

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 31, 1969, AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor Pro-Tem Mrs. Lila Cockrell, with the following members present: CALDERON, BURKE, JAMES, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; Absent: McALLISTER.

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69-34 The invocation was given by Reverend Harold Moench, Christ Lutheran Church.

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The minutes of the July 24, 1969 meeting were approved.

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69-34 Mayor Pro-Tem Mrs. Cockrell welcomed Miss Anna Maria Gonzalez of Guatemala who is Miss Chiquita Banana and presented her with a certificate making her an Alcalde of La Villita.

Miss Gonzalez stated she has visited many cities and of all found San Antonio to be the most gracious and hospitable one.

Miss Gonzalez is representing the United Fruit Company and will be touring forty cities across the United States.

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69-34 The following ordinances were explained by Purchasing Agent John Brooks and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,729

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF PRASSEL LUMBER COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN ROUGH LUMBER FOR A NET TOTAL OF \$1,587.72.

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AN ORDINANCE 37,730

ACCEPTING THE ATTACHED LOW QUALIFIED BIDS OF HANDLER DENTAL SUPPLY COMPANY AND SOUTHERN HOSPITAL SUPPLY COMPANY TO FURNISH THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH CERTAIN DENTAL APPARATUS, TOOLS AND SUPPLIES FOR A TOTAL OF \$2,008.67.

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AN ORDINANCE 37,731

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF MOORE BUSINESS FORMS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN TRAFFIC SUMMONS (PARKING TICKETS) FOR A NET TOTAL OF \$4,459.00.

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AN ORDINANCE 37,732

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF JACK HULETT SALES, INC. TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF TRAFFIC AND TRANSPORTATION WITH CERTAIN TRAFFIC SIGNAL CABLE FOR A NET TOTAL OF \$1,293.00.

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AN ORDINANCE 37,733

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF BLACKWELL BURNER COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PUBLIC WORKS WITH ONE ASPHALT KETTLE FOR A NET TOTAL OF \$2,358.00

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69-34

The Clerk read the following ordinance.

AN ORDINANCE 37,734

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF TOLEDO SCALE COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH THREE MOTOR TRUCK SCALES FOR A NET TOTAL OF \$14,262.00.

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Purchasing Agent John Brooks advised that the scales would be used to weigh all types of refuse and gravel.

City Manager Henckel advised that this would allow the City, through weighing the loads, to balance the garbage routes more evenly.

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

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69-34 City Manager Henckel introduced a new staff member, Mr. Walt Warner, who will fill the position of Visitor Relations Coordinator at the Convention Center which is basically the same job he had with the Chamber of Commerce. He stated Mr. Warner had accepted a job with the State of Oklahoma but decided to stay in San Antonio and has accepted this position with the City.

69-34 The following ordinances were explained by Mr. Thomas Raffety, Director of Aviation, and on motion made and duly seconded were each passed and approved by the following vote: AYES: Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,735

AUTHORIZING THE CITY MANAGER TO EXECUTE STINSON MUNICIPAL AIRPORT LEASE NO. 614 WITH LOSTON C. AMOS d/b/a/ ECONOMY AVIATION.

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AN ORDINANCE 37,736

AUTHORIZING A CONTRACT WITH W. H. MULLINS, CONSULTING ENGINEER, TO FURNISH PROFESSIONAL SERVICES PERTAINING TO THE SOUTH TERMINAL DRIVE RECONSTRUCTION PROJECT AT THE INTERNATIONAL AIRPORT.

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AN ORDINANCE 37,737

MANIFESTING AN AGREEMENT WITH C. E. EARNHARDT, d/b/a EARNHARDT AVIATION, LESSEE TO AMEND STINSON MUNICIPAL AIRPORT LEASE NUMBER 650, ARTICLE I, SECTION 5, LIABILITY INSURANCE.

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AN ORDINANCE 37,738

MANIFESTING AN AGREEMENT WITH SAMUEL MARTINEZ AND CO., LESSEE, OF CERTAIN SPACE AT INTERNATIONAL AIRPORT BY WHICH THE CITY CONSENTS TO THE SUBLEASE OF A PORTION OF SAID SPACE.

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AN ORDINANCE 37,739

MANIFESTING AN AGREEMENT WITH NAYAK AVIATION CORP. TO AMEND SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 2-2 BY ADDING 106 SQ. FT. OF BUILDING AND GROUND SPACE.

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AN ORDINANCE 37,740

DECLARING BUILDING 32 AT SAN ANTONIO INTERNATIONAL AIRPORT SURPLUS AND NO LONGER NEEDED FOR PROPER OPERATION OF THE AIRPORT AND AUTHORIZING REMOVAL.

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69-34

The Clerk read the following ordinance.

AN ORDINANCE 37,741

DETERMINING THAT THE PREMISES LOCATED AT 115 ALTA VISTA CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George Vann, Director of Housing & Inspections, stated the property is owned by Mrs. Maria Garza who was notified by certified mail of the hearing this morning. He stated this is a vacant one-story wooden structure in a run-down, decayed and damaged condition. He reviewed the efforts to try to have the nuisance abated and recommended that the Council declare the premises to be a nuisance under the dangerous premises ordinance.

Neither the owner nor her representative was present for the hearing.

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

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69-34

The Clerk read the following ordinance.

AN ORDINANCE 37,742

DETERMINING THAT THE PREMISES LOCATED AT 1102 ROMERO CALLE CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George Vann, Director of Housing and Inspections, stated the property is owned by Mr. Juan F. Leal who was notified by certified mail of the hearing this morning. He stated this is a vacant one-story wooden structure in a run-down, damaged and decayed condition. He reviewed the efforts to try to have the nuisance abated and recommended that the Council declare the premises to be a nuisance under the dangerous premises ordinance.

Neither the owner nor his representative was present at the hearing.

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

69-34

The Clerk read the following ordinance.

AN ORDINANCE 37,743

DETERMINING THAT THE PREMISES LOCATED AT 339 "K" STREET CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SAID PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George Vann, Director of Housing and Inspections, stated the property is owned by Mr. Primitivo Martinez who was notified of the hearing this morning by certified mail. He stated this is a vacant one-story wooden structure in a run-down, damaged and decayed condition. He reviewed the efforts to have the nuisance abated and recommended the Council declare the premises to be a nuisance under the dangerous premises ordinance.

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Neither the owner nor his representative was present for the hearing.

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

69-34 Mr. George Vann, Director of Housing and Inspections, then reported on the request of Mr. C. H. Alejos, representing the South Laredo Street Area Council, on the question of abandoned houses in that area. Mr. Vann stated Mr. Alejos had given him the addresses of 22 abandoned buildings in that particular area. Of that number 17 have been torn down, five are in the City Attorney's Office for action. Of the five, the Council took action this morning on the building at 115 Alta Vista.

69-34 Mr. Bill Lindquist, Assistant Director of Municipal Facilities, explained the following ordinance and on motion of Mr. Torres, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,744

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SAN ANTONIO INTERNATIONAL TRADE FAIR, INC., FOR LEASE OF 264 SQUARE FEET OF OFFICE SPACE IN THE HEMISFAIR PLAZA ADMINISTRATIVE BUILDING FOR A TERM OF ONE YEAR, FOR A CONSIDERATION OF \$100.00 PER MONTH.

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69-34 The Clerk read the following ordinance.

AN ORDINANCE 37,745

MANIFESTING AN AGREEMENT WITH HCP ENTERPRISES OF ROYERSFORD, PENNSYLVANIA, TO EXTEND THE PRESENT CONTRACT FOR OPERATION OF THE MINIMONORAIL IN HEMISFAIR PLAZA ON A MONTH TO MONTH BASIS, UPON THE SAME TERMS AND CONDITIONS.

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Mr. Bill Lindquist, Assistant Director of Municipal Facilities, explained that this is a temporary month to month lease commencing August 1, 1969, under the same terms as the previous temporary lease. The contract will run on the month to month basis until a long term contract is negotiated.

The Council then discussed the \$109,000 debt owed by the minimonorail people which San Antonio Fair assigned to the City Water Board. Also discussed was the question of relocation of part of the minimonorail which is presently located on what is now City Water Board property.

City Manager Henckel advised that in his negotiations for the long term lease, the minimonorail people were advised and understand that one of the provisions of any new contract will be that the relocation will be at the expense of HCP Enterprises.

Mayor Pro-Tem Mrs. Cockrell stated that it is not clear whether the \$109,000 is owed to the City or the City Water Board and asked that the Administrative Staff prepare a brief on the matter for the Council.

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

69-34

The Clerk read the following ordinance.

AN ORDINANCE 37,746

AUTHORIZING PURCHASE OF TWO PARCELS OF PROPERTY COMPRISING APPROXIMATELY 18.422 ACRES IN URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO FOR A CONSIDERATION OF \$473,693.84; APPROPRIATING FUNDS THEREFOR; AUTHORIZING PAYMENT OF \$473,693.84 OUT OF SPECIAL PROJECT ACCOUNT NO. 99-21-02, FUND NO. 101, TO THE AGENCY IN CONNECTION THEREWITH; AND AUTHORIZING THE EXECUTION OF CONTRACT FOR REDEVELOPMENT PERTAINING TO SAID PROJECT.

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Mr. Bill Toudouze, representing the Urban Renewal Agency, stated the acquisition of this property from the Urban Renewal Agency is funded in the new budget and the sale is effective August 1, 1969. Acquisition of this property at this time will save the City approximately \$85,000 in interest. This represents one-third of the purchase of land the City is entitled to purchase under its contract with the Urban Renewal Agency. The balance of thirty-seven acres of land will be purchased over the next two years.

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Councilman Torres stated that he felt this land purchase should be handled as a capital improvement item with bond issue money the same as parks and drainage improvements. He felt before the land is purchased the City should find out whether private enterprise would take this land and develop it. He asked that action on this purchase be held up until the City Attorney reports on how difficult it will be for the City to turn this property over to private enterprise.

City Manager Henckel explained the City has a contract to purchase the property but is not paying for the improvements on it, only the land. Should Council want to sell the property, it can do so at a higher price. The City is creating a park in the downtown area. Funds have already been expended in development of an amusement center at HemisFair Plaza. After the master plan is adopted, the Council can determine if it wants to expand the amusement center or sell part of the property.

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

Mr. Torres stated he was abstaining from voting as he felt this operation is of a proprietary nature and money is needed for other items of strictly governmental nature. He felt this should be handled by private enterprise and the City should not be involved in land speculation.

Dr. Nielsen stated he would abstain until the City gets the feasibility study from the Chamber of Commerce.

69-34 The Clerk read the following ordinance which was explained by Mr. Carl Norris, Sewer Engineer, and after consideration, on motion of Mr. Torres, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,747

ACCEPTING THE LOW BID OF G & H EQUIPMENT COMPANY, INC. FOR CONSTRUCTION OF SEWER LINES IN CONNECTION WITH THE 1969-70 SANITARY SEWER EXTENSION PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK AND APPROPRIATING \$171,858.88 OUT OF SEWER REVENUE FUND 204 PAYABLE TO SAID CONTRACTOR.

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The Clerk read the following ordinance.

AN ORDINANCE 37,748

CLOSING AND ABANDONING AS PUBLIC STREETS PORTIONS OF MATHEWS AVENUE AND LEROUX STREET, BETWEEN S. W. 23RD AND S. W. 24TH STREETS AND AUTHORIZING QUITCLAIM DEEDS TO JOE CENTENO SUPER MARKET, INC., HERMINIA PUGA AND PETRA MOLINA, A WIDOW, FOR PORTIONS THEREOF FOR A TOTAL CONSIDERATION OF \$6,115.00.

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Mr. W. S. Clark, Land Division Chief, explained that there are no objections from the Staff to the closing of the these streets. He stated they have never been opened for public use. The sale price is based on Staff appraisal for rights-of-way involved.

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

69-34 The following ordinances were explained by Mr. W. S. Clark, Land Division Chief, and on motion made and duly seconded, were each passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,749

APPROPRIATING \$1,600.00 OUT OF SEWER REVENUE BOND FUND 404 IN PAYMENT FOR AN EASEMENT IN CONNECTION WITH THE SALADO CREEK OUTFALL SEWER LINE AND ACCEPTING A PIPE LINE LICENSE IN CONNECTION WITH EL DORADO HILLS OFF-SITE OUTFALL SANITARY SEWER EXTENSION PROJECT DC-38, ALSO ACCEPTING EASEMENTS PERTAINING TO EMIL ROAD AND SOUTHERN PACIFIC RAILROAD SANITARY SEWER AND GREENBRIAR SUBDIVISION, UNIT 12.

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AN ORDINANCE 37,750

AMENDING ORDINANCE NO. 35661, AS AMENDED, TO EXTEND FOR A ONE-YEAR PERIOD THE RESTRICTIONS THEREIN ON ANY NEW BUILDING, OR BUILDING REPAIR WORK OF A CERTAIN TYPE, AND ON CERTAIN TYPES OF STREET WORKS, WITHIN THE BOUNDARIES OF THE LOOP 410-U.S. HIGHWAY 281 NORTH INTERCHANGE.

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AN ORDINANCE 37,751

DESIGNATING AND DEDICATING A PORTION OF CITY-OWNED PROPERTY IN BLOCK 8, NEW CITY BLOCK 14015, SAN ANTONIO, BEXAR COUNTY, TEXAS, TO THE CITY WATER BOARD OF THE CITY OF SAN ANTONIO FOR THE CONSTRUCTION AND MAINTENANCE OF CHILLED WATER, CHILLED WATER RETURN, STEAM AND CONDENSATE RETURN LINES.

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69-34 The following ordinances were read by the Clerk, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,752

AUTHORIZING PAYMENT OF THE SUM OF \$250.00 OUT OF MODEL CITIES FUNDS IN A COOPERATIVE EFFORT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS, THE TEXAS EDUCATION AGENCY, THE INDEPENDENT SCHOOL DISTRICTS OF BEXAR COUNTY, THE BEXAR COUNTY MEDICAL SOCIETY, THE NATIONAL INSTITUTE OF MENTAL HEALTH AND THE FEDERAL BUREAU OF NARCOTICS AND DANGEROUS DRUGS IN SPONSORING A DRUG EDUCATION-TEACHER SYMPOSIUM TO BE HELD AUGUST 11, 12 AND 13 AT THE WORDEN SCHOOL OF SOCIAL SERVICES OF OUR LADY OF THE LAKE COLLEGE.

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AN ORDINANCE 37,753

AUTHORIZING THE DIRECTOR OF FINANCE TO REFUND TAXES BECAUSE OF DUPLICATION OF PAYMENT. (TO GULF OIL CORP. c/o A. F. PAGE, JR., - \$1,168.65)

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69-34 The following ordinance was read by the Clerk and explained by City Manager Gerald C. Henckel, Jr., and on motion of Mr. Hill, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,754

ADOPTING A PAY SCHEDULE FOR THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1969-70 EFFECTIVE AUGUST 1, 1969.

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At 10:00 A.M. Mayor Pro-Tem Mrs. Cockrell called the hearing to consider an ordinance amending the City Code to regulate the home improvement contracting business.

Mrs. Cockrell then called on Councilman Torres, as sponsor of the ordinance, to make a statement.

Councilman Torres stated that two days ago he submitted to the City Council a revised ordinance. It was prepared in large part by Mr. John Quinlan of the District Attorney's Office. He acknowledged the help of Mr. Bill Seffel and the Better Business Bureau Staff as well as Mr. Beldon of Beldon Roofing Company.

He stated he had received many comments in support of such an ordinance. He advised that the principal changes in the revised ordinance provides for appointment of an advisory board consisting of seven members; Section 6 of the ordinance provides for suspension or revocation of a license for reasons which he enumerated; Section 7 prohibitive acts were added. Mr. Torres recommended the changes made to be included in the ordinance.

Mr. John Quinlan, Assistant District Attorney, stated that there have been many unpleasant experiences in this field in the last two years. Since 1966 millions of dollars have been stolen from people in Bexar County, mainly in the City of San Antonio. He reviewed the efforts to get a State law on the subject passed but was not successful. He felt that if San Antonio passes this ordinance, other cities will follow suit. He promised complete cooperation of the District Attorney's Office if the ordinance is adopted.

Discussed by the Council with Mr. Quinlan was the matter of the requirements of the bond in the ordinance which will cost \$25.00 per year. Also discussed was that the limitation in the definition of home improvement be increased from \$100.00 to \$200.00.

Mr. Trevino suggested that contracts for home improvement be printed in both English and Spanish and that the contract show the interest that will be added to the cost of improvements.

Mr. M. C. Beldon, President of Beldon Roofing and Remodeling Company, spoke in favor of the ordinance as did Mr. Harry Adams, attorney with the Legal Aid Society, and Clem Galan of the Galan Construction Company.

Mr. Paul Green, representing the San Antonio Home Builders Association, stated he was present as a result of a meeting held with the Home Remodelers Council last week.

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Mr. Green said he was familiar with the ordinance prepared by the City Attorney and covered by Mr. Torres' memorandum. He stated he was not against an ordinance to regulate home improvement business and the Council should pass an ordinance that is within its constitutional authority. He then submitted for the Council's consideration, an ordinance which he felt would do the job.

Mr. E. N. Dean, of the Dean Sheet Metal and Roof Company, representing the Subcontractors Association, stated they were in favor of the ordinance. He asked that when the ordinance was finalized that before its adoption his group be given an opportunity to study same.

After consideration, Mr. Torres suggested to the Council that action be postponed until such time as interested groups such as the Better Business Bureau, the Home Builders Association, and the Subcontractors could sit down and meet on this to see if an ordinance acceptable to all can be agreed upon.

A meeting was set for this purpose at 2:00 P.M. on Friday, August 1, 1969 in the basement conference room.

A Mr. Steinbrecher also spoke concerning the ordinance and stated that people who want work done should find out if a man is reliable before signing a contract.

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69-34

ANNEXATION HEARINGS - 10:00 A.M.

The Mayor Pro-Tem opened the public hearing on the proposed annexation of 2.02 acres of land.

Mr. Steve Taylor, Director of Planning explained that the property is known as the Zuercher Property and is located off of U. S. Highway 81 South near Plumnear Road. He stated the action is being taken at the request of the owners, Henry H. and M. L. Zuercher.

No one asked to speak in opposition.

The first reading of the ordinance on the proposed annexation will be in two weeks on August 14, 1969.

The hearing was then declared closed.

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The Mayor Pro-Tem opened the public hearing on the proposed annexation of 44.8099 acres of land.

Mr. Steve Taylor, Director of Planning explained that the property is known as El Dorado Hills, Units 1 and 2 and the action is requested by the owners, Community Properties.

No one asked to speak in opposition.

The first reading of the ordinance on the proposed annexation will be in two weeks on August 14, 1969.

The hearing was then declared closed.

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The Mayor Pro-Tem then opened the public hearing on the proposed annexation of 0.345 acres of land.

Mr. Steve Taylor, Director of Planning, explained that the land is known as University Estate Subdivision and the action is at the request of the owner, H. B. Zachry Properties, Inc.

No one asked to speak in opposition.

The first reading of the ordinance on the proposed annexation will be on August 14, 1969.

The hearing was then declared closed.

69-34

CITIZENS TO BE HEARD

Mr. Leo Lozano, 302 Academy, presented a petition to the City Council concerning Zoning Case 3604 as follows:

"We, the undersigned residents of San Antonio, Texas who live in the vicinity of Cupples Road and Roselawn Road hereby request and petition the San Antonio City Council to rescind Ordinance No. 37482 changing the reclassification and rezoning of Lot 15, NCB 7531 from "B" Duplex to "R-3" Multiple family district. The rezoning action of the Council was taken on May 15, 1969 without the knowledge of the undersigned residents. We understand that this fifteen acre tract will be used for the construction of a low cost housing project which will overcrowd our already overcrowded schools, partial loss of school tax, revenues and depreciate the value of our property. In the alternative, we request that the case be reopened so that our feelings on the case may be known."

Mr. Lozano also presented a letter written by Mr. Jose A. Cardenas, Superintendent of the Edgewood Independent School District, stating that the school district is very close to the statutory limitation for borrowing of money for construction of schools. Any additional housing units such as contemplated in the zoning case would create a serious problem of providing adequate school facilities.

Mr. Clemente Saenz, President of the Board of Trustees, Edgewood School District, also spoke to the Council concerning the problem that would be created if a great number of housing units are built in the district, and their ability to absorb new students.

City Attorney Howard Walker stated that this is not a case in which zoning was denied, but one in which zoning was established. That being true, in order to get rezoning it requires the same routine and they will have to go back to the Planning Commission and request rezoning. The Council has no authority to consider this request at this stage.

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The City Attorney pointed out that as far as the law is concerned that if a piece of property is rezoned and the neighbors do not like it, the neighbors do not have the right under the law to go and ask for a change of zoning. He added that these people are not going to be able to, as a matter of right, go to the Planning Commission and demand a reapplication for rezoning. If great inequities exist in this matter, the Planning Commission itself, by virtue of its powers, can initiate a rezoning.

Mr. Lozano was asked to consult with Mr. Steve Taylor, Director of Planning, who can furnish him with all information concerning this matter so that it can be considered.

69-34

Petition of Kenwood Neighborhood Council

Rev. J. C. Bailey, Director, Mrs. John W. Rainey, President, and Mrs. P. H. Flores, First Vice President, of the Kenwood Neighborhood Council, spoke concerning their petition listed on the agenda to have the Kenwood Area designated as an Urban Renewal Area for the purpose of eligibility for a Neighborhood Development Program.

Mr. M. Winston Martin, Director of the Urban Renewal Agency, stated they have been interested in the Kenwood Area because of its self-help program. There are provisions within the Urban Renewal Program that would assist them, monies that would help them rehabilitate homes, and site improvement monies. As to procedure, it will be necessary for the City Council to determine the area eligible by condition for Urban Renewal. He said that a study has been made of this area for the benefit of the City Council and that it does qualify. Once this is determined by the Council, it is up to the Urban Renewal Commissioners to make application for funds to assist the program of self-help under the Neighborhood Development Program.

After discussion, Mr. Burke made a motion that the City Council instruct the Urban Renewal Agency to proceed with the necessary study, planning and determination to make the Kenwood Area eligible for a Neighborhood Development Program. The motion was seconded by Dr. Nielsen. On roll call, the motion prevailed by the following vote: AYES: Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, James.

69-34

Miss Lee Carr, representing the San Antonio Chapter of the Sierra Club, protested the inclusion by the City Public Service Board of political campaign material concerning Amendment #2 to the Texas Constitution regarding water development in the monthly electric and gas bills. She felt it was not ethical to use this type of mailing for a political issue.

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After discussion, Mayor Pro-Tem Cockrell stated the point was well taken and that the Council felt this matter does need study and will get an opinion on it so that perhaps it will prevent a similar happening in the future.

Councilman Torres stated that as an individual member of the Council he would write, special delivery, a letter to Mr. Denman and Mr. Sommers of the City Public Service Board and ask that the practice be stopped.

69-34 Mr. Raul Rodriguez, representing the Welfare Rights Organization, based at the House of Neighborly Service, stated they went to the supermarkets to talk to people and carry signs in favor of Amendment #5. Last Saturday a group went out to a number of privately owned places, including Barker's. The manager of Barker's objected and they were asked to leave. He informed the Council that they planned to go back to Barker's on Saturday to make their voices heard. He said they planned to do so in an orderly manner and hoped that the police do not harrass them.

69-34 Mr. Frank Sandoval, a bus driver speaking as an individual, thanked Councilman Pete Torres for his efforts in speaking for the bus drivers. He then spoke concerning a news story attributed to Mr. Kurt Monier of the Good Government League.

Mr. Torres stated he has tried to call Mr. Monier to discuss the story but he has not been available for him to contact him.

69-34 Mr. Steinbrecher, speaking for Mr. Jerry Eberhardt, businessman on Roosevelt Avenue, who is concerned about the City Public Service Board, stated that Mr. Eberhardt has kept an accurate record of meter readings and bills over a period of years. He reviewed the meter readings for 1967, 1968 and 1969, and alleged that the City Public Service Board overbilled him.

The City Manager advised that this complaint would be referred to Mr. Clayton Fowler, Public Utilities Supervisor, for study and report to the Council.

69-34 Mr. Martin Sada, representing the International Association of Machinists and Aerospace Workers, advised the Council that the employees, members of the Machinists Union, Dist. 177, have settled their strike with the Wall Colmonoy Company.

He thanked Rev. James, Mr. Trevino, Dr. Nielsen and Mr. Torres for their interest in their labor-management dispute.

Dr. Nielsen made a motion that the pay of Court Appointed Employees be raised 5% for the 1969-70 fiscal year. The motion was seconded by Dr. Calderon. On roll call, the motion prevailed by the following vote: AYES: Calderon, Burke, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSENT: McAllister, James, Torres.

Dr. Calderon stated he voted 'aye' with the understanding that the phasing out policy with regard to these positions will remain.

69-34 The Clerk read the following ordinances, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Calderon, Burke, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSENT: McAllister, James, Torres.

AN ORDINANCE 37,755

REAPPOINTING MISS JO ESTRADA AND MR. CHARLES HERRERA TO THE BOARD OF HEALTH METROPOLITAN DISTRICT FOR TERMS EXPIRING JULY 31, 1972.

* * * *

AN ORDINANCE 37,756

APPOINTING MR. J. HARRIS HEIN AND MR. PHILIP JOHN EVETT AS MEMBERS OF THE FINE ARTS COMMISSION FOR TERMS ENDING DECEMBER 31, 1970.

* * * *

AN ORDINANCE 37,757

APPOINTING MR. ED HILL AND REAPPOINTING DR. HERBERT CALDERON AND MAYOR McALLISTER AS MEMBERS OF THE BOARD OF FIREMEN, POLICEMEN AND FIRE ALARM OPERATORS PENSION FUND.

* * * *

The Clerk read the following letter.

July 29, 1969

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

Gentlemen and Madam:

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

7-29-69 Petition of Board of Directors of the Kenwood Neighborhood Council, Inc., including members of the Housing Committee of the Kenwood Neighborhood Council, Inc., requesting the City Council to direct the Board of Commissioners of the Urban Renewal Agency of the City of San Antonio, Texas, to designate the Kenwood Area of San Antonio as an Urban Renewal Area for the purpose of eligibility for a Neighborhood Development Program in accordance with the provisions of Title V of the Housing and Urban Development Act of 1968 authorizing such programs to facilitate more rapid redevelopment and rehabilitation of blighted areas on an effective scale by urban renewal project undertakings and activities planned and carried out on the basis of annual increments.

/s/ J. H. Inselmann
City Clerk

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

A P P R O V E D:

Lila Cockrell

M A Y O R

ATTEST:

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

July 31, 1969