ABSENT: Gatti.

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

A RESOLUTION

APPOINTING CLEM GALAN TO REPRESENT THE CITY COUNCIL ON THE BOARD OF DIRECTORS OF THE ECONOMIC OPPORTUNITY DEVELOPMENT CORPORATION OF SAN ANTONIO AND BEXAR COUNTY, TEXAS.

* * *

67-289 Assistant City Manager Dave Harner presented reports from the Health Department on Rodent, Mosquitos, Odors and Flies control procedures used.

After discussion, Mrs. Cockrell advised that after study of the reports she will be making some suggestions as to what they can do to supplement the work on present programs.

67-305 Mr. Bob Frazer, Director of Parks and Recreation reported on the suggestion that summer band concerts be sponsored as part of the summer recreation program. He felt such a program could be worked out at a cost of approximately \$4,000.00.

After further discussion, he was instructed to look into the possibly of having concerts by various school bands at Alamo Plaza.

67-305 Mr. Jack Shelley, City Manager, made a report to the Council on pickets at the Convention Center and Tower site Wednesday afternoon. He stated that a restraining order was obtained by the Legal Department last evening and the pickets were back there this morning. He had just received word that the Union had stated that the pickets have left the site now and the workers are returning. Mr. Shelley stated he was working on verification of this.

Mayor McAllister stated that HemisFair had a written agreement with the Building and Trades Union that there would be no strikes during the course of the construction of the HemisFair and until it is open and thusfar has been lived up to. He felt that this is unquestionably an outlaw strike.

67-305 Assistant City Manager Gerald Henckel spoke to the Council concerning a change order to include a drop ceiling over the main stairway of the new main library under construction. This was originally eliminated but now both architects and the Library Board recommend it as funds are available from savings in construction. This additional work will cost \$4200.00 compared to \$3,000 for the ceiling originally contemplated.

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

67-305 The City Manager discussed the letter of Mr. Jim Gaines, Chief Executive Officer for HemisFair, regarding use of City facilities in the HemisFair area, as follows:

(1) HemisFair will utilize the Theatre Building, the Convention Hall or Arena Building and a portion of the display area in the Exhibition Hall, all of which are a part of the City Convention Center. That precise area of attached Exhibit "A" which is the first floor reference plan of the Exhibition Hall HemisFair will erect such special partitions as are necessary to implement this use which are not included in the basic building scheme. It is understood that HemisFair will also have the use of the connecting air conditioned gallery between the Convention Hall (Arena) and the Exhibition Hall at such times that same will not be utilized for convention purposes during the course of the Exposition.

After consideration the Council saw no problem except concerning the last sentence, the City Manager was to advise that facilities could not be turned over to HemisFair prior to the time they are completed and accepted by the City.

(2) HemisFair will in accordance with City Ordinance No. 32214 passed April 2, 1964, and City Ordinance No. 33221 passed April 15, 1965, control exclusively the concession and license privileges and rights throughout the HemisFair site, subject to further points set forth in this letter.

No action was taken on this as it is subject to other paragraphs.

(3) While HemisFair has executed a contract conveying exclusive rights for reproduction of pictures and views of the entire site, the City certainly has the right to utilize views of the Tower and/or the Convention Center in its various promotion programs on behalf of the City. When you have developed exactly what you wish to use for your letterheads or pamphlets, please check with us so that we can make certain there are no conflicts with respect to HemisFair concessionaires and licensees and that proper trademark and copyright notices are affixed.

It was felt this was no particular problem and the City Manager was asked to work it out.

(4) HemisFair has and will continue to enter into exclusive and non-exclusive supplier agreements with various persons or firms which will bind all Exposition participants. The City will, however, in its use of its respective portion of the Exhibition Hall for conventions during the Exposition not be bound by these agreements. It is not contemplated that the City will allow, however, the sale of souvenirs and related items that would conflict with HemisFair's concession and license program.

After discussion it was felt that paragraph No. 4 will be subject to paragraph No. 5.

(5) The City will operate or authorize the operation of the elevator rides, the restaurant and/or club in the Tower of the Americas and HemisFair will receive no portion of revenues generated by such activities. HemisFair will have the right through its designees to other concessions in and on the Tower premises including souvenir and postcard sales, hats, balloons, pictures and replicas of the Tower, items sold through vending machines, and telescope operations too. HemisFair will have the right to operate or designate the concessionaire to operate food snack stands in the Tower if it is mutually determined such stands are desirable therein. It is specifically understood that the rights to produce views and replicas of the Tower have been previously conveyed by HemisFair for a valuable consideration. In connection with the above mentioned HemisFair concessions, we want to cooperate with you in your long range concessions program and offer you our full assistance. For example, our souvenir contracts provide that the Concessionaire will install the sales facilities for use during the Exposition. This should naturally be coordinated with the City.

It was understood that HemisFair would have the concession rights in the Tower for such items as souvenirs, postcards, hats, balloons, pictures and replicas of the Tower as well as vending machines which could include stand-up foods such as sandwiches and cold drinks, with a percentage of their profit to the City. However, the telescope concession will be retained and operated by the City of San Antonio.

(5)a Hemis Fair's foods, beverage and miscellaneous items supplier agreements would embrace the restaurant and club operations in the Tower. This is vital to proper quality control throughout the entire site and imperative in the logistics of Fair operation.

The Council did not concur with paragraph 5a as it felt the restaurant and club operation, if there is one, is to be strictly under the control of the City.

(5)b In view of the necessary change in prior contemplated lease arrangements for the Tower, HemisFair will not receive the standard site development costs and general maintenance reimbursement of its cost of \$7.00 per square foot for the land the Tower will occupy. In partial consideration therefor, HemisFair will not pay any portion of the receipts it realizes from its concession operations in or on the Tower premises.

The Council did not concur with the last sentence of 5b and requested that a percent of the funds realized from concession operations be paid the City.

(6) HemisFair will continue to advise everyone with whom it deals that all plans for permanent facilities and utilization of such facilities post-fair must be negotiated with and approved by the City.

The Council concurred with paragraph 6.

The City Manager was instructed to confer with Mr. Gaines in accordance with the above and make a report to the Council.

67-305 The Clerk read the following letter.

May 15, 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.

5-10-67 Petition of Mr. Samuel A. Rodriguez requesting a permit to paint house numbers on property owners driveways located on City right-of-way with their consent, and offering 25¢ per set of house numbers painted as a fee to the City for the privilege.

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5-10-67

Petition of Mr. Julio C. Gonzales, Las Colonias Unidas, requesting that a "slow sign" or 20 miles per hour speed limit sign, as used in school zones, be placed in the 900 block of South San Joaquin Street, due to the large number of children who use SANYO Center daily for recreation and classes.

5-15-67

Petition of Community Properties, Inc. requesting that Picardie Drive be closed to traffic at the north boundary line of Meadowview Subdivision, Unit I, which is the common boundary line of the Pletz County Park which lies immediately north of this subdivision. Request is made pursuant to exception taken by Bexar County to the connection of Picardie Road with the Park Road.

5-15-67

Petition of Lang, Byrd, Cross, Ladon & Oppenheimer regarding the private airport located on the east side of Heimer Road and east of Barkley Square on which property owners request an investigation of same be made and that steps be taken to prevent further violation of the City zoning ordinance and that the present offender be forced to remove the alleged illegal construction on the property.

/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. W. McAllister
M A Y O R

ATTEST:

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

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