

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, SEPTEMBER 14, 1967 AT 8:30 A.M.

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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, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER and TORRES; Absent: NONE.

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67-555 Invocation was given by Reverend Lewis B. White, Wesley Methodist Church.

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The Minutes of Special Meeting of August 18, Regular Meeting of August 31, and Regular Meeting of September 7, 1967 were approved.

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67-506 First heard was zoning case 3043 to rezone Lot 12, Blk. 5, NCB 8935 from "E" Office District to "B-3" Business District located on the north side of S. W. Military Drive, 52.5' east of Logwood Avenue; having 62.5' on S. W. Military Drive and a depth of 150.4'.

Planning Director Burt Lawrence explained that this ordinance had been postponed twice by the Council, in order to give the applicant more time for preparation. He stated the Planning Commission recommended the proposed rezoning be approved by the City Council.

Mr. Wallace B. Cook, applicant, explained that one of the opponents of the proposed rezoning, Mr. David Wheeler, had not presented him with a deed restriction for filing in order to guarantee that the property would not be used as a kennel.

Mrs. A. E. Kuykendall, 1078 Rayburn, Mrs. Acey Howell, 1829 S. W. Military Drive, and Mr. David Wheeler all spoke in opposition to the rezoning. However, they were agreeable if Mr. Cook would file his deed restriction at the Court House as a guarantee, and would then withdraw their opposition.

It was the consensus of the Council to postpone the case for one week in order to give the applicant time to draw up the deed restriction and have it filed stating the property would not be used as a dog kennel.

67-552 Next heard was case 3057 to rezone Lot 13, Blk. 2, NCB 12572 from "F" Local Retail District to "B-3" Business District located northeast of Teecee Lane and N. E. Loop 410; having 200' on Teecee Lane and 145' on N. E. Loop 410.

Mr. Burt Lawrence, Assistant Planning Director, explained that this zoning case had been postponed from September 7, 1967 because seven affirmative votes of the Council was needed for rezoning. He stated the Planning Commission has recommended that this request be approved by the City Council.

Mr. Stanley Rosenberg, attorney for the applicant, Mr. Marvin E. Dreyer, owner of Dreyer Foreign Car Center, reviewed the history of this case and stated that the Planning Commission had recommended it be approved. While the property is presently zoned "F" Local Retail District, Mr. Dreyer could not operate a new car dealership in this zone and has requested "B-3" Business District which he felt was more restrictive and would allow Mr. Dreyer to operate this type of business.

Mr. Rosenberg further explained that Mr. Dreyer would have to vacate his present property by the first of December as the State has purchased it. He stated that the proposed use of this particular property would not detract from the area, but would benefit the entire neighborhood. He then displayed pictures of the proposed building and explained that his client would be willing to file deed restrictions that would be agreeable to the opponents.

Mr. Jack Kaufman, attorney for a group of businessmen in the area who are opposing the rezoning, displayed colored pictures of the businesses now in this area and stated that his clients felt that a dealership business of this nature would detract from the other businesses. He said it was the desire of his clients to maintain a high standard for construction along this particular stretch of N. E. Loop 410, which is a main highway coming into the City.

Mr. Kaufman further explained that Mr. Dreyer had not yet finalized the purchase of this property and that he had had plenty of time to locate a place for his business as the State had notified the owner of his building that the State would require his property as long ago as 1958.

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Mr. Kaufman explained that if the request was granted it would definitely be spot zoning and all his clients had purchased their property with the assurance that all property in this development, known as Town & Country Plaza, would be developed in the same high standard as their businesses had been. He stated that it was the feeling that a new car dealership constitutes 75% service with 25% sales. He then showed the Council pictures of Mr. Dreyer's present operation.

Mr. R. W. Kotzebue, 1031 N. E. Loop Expressway, Mr. W. R. Kelley, 1047 N. E. Expressway, Mr. Charles Cheever, Jr., representing Broadway National Bank, Mr. Henry Burney, Jr., 1007 N. E. Loop Expressway, Mr. E. Monroe Bib, 900 N. E. Loop Expressway, owner of the Town House Motel and Director of the Petroleum Center, Mr. William Dobbins, Attorney, Mr. David Miller, Waterfront Properties, all being within 200' of the subject property or in the immediate area, spoke in opposition to the rezoning.

After lengthy discussion by the attorneys and the Council, Dr. Parker made a motion to deny the rezoning and overrule the recommendation of the Planning Commission. Seconded by Mrs. Cockrell, the rezoning was denied by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell and Parker; NAYS: Gatti, Trevino and Torres; ABSENT: None.

Mayor McAllister was obliged to leave the meeting, and Mayor Pro-Tem John Gatti presided.

At 10:00 A.M. Mayor Pro-Tem Gatti opened the public hearing on the following proposed annexations:

- 67-532 Proposed annexation of 5.915 acres of land known as Rolling Ridge Subdivision, Unit 1-A, owned by Saunders Trieschmann Development Corporation.
- 67-533 Proposed annexation of 2.438 acres of land known as Rolling Ridge Subdivision, Unit 1-B, owned by Saunders Trieschmann Development Corporation.
- 67-534 Proposed annexation of 8.712 acres of land known as Shenandoah Subdivision, Unit 3, owned by Community Properties, Inc.
- 67-535 Proposed annexation of 1.149 acres of land known as Shenandoah Subdivision, Unit 5, owned by Community Properties, Inc.

- 67-536 Proposed annexation of 43.356 acres of land known as Mountain Laurel Subdivision, Unit 1, owned by The Artem Corporation.
- 67-537 Proposed annexation of 23.426 acres of land known as Shenandoah Subdivision, Unit 4, owned by Community Properties, Inc.
- 67-538 Proposed annexation of 1.03 acres of land located in County Block 5000, owned by Paul Jordan.

No one asked to speak in opposition.

Mayor Pro-Tem Gatti then declared the hearing closed.

The Mayor returned to the meeting and presided.

67-556 Mr. John Brooks, Assistant Purchasing Agent, explained the following ordinance and on motion of Mr. Gatti, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino; NAYS: None; ABSENT: Jones and Parker; ABSTAINING: Torres.

AN ORDINANCE 35,741

ACCEPTING THE PROPOSAL OF AND MANIFESTING A CONTRACT WITH INTERNATIONAL HARVESTER COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH ALL REQUIREMENTS OF ANTI-FREEZE FOR THE PERIOD OF ACCEPTANCE BY CITY COUNCIL THROUGH JULY 31, 1968.

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67-557 Mr. John Brooks, Assistant Purchasing Agency, explained the following ordinance and on motion of Mr. Gatti, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: Jones; ABSTAINING: Parker.

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AN ORDINANCE 35,742

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF POPULAR SUBSCRIPTION SERVICE TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CERTAIN SUBSCRIPTIONS FOR PERIODICALS AS LISTED FOR A TOTAL OF \$7,724.97.

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66-920 Mr. John Brooks, Assistant Purchasing Agent, explained the following ordinance, and on motion of Dr. Calderon, seconded by Mr. James, was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: Jones.

AN ORDINANCE 35,743

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF LES FERGUSON COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH CERTAIN RECORD OF ARREST FORMS FOR A NET TOTAL OF \$1,380.25.

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67-558 Mr. John Brooks, Assistant Purchasing Agent, explained the following ordinance and on motion of Mr. Trevino, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSTAINING: Jones.

AN ORDINANCE 35,744

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF TEMPLE, INC. TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF TRAFFIC AND TRANSPORTATION WITH CERTAIN GALVANIZED GUY WIRE FOR A TOTAL OF \$1,345.00.

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67-559 Mr. John Brooks, Assistant Purchasing Agent, explained the following ordinance and on motion of Dr. Calderon, seconded by Mr. James, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,745

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF NORTH STAR DODGE, INC. TO FURNISH THE CITY OF SAN ANTONIO METROPOLITAN HEALTH-AIR POLLUTION PROJECT WITH TWO TRUCKS FOR A NET TOTAL OF \$4,309.78.

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67-448 Next heard was zoning case 2856 to rezone Lot 3, NCB 11635 from "A" Residence District to "I-1" Light Industry District located on the north side of Callaghan Road, 869.52' west of Bandera Road; having 194.08' on Bandera Road and a depth of 446.51'.

Planning Director Burt Lawrence explained that this case had been referred back to the Planning Commission on June 1, and had been postponed three times because it was an appeal case and seven affirmative votes were needed for passage. He stated that the Planning Commission recommended the proposed rezoning be denied by the City Council.

Mr. C. G. House, attorney representing the applicant, Mr. Milton E. Travis, explained that the subject property had been used since 1950 for industrial warehousing and offices. He stated that his client now desired to build contractors offices on the front of this property which is facing Callaghan Road and needed the "I-1" Light Industry District zoning in order to continue maintaining outside storage for the contractors.

Mr. Milton E. Travis, applicant, stated he purchased the property in 1960 and since the land in question extends all the way from Callaghan Road to Leon Valley he is agreeable to having outside storage back of the proposed office buildings. Due to the depth of the property, which is 900', with 194.08' on Callaghan Road, if the property was not rezoned he would be at a loss to rent or lease to contractors without outside storage.

No one spoke in opposition.

After discussion by the Council, on motion of Dr. Parker, seconded by Mr. Torres, the recommendation of the Planning Commission was overruled by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Gatti, Trevino, Parker and Torres; NAYS: Cockrell; ABSENT: None. 286 7 1881

AN ORDINANCE 35,746

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, NCB 11635 FROM "A" RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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67-449 Last case heard was zoning case 3032 to rezone Lot 21, Blk. 11, NCB 8891 from "C" Apartment District to "B-1" Business District located on the north side of Rivas Street, 243' east of N. W. 28th Street; having 50' on Rivas Street and a depth of 157'.

Assistant Planning Director Burt Lawrence explained this is an appeal case which has been postponed from September 7, 1967. He stated the Planning Commission has recommended this case be denied by the City Council.

Mr. Abraham Ribak, attorney for the applicant, reviewed the purpose of the zoning ordinance and explained that while the subject property is presently zoned "C" Apartment District, his client had not been conducting his business in this zone, however, he is requesting "B-1" Business District in order to build a barber shop. He explained that all neighboring property owners were in favor of the proposed change. He stated that the 50' setback from the street would be paved to furnish off street parking. Mr. Ribak then showed pictures of the property which is adjacent to a drainage channel.

Mr. David Baron, 2332 Rivas, Mr. Encarnacion Alva, 2315 Rivas, Mrs. Rosa Menchaca, 2335 Rivas, all within 200' of the subject property, spoke in favor of the proposed change.

No one spoke in opposition.

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

## AN ORDINANCE 35,747

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 21, BLK. 11, NCB 8891 FROM "C" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT.

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66-1051 Mr. Dudley L. Ferguson, Assistant Director of Aviation explained the following ordinance and on motion of Dr. Calderon, seconded by Mr. Trevino was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSTAINING: Jones; ABSENT: Gatti.

## AN ORDINANCE 35,748

MANIFESTING AN AGREEMENT EXTENDING THE TERM OF A LEASE OF SPACE AT INTERNATIONAL AIRPORT TO TRANS-TEXAS AIRWAYS, INC.

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67-560 Mr. Dudley L. Ferguson, Assistant Director of Aviation explained the following ordinance and on motion of Dr. Parker, seconded by Mr. Trevino was passed and approved by the following vote: AYES: McAllister, Jones, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: Calderon, James, and Gatti.

## AN ORDINANCE 35,749

AUTHORIZING EXECUTION OF TWO LEASES OF SPACE AT INTERNATIONAL AIRPORT TO THE UNITED STATES OF AMERICA.

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65-412 Mr. Dudley L. Ferguson, Assistant Director of Aviation explained the following ordinance and on motion of Mr. Jones, seconded by Dr. Parker was passed and approved by the following vote: AYES: McAllister, Jones, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: James and Gatti; ABSTAINING: Calderon. SEP 14 1967

AN ORDINANCE 35,750

AUTHORIZING EXECUTION OF LEASE AGREEMENTS  
WITH THE UNITED STATES OF AMERICA TO PRO-  
VIDE POST OFFICE SPACE AT INTERNATIONAL  
AIRPORT.

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67-555 City Manager Jack Shelley introduced Mr. Dudley L. Ferguson, who is the new Assistant Director of Aviation.

66-1088 Mr. Robert Frazer, Director of Parks and Recreation, explained the following ordinance and on motion of Mr. Jones seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSTAINING: James; ABSENT: Gatti.

AN ORDINANCE 35,751

MANIFESTING AN AGREEMENT FOR THE RENEWAL  
OF A CONTRACT BETWEEN THE CITY AND JAMES  
W. LANGHAM FOR OPERATION OF THE SAN PEDRO  
TENNIS CENTER CONCESSION FOR A TWO-YEAR  
PERIOD BEGINNING OCTOBER 16, 1967.

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

67-561

AN ORDINANCE 35,752

APPROPRIATING \$140,770.00 OUT OF VARIOUS FUNDS FOR ACQUISITION OF RIGHT-OF-WAY, EASEMENTS AND A LICENSE AGREEMENT PERTAINING TO STORM DRAINAGE PROJECTS # 20 AND #84; UNSEWERED AREA # 6, PACIFIC AVENUE PAVING, U. S. 281 NORTH EXPRESSWAY, MISSION PARKWAY AND THE SALADO CREEK OUTFALL SEWER PROJECT.

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67-562

AN ORDINANCE 35,753

APPROPRIATING CERTAIN SUMS IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR U. S. 281 NORTH EXPRESSWAY PROJECT; 36TH STREET DEVELOPMENT PROJECT; DURANGO STREET PROJECT #66; SAN PEDRO AVENUE IMPROVEMENT PROJECT; SANITARY SEWER EXTENSION - UNSEWERED AREA #6; PERRIN BEITEL INTERCEPTOR SEWER LINE; AND MISSION PARKWAY PROJECT.

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67-430

AN ORDINANCE 35,754

GRANTING PERMISSION TO MRS. C. V. PAYNE TO CONSTRUCT AN 8 FOOT HIGH FENCE ON HER PROPERTY LOCATED AT 974 RICE ROAD.

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67-66

The Clerk read the following ordinance.

AN ORDINANCE 35,755

AMENDING AND ADDING CERTAIN SECTIONS TO CHAPTER 6, ARTICLE IV OF THE CITY CODE PERTAINING TO RABIES CONTROL OF DOGS AND CATS; PROVIDING FOR A FINE NOT EXCEEDING \$200.00 FOR VIOLATIONS AND PROVIDING FOR SEVERABILITY.

\* \* \*

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Dr. William R. Ross, Director of the Health Department, explained each section of the ordinance which implements the recommendations of the City Council Committee to step up enforcement of the rabies control program.

Dr. Calderon made a motion that the ordinance be adopted. The motion was seconded by Mr. James.

Mrs. Joseph T. Kenny, 130 Audrey Alene, expressed appreciation for the action being taken, however, she took issue with the provision of a \$200.00 fine for interference. She felt that if a valuable dog, without dog tags, is picked up, and the owner can produce the license tags, the owner should be allowed to refuse the dog to be taken without fear of a \$200.00 penalty. She wondered if a receipt could be given in such cases.

Dr. Ross explained that ordinarily a dog with tags is picked up only when it has bitten a person and careful records are kept. In effect, the City does issue a receipt in such cases, but not at the time of pick up.

Mrs. Kenny was asked to discuss the suggestion with Dr. Ross as the Council felt it can be handled administratively.

Mr. Ted Huth felt some provision should be made for making a person responsible who provokes, through negligence or other wise, a dog to bite a person.

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

67-426 The Clerk read the following ordinance.

AN ORDINANCE 35,756

AMENDING THE CURRENT BUDGET TO PROVIDE FOR AN EXPANDED RABIES CONTROL PROGRAM; APPROPRIATING \$132,095.00 OUT OF THE UNAPPROPRIATED SURPLUS OF THE GENERAL FUND AND ALLOCATING THE SAME WITHIN THE HEALTH DEPARTMENT BUDGET; ALSO AUTHORIZING THIRTEEN (13) ADDITIONAL PERSONNEL IN SAID DEPARTMENT.

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Dr. Ross explained that this ordinance provides for funds necessary to expand the animal shelter, additional trucks and equipment, and personnel.

City Manager Shelley advised that the largest part of the appropriation is \$100,000 for buildings and improvements. The balance of the funds are for trucks, cages and personnel for the last four months of the fiscal year as they will not be needed until the improvements to the animal shelter are completed in April of 1968. He added that these funds are out of the unappropriated surplus which is non-existent and will have a direct bearing on the tax rate when it is set.

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

66-345 The Clerk read the following ordinance, and on motion of Mr. James, seconded by Dr. Parker, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,757

AUTHORIZING A REFUND OF \$214.00 TO NIC CATALANI, SR. BEING THE AMOUNT PAID FOR A BUILDING PERMIT THAT WAS NOT UTILIZED.

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66-999 The Clerk read the following ordinance regarding the Tower Structure Bond Fund. These items were discussed at length at last weeks Council meeting. (Sept. 7, 1967)

AN ORDINANCE 35,758

APPROPRIATING THE SUM OF \$325,490.00 OUT OF TOWER STRUCTURE BOND FUND NO. 469 TO BE ADDED TO THE CONSTRUCTION CONTINGENCY ACCOUNT ESTABLISHED IN ORDINANCE NOS. 35220 AND 35498 AND ALSO APPROPRIATING \$26,124.00 OUT OF THE SAME FUND PAYABLE TO O'NEIL FORD & ASSOCIATES FOR ADDITIONAL ARCHITECTURAL FEES.

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

67-563 The Clerk read the following ordinance.

AN ORDINANCE 35,761

ACCEPTING THE LOW BID OF P. S. & F. CONSTRUCTION COMPANY FOR CONSTRUCTION OF THE MEDICAL CENTER PAVING PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR; AUTHORIZING PAYMENT OF \$192,023.81 OUT OF GENERAL FUND ACCOUNT NO. 09-04-19 PAYABLE TO SAID CONTRACTOR; AUTHORIZING PAYMENT OF \$7,000.00 TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT AND \$1,000.00 AS A MISCELLANEOUS CONTINGENCY ACCOUNT AND APPROPRIATING \$200,023.81 OUT OF UNAPPROPRIATED SURPLUS OF GENERAL FUND AND AUTHORIZING TRANSFER OF SAME TO SPECIAL PROJECTS ACCOUNT 09-04-19.

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Public Works Director Sam Granata explained the bids received and the work to be performed. He added that \$12,456.00 of the work will be performed for the University of Texas and the Veterans Administration and will be refunded to the City.

City Manager Shelley recommended that the low bid be accepted. He added that prior to signing the contract, the project will be rechecked to see that it is in accordance with the City's commitment to pave these streets in the Medical Center.

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

64-20 Councilwoman Mrs. Cockrell, Chairman of the Joint Committee on Community Relations, submitted the following reorganization plans for the Community Relations Commission for study by the Council.

1. The Joint Committee, composed of Mrs. S. E. Cockrell, Jr., Chairman, Councilman S. H. James, Councilman Felix Trevino and Councilman Pete Torres, Jr., representing the City Council, and Reverend C. Don Baugh, Richard Teniente and Everett Jennings, representing the Community Relations Commission, met on Wednesday, August 30, Friday, September 1, and Wednesday, September 13, 1967 to review plans for reorganization of the Community Relations Commission and to formulate recommendations to the City Council.

2. The recommendations of the Committee are as follows:

A. The Community Relations Commission should be enlarged to fifteen members.

B. The membership should be composed as follows: five Negroes, five Anglos and five Mexican-Americans. (The majority felt that there should be equal distribution of places on the Commission among the three major cultural groups in the community. Mr. Pete Torres, Jr. cast a dissenting vote and may wish to make a minority opinion report on the subject)

C. The Commission should elect its own Chairman. The Commission should be empowered to contract for staff services, including a Director and a Secretary.

D. The Commission Staff should be furnished with suitable office space. (There was discussion as to whether a location in City Hall or an outside location would be preferable with sentiment tending to support the outside location.)

E. A statement of objectives and a proposed program of work were approved; but it was felt that the Commission and its Director should have authority to develop a complete program of work.

F. Proposed implementation of this program by the City Council would include:

1. Passage of necessary amendments to the ordinance establishing the Community Relations Commission to reflect the changes being made.

2. Appointment of members of the Community Relations Commission. (The Committee has prepared recommendations to submit to the Council when it is ready to consider appointments.)

3. Authorization of funds for necessary contracts and office space.

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G. Following Council action:

1. The full Commission will meet and select its Executive Director.
2. The Commission and Staff will prepare and put into action a program in the field of Community Relations.
3. During the discussion, the Community Relations Commission's role in the field of police and community relations was discussed at length. Following this discussion the Committee recommended that the Community Relations Commission engage in a long term project designed to promote better community relations between the police and the community. The area of review of the charges of police brutality should not be the responsibility of the Community Relations Commission and the Committee recommends that all such cases be referred to the Police and Fire Civil Service Commission.

In connection with Paragraph 3, Mrs. Cockrell stated that the Members of the City Council, of whom four served on the Committee, were aware that one of the prime responsibilities of City government is the maintenance of law and order. All City Councilmen are strong supporters of the Police Department because it is the City's arm in carrying out law and order in the community. At the same time, the Committee was aware that some problems exist in regard to police and community relations. Consideration was not confined to anyone ethnic group. The Committee felt that throughout the City there needs to be a stronger support for law enforcement from all citizens. However there has been some specific charges brought to the attention of the Council in complaints from citizens.

The Committee considered the report of Judge Archie Brown, who in recommendations submitted, made reference to a police relations citizens committee. He stated that if such a committee were formed it should have as its purpose, not only a hearing of citizen grievances, but also consider it a measure for the protection of police officers as well.

In the second of three meetings the Committee came to a conclusion that perhaps a new board was needed and voted at that time to recommend that a new board be formed. However, as they continued their study, at the third meeting yesterday, they rescinded their previous action because in their consultation with the City Attorney they realized that the Fire and Police Civil Service Commission, which is created by State Law, has the authority to deal with individual complaints by the Police Chief or any charges of this nature which might be brought. The Committee therefore felt that all such charges should be heard by the Fire and Police Civil Service Commission.

An additional recommendation not listed on the report was made by the Committee. It was moved and passed that a recommendation be made to the Council that the Council recommend to the Bexar County Legislative Delegation that the Fire and Police Civil Service Commission be enlarged from three to seven members. The Committee Members who voted for this feel it will permit the Commission to be more representative than it is now.

Mrs. Cockrell stated, as a minority report, that she abstained from voting because she had not studied the proposal fully. However, she felt that in the instance that the Fire and Police Civil Service Commission acts as a judiciary body it would be wiser to leave it a three member, rather than expand it to a seven member commission.

The Committee meetings were held publicly and there was quite a bit of publicity given. A resolution was submitted by the Junior Chamber of Commerce and some letters were received from individuals and some persons appeared before the Committee. In order to clear the air and definitely state the intention of the Council, she felt it would be well for action to be taken on the question of a Civilian Review Board.

Mr. Gatti then made a motion that a Civilian Review Board not be created and that all complaints of alleged police brutality be referred to the Police and Fire Civil Service Commission as recommended by the Council Committee. The motion was seconded by Mr. Jones.

Councilman Torres stated that in voting "no" to a police review board, the Committee relied on the opinion given by the City Attorney and assurance that the Fire and Police Civil Service Commission will accept complaints from individuals dealing in the area of police problems. Also in connection with the Committee Report on objectives for the Community Relations Commission, one was that it foster a more healthy relation between local law enforcement agencies and the citizenry.

Mr. Torres then stated that if the Fire and Police Civil Service Commission find that they cannot accept these complaints and cannot implement the Council's recommendation, he would have an alternate proposal to present. He concurred in the thinking that the Fire and Police Civil Service Commission can accomplish the same thing that a Civilian Review Board can.

Mayor Pro-Tem Gatti commented that the fact that the Fire and Civil Service Commission has been appointed to check into the complaints is evidence of the Council's good will, good faith and concern in the problem.

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Mr. Trevino stated the Committee voted in good faith that the Fire and Police Civil Service Commission hear the complaints on the City Attorney's opinion and if this is not carried through, other measures should be taken.

Mr. Jones felt that citizens should be able to take complaints directly to the Fire and Police Civil Service Commission.

Mayor Pro-Tem Gatti advised the Fire and Police Civil Service Commission, in their letter to the Council, stated they were most willing and wanted to hear the complaints.

Mr. Maury Maverick, legal counsel for the local chapter of the Texas Civil Liberties Union, took exception to the proposed action and stated the Fire and Police Civil Service Law was not passed for the purpose of having a police review board. He felt the Commission can make investigations, but only the Chief of Police can take action. The Commission is only an appellate court after the Chief takes action.

Mr. Billy De Wolfe, 826 Serenade, President of the local chapter of the Civil Liberties Union, advised that the membership in June voted to urge the Council to create a Civilian Review Board to air complaints against policemen. He felt that the Fire and Police Civil Service Commission could not take action in the area of alleged police brutality, however, if it is the Council's thinking that the Commission does have the power, he is for this.

Mrs. Cockrell advised that it was the opinion of the Committee after discussion with the City Attorney that the Council could not appoint a Civilian Review Board as the Fire and Police Civil Service Commission had preempted the field. It was found that a Civilian Review Board could not issue subpoenas, request testimony under oath, nor require police officers to testify. The only thing it could do is to receive complaints and hear testimony of individuals who would do so voluntarily. The Fire and Police Civil Service Commission already has these powers so it was clear that the only thing that could be done was to refer the complaints to the Board created under State law.

City Attorney Sam Wolf advised that complaints can be filed with the Fire and Police Civil Service Commission and it can take any action that it is empowered to take.

Mr. Clarence W. Steinbreaker, commended the Council Committee for its action in not recommending a Civilian Review Board.

Dr. Therold Berry thanked the Council for not creating a Civilian Review Board. He objected to the recommendation that membership in the Fire and Police Civil Service Commission be increased from three to seven members.

There being no further discussion, Mr. Gatti's motion was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: None.

The other recommendations of the Council Committee were taken under advisement.

67-565 Councilman Jones brought up the proposed Urban Renewal Project for the east side which has been under consideration.

Mr. M. L. Deckard, President of the local chapter of the NAACP, urged the Council to take action and approve application for a planning grant of this area.

City Manager Shelley recommended that the Council approve the making of applications for study grants, not only for the Eastside but also the South San Antonio area. He added that he would also recommend the same for the Westside project except that the area is involved with an application for a Demonstration Cities grant. It is also involved with a protection ordinance regarding the proposed expressway through that area. An ordinance has also been prepared for the first area on the Westside.

67-564 The Clerk read the following ordinance.

AN ORDINANCE 35,759

OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO  
 APPROVING THE UNDERTAKING OF SURVEYS AND PLANS  
 FOR URBAN RENEWAL PROJECT SOUTH SAN ANTONIO AND  
 APPROVING THE SUBMISSION BY THE URBAN RENEWAL  
 AGENCY OF THE CITY OF SAN ANTONIO OF AN APPLICA-  
 TION FOR AN ADVANCE OF FEDERAL FUNDS FOR SAID  
 PURPOSE.

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\* \* \*

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

67-565 The Clerk read the following ordinance.

AN ORDINANCE 35,760

OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO APPROVING THE UNDERTAKING OF SURVEYS AND PLANS FOR URBAN RENEWAL PROJECT EASTSIDE AND APPROVING THE SUBMISSION BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF AN APPLICATION FOR AN ADVANCE OF FEDERAL FUNDS FOR SAID PURPOSE.

\* \* \*

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

66-277 After further consideration of the Westside project, action was postponed until further information is available.

66-1175 The City Manager advised the Minimum Wage Office is in operation and there has been six contacts regarding the enforcement of the ordinance.

67-644 The Mayor then advised that the City Public Service Board has completed the study of their fiscal requirements for the next four or five years and would like to appear before the Council for a review of the program and request approval by the Council of a revenue bond issue. They plan to appear on October 5, 1967. The CPSB will mail advance information to the Council during the next week.

67-555 Mrs. Cockrell stated that it was announced that a federal grant was awarded to the City Water Board and would like for the Council to be advised of what plans they have for utilization of the funds.

The Mayor stated that Mr. Robert Van Dyke or the Chairman, Mr. Alfred Vasquez, would make a presentation on it.

67-555 Mrs. Jack Forbes, representing the Houston Terrace area, east of the City, spoke to the Council regarding their request for recreation facilities. She advised they wanted to get their name in the "pot" for park improvements when the time comes.

Mr. Robert Frazer, Director of Parks and Recreation, reviewed the present Parks and Recreation program in the area. He said the Houston Terrace group is interested in a community type park. It is estimated it would cost \$400,000.00. The first stage is to acquire land. The development and equipment will follow. It will be necessary for this program to be funded from bond funds. He recommended this be included in a future bond issue.

It was understood that nothing could be done at this time, but the City is aware of the need and should be included on a future bond issue.

67-555 Mr. Ross Dobbins spoke to the Council regarding bicycle thefts in the City. He felt the City should have a bicycle registration law which would wipe out the market for stolen bikes.

After discussion, the matter was taken under advisement.

67-555 Councilman Calderon advised that at the Town Hall Meeting citizens expressed concern of the junk yards in the Southwest area of the City. He said in view of recent legislation in the field of Beautification, Air Pollution, etc., both national and state, it would be his recommendation that a Committee be appointed to see what can be done to better regulate the operation.

The City Attorney was asked to review the laws and see what the City's position or authority is in enforcing this new legislation. Also he is to discuss the matter with Dr. W. R. Ross, Director of the Health District, to see what his opinion is and make a report to the Council on same.

67-305 The City Manager advised that the question of union dues check-off is still pending and asked if the Council wanted to act on it.

The Mayor stated he understood that it could not be done with the present computer and the new computer is not in operation yet. If it can't be done, he felt there is no need to take action on it.

Councilman Torres stated he understood the computer would not be ready until February of 1968 and asked if this was correct.

The City Manager advised this is true, but the programming must be started soon in order to begin operating in February.

It was brought out that there are several other requests for deductions on payroll checks but only one space left on the present computer for this purpose.

Mr. Torres stated that programming of the new computer would have to start soon and since no objections have been made by the Administrative Staff, he made a motion that the request of the City-County Employees Union for union dues check-off be approved. The motion was seconded by Mr. Trevino. On roll call the motion failed by the following vote: AYES: Trevino and Torres; NAYS: McAllister, Jones, Cockrell, Gatti and Parker; ABSENT: James.

67-269 The consideration of the Chamber of Commerce request for an additional \$70,000.00 to answer inquiries regarding HemisFair was postponed for one week.

67-555 The Clerk read the following letter.

