

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 19, 1966, 8:30 A. M.

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The regular meeting of the City Council 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 BREMER; ABSENT: NONE.

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66-604 The invocation was given by Reverend C. Don Baugh, Executive Director, Council of Churches of Metropolitan San Antonio.

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The minutes of the meeting of May 12, 1966, were approved.

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66-605 Mayor McAllister presented a proclamation to Capt. Chambless of Salvation Army, proclaiming the week of May 22 through May 29, as Salvation Army Week.

Capt. Chambless thanked the Mayor for the proclamation and introduced Brig. Gen. Bert E. Johnson, U.S.A.F. Ret., who is the Chairman of the Salvation Army Advisory Board. General Johnson thanked the Mayor and stated the Salvation Army is going into its second century of service and, with cooperation of such public officials as the Mayor and the Council and other groups, and through participation in the United Fund, they will forge ahead to greater service for mankind.

The Mayor then presented a proclamation proclaiming the week of May 22 through May 29, 1966 as Conquer Multiple Sclerosis Week, to Mr. Thomas H. Sharpe, attorney, Chairman of the MS Hope Chest Fund Drive. Mr. Sharpe thanked the Mayor for the proclamation and stated they are starting on the MS Hope Chest Fund door to door campaign on Tuesday, May 24.

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66-606 First heard was Case No. 2589, to rezone Tract 3, NCB 13375, triangular in shape, subject property is located northwest of the intersection of Jackson Keller Road and the S.A. & A.P.R.R.; having 1551.19' on Jackson Keller and 2244.56' on the R.R. R.O.W., from "A" Residence District to "B-3" Business District.

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

AN ORDINANCE 34367

AMENDING CHAPTER 42 OF THE CITY COUNCIL THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT 3, NCB 13375, FROM "A" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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66-607 Next heard was Case No. 2620 to rezone 0.286 acres out of Lot 31, Block 5, NCB 11715, more particularly described by field notes in the proposed ordinance, from "A" Residence District to "B-1" Business District, and Lot 31, Block 5, NCB 11715 more particularly described by field notes in the proposed ordinance from "A" Residence District to "B-2" Business District, located on the west side of San Pedro Avenue approximately 160' north of Lorene Lane and located on the northeast side of Lorene Lane approximately 85' north-west of San Pedro.

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

Mr. Alfred Rhode, Realtor, stated that his client was agreeable to sign any letter with restrictions in order to eliminate the opposition of the Archdiocese. The Archdiocese, he explained, was afraid that garbage cans and trash would litter the entrance and be an eye-sore to the Chancery Offices. As far as the use of the land is concerned, a thorough study and arrangements have been made in the placement of the buildings to determine the best use of the land. He stated that at all times the area adjacent to the Chancery Office will be used for parking. It is not the intention of his client to do any damage to his neighbors.

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Mr. Pat Kennedy, attorney for the Archdiocese, opposed the rezoning and presented a letter signed by the Archdiocese, which stated that the original case which was presented to the Planning Commission showed a set of plans which indicated that a furniture store would be built on this property. However, now the applicant states that the furniture store will be built elsewhere. The present plans for the subject building call for the rear of the building to face the front entrance of the Chancery Office.

Mr. Albert Lowery, applicant, stated that time is of the essence and reviewed the plan of the property. He is willing to sign a document with the restrictions but not a covenant against the property. He is willing to sign a letter of intent and put it on the present plans that there will be no change in the proposal or in the construction and layout of the property.

After further discussion, it was decided to postpone action on this case until later on in the meeting to see if the attorney for the Archdiocese, Mr. Kennedy, and the applicant, Mr. Lowery, could reach an agreeable understanding.

66-608 Next heard was Case No. 2654, to rezone 18.140 acres out of Tract G and Tract C, NCB 13753, more particularly described by field notes in the proposed ordinance, from Temporary "A" Residence District to "B-3" Business District, and 81.043 acres out of Tract G and Tract C, NCB 13753, more particularly described by field notes in the proposed ordinance, from Temporary "A" Residence District to "I-2" Heavy Industry District, located on the west side of Nacogdoches Road, approximately 639' south of the Missouri Pacific railroad tracks.

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

No one spoke in opposition.

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

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AN ORDINANCE 34368

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 18.140 ACRES OUT OF TRACT G AND TRACT C, NCB 13753, MORE PARTICULARLY DESCRIBED IN FIELD NOTES BELOW, FROM TEMPORARY "A" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, AND 81.043 ACRES OUT OF TRACT G AND TRACT C, NCB 13753, MORE PARTICULARLY DESCRIBED IN FIELD NOTES BELOW, FROM TEMPORARY "A" RESIDENCE DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT.

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66-609 Next heard was Case No. 2699, to rezone Lot 31, Block 9, NCB 8672, located on the east side of Jones **Maltsberger** Road 102.8' south of Northern Boulevard, from "A" Residence District to "B-3" Business District.

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

No one spoke in opposition.

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

AN ORDINANCE 34369

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 31, BLK. 9, NCB 8672, FROM "A" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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66-610 Next heard was Case 2701, to rezone the north 120' of Lot 29, Block 1, NCB 7185, located on the south side of I. H. 10 Expressway 240.1' east of Vance Jackson Road, from "A" Residence District to "R-2" Two-Family Residence District.

Asst. Planning Director Burt Lawrence, 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. Jones, the following ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 34370

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 120' OF LOT 20, BLK. 1, NCB 7185, FROM "A" RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT.

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66-611 Next heard was Case No. 2708, to rezone Lots 49, 50 and 51, Block 1, NCB 3112, located southeast of the intersection of Michigan Avenue and Hildebrand Avenue, from "F" Local Retail District and "B" Residence District to "B-3" Business District.

Asst. Planning Director Burt Lawrence 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 Mrs. Cockrell, the following ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34371

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 49, 50, AND 51, BLK. 11,
NCB 3112, FROM "F" LOCAL RETAIL DISTRICT
AND "B" RESIDENCE DISTRICT TO "B-3"
BUSINESS DISTRICT.

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66-612 Next heard was Case No. 2710 to rezone Lot 43,
Block 12, NCB 13883, Lot 2, Block 1, NCB 13862, located
northeast and southeast of the intersection of Bennington
Drive and Callaghan Road from "A" Residence District to "R-2"
Two-Family Residence District.

Asst. Planning Director Burt Lawrence, 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 Dr. Calderon,
the following ordinance was passed and approved by the following
vote: AYES: McAllister, Calderon, Jones, James, Cockrell,
Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34372

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 43, BLK. 12, NCB 13883, AND
LOT 2, BLK. 1, NCB 13862, FROM "A" RESIDENCE
DISTRICT TO "R-2" TWO-FAMILY RESIDENCE
DISTRICT.

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66-613 Next heard was Case No. 2711, to rezone Lot 28,
Block 9, NCB 13655, located northeast of the intersection of
Farragut Drive and Callaghan Road, from "A" Residence District
to "R-2" Two-Family Residence District.

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

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No one spoke in opposition.

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

AN ORDINANCE 34373

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 28, BLK. 9, NCB 13655, FROM "A" RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT.

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66-614 Next heard was Case No. 2712, to rezone Lots 16-25, Block 1, NCB 13862, located northwest of the intersection of Hemphill Street and Darwin Drive, and Lots 1-4, Block 1, NCB 13915, Lots 1-6, Block 2, NCB 13916, located southwest of the intersection of Hemphill Street and Darwin Drive; from "A" Residence District to "R-2" Two-Family Residence District.

Asst. Planning Director Burt Lawrence 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 Dr. Calderon, the following ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34374

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 16-25, BLK. 1, NCB 13862, LOTS 1-4, BLK. 1, NCB 13915, LOTS 1-6, BLK. 2, NCB 13916, FROM "A" RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT.

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66-615 Next heard was Case No. 2713, to rezone Lot 45, NCB 11875, located southeast of the intersection of Greenbrier Drive and Broadway, from "A" Residence District to "B-3" Business District.

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

No one spoke in opposition.

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

AN ORDINANCE 34375

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, NCB 11875, FROM "A" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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66-616 Next heard was Case No. 2715, to rezone Lot 7, and east 12.5' of Lot 8, Block 19, NCB 7328, located on the south side of Agnes Lane approximately 160' west of McCullough Avenue from "C" Apartment District to "B-3" Business District.

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

In answer to a question from the Council, Mr. Harold Hailey, the applicant, explained he needs a building to house his additional supplies and equipment for operation of his plant, as he has no room for expansion in his present building. The property adjoining his belongs to San Antonio Independent School District and he has offered to purchase a portion of the school yard, since the school has been declared surplus.

He further stated that there would be sufficient off-street parking.

No one spoke in opposition.

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

AN ORDINANCE 34376

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 7, AND EAST 12.5' OF LOT 8, BLK. 19, NCB 7328, FROM "C" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT.

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66-617 Next heard was Case 2716, to rezone Lots 19, 20 and west 29' of Lot 18, Block 51, NCB 8807, located northwest of the intersection of West Avenue and West Olmos Drive, from "F" Local Retail District to "B-3" Business District.

Asst. Planning Director Burt Lawrence 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 Dr. Parker, the following ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34377

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 19, 20, AND WEST 29' OF LOT 18, BLK. 51, NCB 8807, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

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66-618 Next heard was Case No. 2609, to rezone Lot 8, NCB 10101, located southwest of the intersection of Veda Mae Drive and San Pedro Avenue, from "B" Residence District to "B-1" Business District.

Asst. Planning Director Burt Lawrence 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 Dr. Calderon, the following ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34378

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 10101, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

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66-619 Next heard was Case 2719, to rezone Lot 14, and E. 13.44' of Lot 13, Block 10, NCB 372, located northwest of the intersection of Howard Street and W. Poplar, from "E" Office District to "B-3" Business District.

Asst. Planning Director Burt Lawrence explained the proposed change which the Planning Commission recommended be denied by the City Council. Since this is an appeal case it will take seven affirmative votes by the City Council to grant the change.

Mr. Seymour Dreyfus, applicant and representing the estate of Morris Kallison, the other applicant, reviewed the entire area and stated that it is becoming an extension of the central business district and the property is in a block of older residences, existing as "E" Office Zone. He also stated that the tenant for this building, the American Optical Co., was now located in the Bedell Building. Throughout the country, the American Optical Company is relocating its operation in this type of office building. It would be the business of grinding lenses and selling them to dispensing opticians. The building intended for the subject property would be in keeping with the surrounding neighborhood.

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No one spoke in opposition.

After discussion by the Council, Mr. Jones made a motion to overrule the recommendation of the Planning Commission to deny the rezoning, and approve the request for zoning change, and after a second by Dr. Parker, the request was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 34379

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 14, AND E. 13.44' OF LOT 13, BLK. 10, NCB 372, FROM "E" OFFICE DISTRICT TO "B-3" BUSINESS DISTRICT.

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66-607 At this time, Case 2620, which was postponed earlier in the meeting, was heard. Mr. Albert Lowery read the letter to Most Reverend Robert E. Lucey, Archbishop of San Antonio, who opposed the zoning change, which reads as follows.

May 19, 1966

Most Reverend Robert E. Lucey
Archbishop of San Antonio
9123 Lorene Lane
San Antonio, Texas

Your Excellency:

Attached herewith is a copy of my proposed uses of the property directly across from the Chancery.

The area which shall be directly across Lorene Lane from your entrance to the Chancery shall be used for parking.

I propose to place trees, shrubs, etc., to conform with your landscaping.

At no time shall I deposit trash or any objectionable material to detract from the beauty of your entrance.

Yours very truly,

/s/ Albert Lowery

Mr. Pat Kennedy, attorney for the Archdiocese, again opposed the agreement in letter form only.

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

AN ORDINANCE 34380

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 0.286 ACRES OUT OF LOT 31, BLOCK 5, NCB 11715, MORE PARTICULARLY DESCRIBED BY FIELD NOTES HEREIN, FROM "A" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT AND LOT 31, BLOCK 5, NCB 11715, MORE PARTICULARLY DESCRIBED BY FIELD NOTES HEREIN, FROM "A" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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66-620

The Clerk read the following ordinance.

AN ORDINANCE 34381

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 13.766 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT CITY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Planning Director, explained that this is the first reading and is to be passed and approved for publication only. He also explained that this was at the request of the subdivider, and that this is all of Camelot Subdivision, Unit 6.

No one asked to be heard on the matter.

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

66-621 Mayor McAllister recognized Mrs. Raffkind, a teacher, who was in the audience with students from Alamo Heights Junior and Senior High Schools and Robbins School, to observe municipal government in action.

66-622 The Clerk read the following ordinance.

AN ORDINANCE 34291

EXTENDING FOR A PERIOD OF TEN (10) YEARS FROM THE EFFECTIVE DATE HEREOF, UNTO THE SAN ANTONIO BELT & TERMINAL RAILWAY COMPANY, ALL OF THE RIGHTS, PRIVILEGES AND FRANCHISES HERETOFORE GRANTED BY THE CITY OF SAN ANTONIO UNTO THE SAID SAN ANTONIO BELT & TERMINAL RAILWAY COMPANY TO CONSTRUCT, MAINTAIN AND OPERATE CERTAIN RAILROAD TRACKS AND APPURTENANT FACILITIES WITHIN THE CITY OF SAN ANTONIO, UPON, ALONG AND ACROSS THE SAN ANTONIO RIVER AND VARIOUS STREETS, AVENUES AND ALLEYS OF THE CITY OF SAN ANTONIO, AS NAMED IN PRIOR ORDINANCES MAKING SUCH GRANTS TO SUCH COMPANY; PROVIDING FOR A PUBLIC HEARING TO BE HELD ON APRIL 28, 1966, AND DIRECTING PUBLICATION THEREOF.

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City Manager Shelley explained that this is the third and final reading of the above ordinance.

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

66-623

The Clerk read the following ordinance.

AN ORDINANCE 34382

AMENDING ORDINANCE NO. 33995, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON JANUARY 6, 1966, AND AMENDING ORDINANCE NO. 34067, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON JANUARY 27, 1966, AND DECLARING AN EMERGENCY. (CONCERNING PURCHASE OF 50 TRANSIT SYSTEM BUSES & FINANCING OF)

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Asst. City Manager Dave Harner, briefed the Council on the ordinance, and on motion made by Mr. Bremer, seconded by Mr. James, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino and Bremer; NAYS: None; ABSENT: Jones, Gatti and Parker.

City Attorney Sam Wolf explained the following ordinances, and on motion of Dr. Calderon, seconded by Mr. Bremer, were each passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino and Bremer; NAYS: None; ABSENT: Jones, Gatti and Parker.

66-624

AN ORDINANCE 34383

AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS TO VARIOUS INDIVIDUALS WHO HAVE OFFERED TO PURCHASE SPECIFIC TRACTS OF LAND AS DESCRIBED IN SAID DEEDS, SAID TRACTS HAVING BEEN ACQUIRED BY THE CITY AT A SHERIFF'S SALE FOR TAXES AND AUTHORIZING THE DIRECTOR OF FINANCE TO DISBURSE FUNDS DUE OTHER TAXING UNITS AND AMOUNTS DUE FOR COURT COSTS AND SHERIFF'S COSTS IN CONNECTION WITH CAUSE NO. C-13117.

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66-625

AN ORDINANCE 34384

AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED TO MIGUEL S. GARZA TO LOT 7, BLOCK 29, NEW CITY BLOCK 3628, SITUATED IN THE COUNTY OF BEXAR AND STATE OF TEXAS, AND WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO IN CONSIDERATION OF THE SUM OF \$334.01 AND AUTHORIZING THE DIRECTOR OF FINANCE TO DISBURSE FUNDS DUE OTHER TAXING UNITS AND AMOUNTS DUE FOR COURT COSTS AND SHERIFF'S COSTS IN CONNECTION WITH CAUSE NO. C-14165.

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66-626

AN ORDINANCE 34385

AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED TO THE NEW MOUNT PLEASANT BAPTIST CHURCH TO THE NORTH HALF OF LOTS 17 & 18, ARB A-17, BLOCK 37, NEW CITY BLOCK 2862, AND THE SOUTH 53 FEET OF LOTS 17 & 18 ARB A-18, BLOCK 37, NEW CITY BLOCK 2862, SITUATED WITHIN THE COUNTY OF BEXAR AND STATE OF TEXAS AND WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO IN CONSIDERATION OF THE SUM OF \$1,935.42 AND AUTHORIZING THE DIRECTOR OF FINANCE TO DISBURSE FUNDS DUE OTHER TAXING UNITS AND AMOUNTS DUE FOR COURT COSTS AND SHERIFF'S COSTS IN CONNECTION WITH CAUSE NO. C-14107.

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66-627

The following resolution was explained by City Manager Shelley, and on motion made by Dr. Calderon, seconded by Mr. James, was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Parker, and Bremer; NAYS: None; ABSENT: Jones and Gatti.

A RESOLUTION

APPROVING THE AMENDMENT OF RULE XXXI, SECTION 152, OF THE FIRE AND POLICE CIVIL SERVICE RULES BY PROVIDING THAT CANDIDATES FOR ORIGINAL APPOINTMENT IN POLICE DEPARTMENT MUST BE AT LEAST 20 YEARS OF AGE AND NOT OVER 35 YEARS SIX MONTHS OF AGE AT THE TIME OF APPOINTMENT; AND AMENDING A RESOLUTION ADOPTED MAY 12, 1966, IN ACCORDANCE HEREWITH.

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66-628

Assistant City Manager Dave Harner, explained the following ordinance, and on motion of Dr. Calderon, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti; ABSTAINED: Jones.

AN ORDINANCE 34386

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE CITY OF WINDCREST AND BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10 UNDER WHICH THE CITY OF SAN ANTONIO WILL PROVIDE TRANSPORTATION AND TREATMENT FOR SEWERAGE FROM WINDCREST AND SAID DISTRICT.

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

66-629

AN ORDINANCE 34387

AUTHORIZING EXECUTION OF A CONTRACT WITH SELIGMANN AND PYLE, CONSULTING ENGINEERS, TO FURNISH SERVICES IN CONNECTION WITH THE WINDCREST OUTFALL SEWER PROJECT; APPROPRIATING THE SUM OF \$8,075.00 OUT OF SEWER REVENUE FUND 2-04 IN PAYMENT FOR SAID SERVICES AND APPROPRIATING THE SUM OF \$500.00 OUT OF THE SAME FUND TO BE USED AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT.

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66-630

AN ORDINANCE 34388

GRANTING PERMISSION TO THE WULFE AIR PARTS CORPORATION TO ERECT A CHAIN LINK FENCE APPROXIMATELY 8 FEET IN HEIGHT AT ITS PLACE OF BUSINESS LOCATED AT THE CORNER OF S. W. 34TH STREET AND GROWDON ROAD.

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66-631

Councilwoman Cockrell read the following resolution and made a motion that it be passed and approved by the City Council. Mr. Trevino seconded the motion, and the following resolution was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

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A RESOLUTION

WHEREAS, the aims and objectives of the San Antonio Garden Center, Inc., in making San Antonio a more beautiful place in which to live and play, through the cultivation and display of Nature's richest flora, is an inspiration to all; and

WHEREAS, the recent 1966 Flower Show, The Carnival of Flowers, which was so thoughtfully dedicated to the City Council of the City of San Antonio, brought the attention of the entire community into sharp focus on the aesthetic values set by this organization; and

WHEREAS, the residents of this city, in viewing the wonderful array of flowers and plants displayed for their enjoyment, are, as a result, more acutely aware of the pleasure that is available to us all in our yards and gardens, NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

That the San Antonio Garden Center, Inc., be complimented and commended for its unselfish contribution to the beautification of our city and the inspiration of all our citizens.

BE IT FURTHER RESOLVED that this resolution shall be spread upon the minutes of the City Council and a copy thereof certified by the City Clerk under the Seal of the City of San Antonio be forwarded to the President of the San Antonio Garden Center, Inc., in evidence of the admiration and gratitude of the City of San Antonio.

PASSED AND APPROVED this 19th day of May, 1966.

/s/ W. W. McAllister
M A Y O R

ATTEST: /s/ J. H. Inselmann,
City Clerk

66-632

The Clerk read the following letter.

May 19, 1966

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

Gentlemen and Madam:

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

- 5/16/66 Petition of Jose Calderon, President, Las Colonias Unidas Neighborhood Council, requesting that traffic signals be installed at the following intersections: General McMullen and El Paso; and General McMullen and Ceralvo.
- 5/16/66 Petition of Jose Calderon, President, Las Colonias Unidas Neighborhood Council, requesting that a sidewalk be installed on South San Joaquin Street between Castroville Road and Highway 90 West.
- 5/16/66 Petition of Jose Calderon, President, Las Colonias Unidas Neighborhood Council, requesting that stop signs be installed at the following intersections: Elridge and S. San Joaquin; Moraime and Akron; Dahlgreen and Akron; Dahlgreen and Elridge; and 34th and Ceralvo.

Sincerely,

/s/ J. H. Inselmann
City Clerk

The City Manager made the following reports on petitions.

66-633 Petition of Wulfe Air Parts Corporation, requesting the City Council to grant approval to erect a seven-foot chain link fence plus three strands of barbed wire for a total overall height of eight feet on property located at the intersection of Growdon Road and S. W. 34th Street, in order to prevent stealing materials stored in the open.

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Our investigation reveals that this fence is to take in the additional land that has been purchased and replatted for the Wulfe Aircraft Operation. A condition of the zoning agreed to by the petitioners was that no parts would be stored outside on this property. Their intention is to put a building on that ground at a later date.

We recommend approval of the request.

This request was granted earlier in the meeting by passage of Ordinance No. 34388.

66-634 Petition of Mr. Floyd Akers and others, requesting the City to consider the limit of ten (10) chickens which can be kept on a normal City lot.

The present City ordinance provides that ten (10) chickens may be kept ~~no~~ less than 20' from another's house or business building and that 100 chickens may be kept no less than 150' from another's house or business building.

After consulting with the original committee on this ordinance, we recommend an intermediate step of 25 chickens not less than 50' from another's house or business building.

The City Council concurred with the City Manager's report.

66-635 Request of Alamo Guided Tours. We have received two additional requests from Alamo Guided Tours that are not covered by their franchise. These requests are:

- A. That free and reserve parking be made available for vehicles owned by Alamo Guided Tours at the Alamo, La Villita, and Casa Rio.
- B. That an advertising pamphlet entitled "Alamo Tours Welcomes You to a Red Carpet Day" be placed on the City's tourist information cart.

In accordance with past policy, the City Manager does not recommend approval of either request.

Mr. Emil Kifuri of Alamo Guided Tours presented a letter to each Councilman requesting reserved parking spaces for his limousines. He stated that the Grayline Tours enjoys this privilege. After discussion by the Council, although the Staff had recommended denial of this request, the City Manager was directed to reconsider Mr. Kifuri's request and make a report to the Council at the next Council meeting. Mr. Kifuri was also asked to comply with his franchise and deliver to the City Manager a list of his tours to be authorized by the City Manager.

66-636 At this time the City Manager asked the Council if they wished to consider an ordinance canceling the American Legion Bench Ad Franchise which ordinance would put the Legion on a 90 day cancellation notice. It was the concensus of the Council to delay consideration of this ordinance one week in order to notify the Legion by letter of the impending action.

66-637 Mr. Ernest Allison, doing business as Traders By Products, Inc., 3731 Miner Street, informed the Council that he has terminated his lease for rendering with V & L Products Co., Inc., and requested permission to operate a Transfer Station at 150 Apache Street. He further stated that he would haul all waste products by truck to Hamilton, Texas and would not conduct rendering operations in San Antonio.

After discussion by the Council, the Mayor informed Mr. Allison that no Council action was necessary and for Mr. Allison to apply for a Certificate of Occupancy.

66-638 Mr. Earl Wentworth, representing the Taxpayer's League, read the following resolution passed by his organization.

A RESOLUTION

BE IT RESOLVED BY THE TAXPAYERS LEAGUE:

That the City Council and the County Commissioners' Court be requested to study the feasibility, cost and probable advantages of furnishing birth control education and supplies through the City-County Health Department.

PASSED AND APPROVED at the regular monthly meeting on May 18, 1966.

/s/ Earl J. Wentworth
President,
The Taxpayers' League
of San Antonio.

Mr. Wentworth asked the Council for their consideration. He also stated the Commissioners' Court of Bexar County would also be asked for their cooperation.

The Mayor informed Mr. Wentworth that the Council would be happy to consider this resolution.

Since no other citizen asked to be heard at this time, the Mayor declared a recess until 11: A. M.

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At 11:00 A. M., the meeting reconvened.

66-639

The Mayor recognized Mr. Marshall Steves, President of the San Antonio Tower Corporation, who presented the following resolution for consideration of the City Council.

A RESOLUTION

APPROVING AGREEMENTS OF SAN ANTONIO TOWER CORPORATION WITH ARCHITECT AND CONTRACTOR FOR CONSTRUCTION OF TOWER OF AMERICAS.

* * * * *

Mr. Steves explained the resolution and asked the Council to take action on it at this meeting and offered to answer any questions with reference to the Tower.

The following discussion took place.

MAYOR: First, let me ask this concerning this resolution, do you want these contracts signed too?

STEVES: As I understand it, the Board of Trustees of the San Antonio Tower Corporation are authorized to sign the contract. We merely ask for ratification of the action taken by the Tower Corporation.

MAYOR: This is a sort of a complicated proposition. The non-profit corporation is a corporation that will issue the bonds and I understand you have made application through your attorneys so that the interest on the bonds will be tax exempt.

STEVES: That is right, yes.

MAYOR: Do you have a file on that?

STEVES: No, sir, we have not. Due to the fact that there has been some question on the matter of the letting of the bid, may I say a few words about that?

MAYOR: Yes, please explain to us how the bids were let and how the contractors were selected.

STEVES: Before we got bids on the Tower, we made a list of pre-qualification requirements on the bidders. It was a some two-page document that we sent to the local contractors, the Association of General Contractors. We also sent it to all underwriters of the San Antonio Tower Corporation that were indicated to be in the general construction business. These pre-qualifications were formulated to try to get the best person necessary to construct this structure. The tower is a

622 foot slip form building of concrete. We wanted to be certain that whoever would bid this would be qualified. From this, there were three people that were qualified. The Tower Corporation approved all three of these contractors. The three contractors were D. J. Rheiner Construction Co., D. W. Mitchell Construction Co., and C. L. Browning Construction Co. We had a bid opening some three weeks after this. The bid time was also set in the pre-qualification requirements. Everyone, all of the contractors, the ones that indicated an interest in the bidding, they indicated also that the timing was adequate for them to come up with an adequate bid, or to properly formulate their bid.

I would like to inform the City Council that we only had one bidder on the tower. The bidder on the tower was D. J. Rheiner Construction Co., the name of the gentleman that is in the resolution. I want to make it real clear that the Board of Trustees of the San Antonio Tower Corporation, as well as Mr. Rheiner, thought that we were going to have competitive bids when he submitted his figures. In fact, I know for a fact that as late as noon on the day of the bid opening, Mr. C. L. Browning was going to submit a bid. I wanted to mention this as there has been some criticism about the manner in which it was handled. If there are any other questions which you would like to have answered, I will be happy to answer them.

MAYOR: That information was made available to all contractors in San Antonio?

STEVES: Yes, sir.

MAYOR: Just explain to me and the Council, the nature of the qualifications and limitations on the bid.

STEVES: This is a four million dollar job. We did not have complete plans and specifications on this. The HemisFair Corporation, San Antonio Fair, Incorporated has put up the seed money as it were, for the schematic drawings and we did not have the working drawings to bid from. This made it a little more difficult than if we did have complete drawings. Obviously, the 6% of the architectural contract is obviously a construction contract. The Tower Corp., did not feel that they wanted to pay the \$250,000 to \$300,000 that it would have been necessary to pay for architectural fees in order to get complete working drawings. So we, San Antonio Fair, Inc. has put up literally \$52,000 which was spent on drawings and engineering fees that were adequate to come up with the type of bid that was asked for.

I might mention that the type bid that was asked for was a "cost not to exceed figure". A top price, a bonded top price of the contract that was guaranteed. The second question that was asked in the bids were the contractors' fees. The third was the amount the contractor, in a percentage, would want for anything saved should the cost come under the "cost not to exceed figure". Mr. Rheiner's bid was, I think, in the neighborhood of four million dollars. It's all in this. His fee is \$100,000 plus 15% of anything saved below the "cost not to exceed figure".

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MAYOR: Are there any questions that the Council would like to ask about that?

COUNCILMAN CALDERON: I was just wondering why the proposal, when the bids were opened up, wasn't made public?

STEVES: The reason why it wasn't, sir, is because we didn't know the final figure until this past Wednesday or rather Monday when the Tower Corporation met to approve the contract. The Tower itself and the architectural drawings on the tower itself, was kept to a bare minimum to be certain that it would come in the money. The entire bid came considerably lower than we thought it could come in at. So we were able to add back in approximately a half million dollars into the tower bid in the negotiations after the contract was let, by putting awnings into the bid, by putting landscaping around the tower, by putting the fixtures into the upper levels, rugs and that sort of thing. So approximately another half million dollars was added in. To answer your question again, sir, the reason why it wasn't made public is that we really weren't certain of the figure ourselves to make public. In fact, not until really, literally today, were we certain.

COUNCILMAN CALDERON: I might just say that the entire bidding procedure, I think, has been a factor that cast doubt. You might say suspicion, unreasonably to be sure, on the total tower operation and I wish it had not been done in this fashion. Had we stuck to regular procedures we would have received good or better support.

STEVES: I think, I would like to say something about that, sir. We did stick to a regular procedure. We had a pre-qualification requirement that was set out and I think that was a must in this kind of a job. I think that everyone that, as it turned out; that everyone that applied; that did meet the pre-qualification requirements; we did accept as a bidder, and I don't know another way to comply.

MAYOR: The only other way, Dr. Calderon, that it could have been done, is that it could have been for somebody to have assumed the liability for the architectural cost of the complete drawings. If I recall correctly, Mr. Harris, you draw one and one-half per cent of supervision. The drawings on that would have cost \$200,000. Now, there just wasn't any \$200,000 available for anybody to put up on a proposition that is as sterile and uncertain as this. The whole proposition hinges upon the ability of the Tower to sell the bonds. That was the reason that the contract had to be let in that manner. That was understood and acceptable to the three men, the three contractors who were seriously interested in bidding on it.

COUNCILMAN JONES: Will you give us a little bit of indication of the type of construction? I understand it is to be slip form concrete.

STEVES: It is to be of slip form concrete, Mr. Jones, and the most noted corporation in this field for slip forming, will be a sub-contractor on the job. The Tower will literally be erected in less than a year, we hope. We would like to start construction in September of this year, and the contract calls for it to be completed by the following December. It is the hope, however, that it can be completed in a year, as opposed to 15 months.

COUNCILMAN BREMER: Mr. Steves, is there any way that some of us in the Council can see these schematics? I have never seen anything but pictures and such. I don't even know what they are talking about.

STEVES: I am sure that they can, yes sir. I might say that the final drawings on the tower must be submitted to the City Council for approval. Also the Fine Arts Commission will approve it at the proper time. What we are asking for now, sir, is the authority to proceed with the final drawings so that we can go on with it and commission an architect to do this.

MAYOR: Mr. Bremer has just raised the question of not having seen the drawings. As a matter of fact, this resolution that you want us to pass and the contract approved is merely a contract based upon the acceptance of the plans of the tower.

STEVES: Yes, sir. What we must do, as pointed out, that in order to build the tower, we must sell the bonds. The design of the tower is subject, obviously, to approval of the City Council. Unless we are able to sell the bonds on the tower, then the tower can't be built. I would like to say something about that, if I may. There will be no public liability or city liability whatsoever on the bonds as we contemplate them being issued.

MAYOR: Have you before you the memorandum of how the cost might be six million dollars as there might be some question as to what transpired, such as what happens to two million dollars, or why has two million dollars been planted on top of the minimum contractual cost?

STEVES: I might say, Mr. Mayor, that the contract figure is \$4,083,080.00. I do not have, in this listing, the breakdown of the expenses. Mr. Jeffers, from our bonding company is here. Would you like him to make the presentation?

MAYOR: Yes, if you will step forward then we will ask additional questions.

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JEFFERS: Mr. Mayor and Members of the Council, my name is Jeffers, and I am with Dittmar and Company. I am with a group who are representing the financing of the tower building. As Mr. Steves has mentioned, the total contract cost is \$4,083,080.00. That is the maximum the tower can cost. Eighty-five per cent of any saving under that would revert to reduce the cost of the tower. In order to insure additional funds for design and structure, and other contingencies which might come up when they do the final drawings, they made an allowance of \$271,920.00 for contingencies that may or may not be used. So it makes a maximum total possible cost of construction to be \$4,355,000.00. That contract will be secured by a comprehensive completion bond to insure the completion within that figure. We have to have that in order to have something definite. Architectural and Engineering fees which are 6%, are roughly \$275,000.00, including the feasibility reports that were paid for by the HemisFair Corporation. There is an allowance of \$50,000.00 for working capital to give the San Antonio Tower Corporation money to start business with. There is a land rental to be paid the HemisFair that will be \$250,000.00 based on the same rate that every other exhibitor will pay to the Fair for the right to exhibit. There is an additional amount that will be fiscal, legal and printing, which amounts to \$350,000.00. Then, in order to insure payment of interest on the bonds during the period of construction, it will have two years of interest to be sure that there will be money in the bank to pay interest while the construction is going on and until they start getting some money in. That will amount to \$720,000.00. This will bring the total amount of the bond issue to \$6,000,000.00 which we hope to start selling as soon as we get the legal technicalities out of the way by about June or the first of July.

MAYOR: Any questions?

COUNCILWOMAN COCKRELL: Mr. Mayor, I think that there is one point I want to emphasize, and that is the Tower Corporation, is a non-profit corporation. I have had one letter from a citizen who evidently misunderstood this. I think that it needs to be re-emphasized to the public that this is a non-profit corporation and that, in the end, the ownership of the Tower will come to the City. This is not a venture which is for the personal gain of any one individual, but it is simply something that is being erected by the Tower Corporation for the benefit of San Antonio and San Antonians.

MAYOR: The Directors or the Trustees of the Tower Corporation were appointed by the City Council and they consist of Mr. Marshall Steves, Mr. John White, A.J. Monier, Mr. Bill Flannery and myself. At my suggestion, and my strong urging, Mr. Marshall Steves accepted the Presidency. I felt that it was highly desirable to have him as president of the

Tower Corporation, as he is president of the HemisFair, because of the relationship between the two organizations. So Mr. Steves is serving in that capacity as a result of my suggestion. None of the Directors or Trustees get one dime for their services and I want to say that here is a group of dedicated citizens who are trying to do something for the benefit of the citizens of San Antonio. When the bonds have been retired, the tower will be turned over to the City of San Antonio, free and clear of debt. The City will own it. It will become the property of the City. It will be a money making venture and we feel sure that it will be a great asset to our Convention Center. First we were thinking of a bond issue of \$5,270,000.00 and then that didn't do, so we moved it up to \$5,500,000.00 and that didn't work. So the bond issue was moved up to \$6,000,000.00. You can see that with the interest on the bonds coming to \$720,000.00 and the other expenses in connection with it, it would have been impossible to say what the amount of the bond issue should be until all the factors that enter into the cost of the entire operation have been studied and considered and they were not available at the time that the bids were opened.

COUNCILWOMAN COCKRELL: Mr. Mayor, I would like to make just one other statement. I would appreciate this being made a part of the record. Mr. Steves has indicated this, but I would appreciate this being a part of the record, "that the final approval of the plans will rest with the City Council and that we will invite the opinion and recommendation of our Fine Arts Commission."

MAYOR: Now let me make one additional statement, and I would like for you, Mr. Jeffers, to explain to the Council, why you desire these contracts approved at this particular time, when, as a matter of fact, the plans aren't fully complete and so on.

JEFFERS: The reason that we are requesting the Council approval is twofold. Number 1, the Internal Revenue Service, and we have asked them to give us a ruling that the interest of these Tower Revenue Bonds will be tax exempt. We must have approval of the City Council of these various actions in order to carry the tax exemption. Number 2, we hope to interest sizable institutions in buying these bonds. They want to know, they want something that they can get their teeth into, that the tower is going to be built for so much money. That it won't cost any more than that and there be no question that it can be built by that kind of money. To insure that it will be built we have set up safeguards in the indenture where the money will be put in escrow. It will be paid out only on contractors' estimates. All these things plus many others are required by the people who are buying these bonds. It is not easy to sell Tower Revenue Bonds because it is unusual to tie up the entire revenue on the tower and if the people don't show up and they don't pay their dollar to go, then the people don't get their money back on their bonds. We have to tie everything up tight

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before we go out and talk with these people. The legal requirements like clearance by the FCC, and we have to clear through State laws and all of the states who want to sell them and many other things. This is not a municipal bond in the exact sense of the selling of the City of San Antonio bonds.

MAYOR: Mr. Wolf, have you any statement to make about the Council's requested action?

CITY ATTORNEY WOLF: The matter is legal in all respects and action on the request is appropriate at this time.

CITY MANAGER SHELLEY: I have one question that I would like to ask Mr. Jeffers. My curiosity in this situation is that the requirement in financing the furnishings of the tower should be included in the contract?

JEFFERS: No, in order to keep the cost down, it would be possible that the operator of the restaurants and so forth, furnish them at their own expense.

CITY MANAGER SHELLEY: I am sorry. I must have misunderstood awhile ago. I thought that it was part of the increase.

JEFFERS: The furnishings, the increase to buy furnishings, is for furnishings other than in the restaurants and so forth. That is the only place. Other than that it will be furnished complete in the tower.

MAYOR: Mr. Shelley, you raised the question about the completion date. Mr. Steves, you might explain this as a matter of record how the completion will be assured within a definite length of time.

STEVES: We have critical planning within the HemisFair. All of the HemisFair buildings to be erected on the HemisFair site are following critical planning procedures. In the contract with the contractor, it is agreed, a portion of it is agreed, that the contractor will follow the contractual planning. If it is not followed, there are release clauses that will allow someone else to take over construction.

MAYOR: Any other questions?

STEVES: I would like to mention, too, in respect to the ability to furnish the tower for the restaurant and the rest of these things. We have firm commitments from two sources requesting to bid on part of this. At the proper time, of course, we will present that to you; but we are assured that it can be handled.

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CITY MANAGER SHELLEY: Really, my basic question there, I understood the statement previously made to be that all of the furniture, etc., for the tower would be contracted through Mr. Rheiner.

STEVES: No, that is not correct. I am sorry that I gave that impression.

CITY MANAGER SHELLEY: Well, that is what I was wanting to clarify, because you just get into additional percentages.

STEVES: That is not correct.

SHELLEY: O. K.

MAYOR: O. K. Are there any further questions? In approving this resolution and approving these contracts, we simply are approving the tentative plan which enables the bond people to get in and start contacting their interested purchasers. In the meantime, the architects will complete their drawings and have them fully engineered. The plans will then be submitted to the Fine Arts Commission for consideration and study and then will be sent to the City Council for final approval.

STEVES: Mr. Mayor, one other thing, just for clarification. You might point out that these properties have not been leased or anything yet with the Tower Corporation or with the HemisFair in reference to this site. These matters will also have to be handled.

MAYOR: That will also have to be done.

STEVES: There are no leases at this time. I just wanted to point that out for clarification.

Mrs. Cockrell made a motion that the resolution be adopted. The motion was seconded by Mr. James.

MAYOR: O. K. Are there no further questions? You have heard the motion and the second, if there is no further discussion, call the roll.

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

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66-640 At this time, the Mayor called for the opening of proposals to lease a parcel of land, located within the New Community and Convention Center, for construction and operation of a hotel.

One proposal was received from the Texas Western Hemisphere Development Corporation, principal, and signed by William S. Sands Associates, Consultants and Agents. Also, submitted with the proposal was a proposed Management Contract providing for operation of the hotel by Sheraton Corporation of America.

The proposal called for the leasing of a maximum of 100,000 square feet of land on the basis of \$0.50 per square foot per year, not to exceed \$50,000.00. (The proposal is filed with the original copy of these minutes.)

Mr. William P. Fuller, attorney from New York, and one of a group of individuals submitting the proposal, explained that the proposal is based on schematics. He stated the proposal called for construction to be done in two steps. Phase I calls for the hotel and parking arena to be completed in 22 months after the original contract is signed. Phase II calls for construction of an office building to house City, public or semi-public agencies and a Neiman-Marcus Store, this phase to be completed 24 months after completion of the first.

He stated that during the interval Neiman-Marcus would occupy the 1st floor in the hotel with specialty shops that are usual to such an operation. He added the proposal also included provisions for a boat marina facility in addition to a 500 room hotel and 1,000 car parking garage.

Mr. Fuller stated the hotel will be of convention type and is to work with the Convention Center. It is to be tied in on a schedule with the HemisFair and will not provide facilities that are in competition with the Convention Center. In turn, the hotel has to be able to book and schedule conventions and there has to be some agreement that the hotel has some priority arrangements along these lines.

Mr. Robert Ayres, local architect, in response to a question advised the Council that the concept of the plan ties in very well with the Convention Center.

In response to questions, Mr. Fuller stated that Phase I of the proposal was a complete answer to the invitation for a proposal, but they had been considering, in temporary and primary discussions, the entire complex. The reason for this being economical. To successfully operate the hotel, they felt they would have to have office space and a store to make a profit which is the business motive for going into this.

After further discussion, the matter was referred to the City Manager, City Attorney and the Council Committee, composed of Councilmen Gatti, Bremer and Jones, to confer with Mr. Fuller and his Associates and after study, to make a recommendation to the City Council.

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66-641 Mrs. B. L. Couch, President of the San Antonio Women's Golf Association, representing the amateur women golfers in San Antonio, presented a letter asking the City Council to support the recommendation of the Sports Committee of the Chamber of Commerce in which it recommends that the San Antonio Golf Association be made the governing organization to designate which is the City Amateur Championship Tournament for men, women, and juniors and that they be co-sponsored by the Parks and Recreation Department.

Mrs. Couch stated that by doing so, it will eliminate the green fees for these tournaments and promote the growth of amateur golf in the city. The City will be able to make up for the loss of fees by increased use of concessions and golf cart rentals. She reported that approximately 300 juniors; 200 men, and 48 women enter these tournaments.

The Mayor thanked her for the presentation and advised her the matter will be referred to the City Manager and the Director of Parks and Recreation for study and report to the City Council and she would be advised of any action taken.

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66-642 Councilwoman Mrs. Cockrell, advised the Council that the present contract with Bexar County for operation of the San Antonio Metropolitan Health District will expire on June 30, and a new one will need to be negotiated. She reported that the Health District Director is asking the Council to study the matter.

After discussion, the matter was referred to the City Manager and the City Attorney for study and recommendation to the City Council.

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66-643 City Manager Shelley discussed the matter of additional excavation beneath the new main library and its utilization for enclosed parking. He reported there was room for 60 spaces to cost approximately \$60,000 which he felt was not excessive. This will still leave one bay exposed for terracing or other use and asked the Council for an expression on the matter so it can be reported to the Library Board at its meeting later in the day.

After discussion, it was the sentiment of the Council that it was receptive to providing this type of parking and that the price for covered parking is not unreasonable.

The City Manager stated he would so advise the Library Board.

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

A P P R O V E D:

M. W. Muller
M A Y O R

ATTEST:

J. H. Sullivan
City Clerk

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