

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 2, 1968, AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: McALLISTER, CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; Absent: NONE.

68-326

The invocation was given by Councilman Felix Trevino.

The minutes of the meeting of April 25, 1968, were approved with the addition of the following paragraph on page 10:

Mr. Torres: "I don't want to disagree with you, except to point out that the situation is not exactly the same in view of the fact that you are talking about business property in the property that the River Walk Commission deals with, where a man can deduct a tax benefit from the improvements he can put on the property. In the situation of a home owner, he is the one who has to take a loss. I merely want to see that we guarantee that the home owner who has a hardship case--that we are able to respond to his particular crisis, that we don't have a hard and fast rule that says that this has to be done and that we can't make an exception for anybody."

68-110

Mr. George de la Garza spoke to the Council concerning the request of the Columbia Heights Community which Mr. Alfredo Limon had presented to the Council and is as follows:

"The residents of Columbia Heights respectfully request the City of San Antonio to initiate a Capital Improvement Bond issue to correct the deplorable drainage condition that exists in this area and in other areas. We would gladly support a Capital Improvement Bond issue for Drainage and Street Improvement.

We also request that the City Council direct the City Engineers to be sent to our area for a re-study of the drainage problem and that a practical plan be presented that will solve the entire area--and not limiting themselves to one or the other street such as the present master plan would be so limited."

Mr. De La Garza stated that they met last week with members of the City Staff and discussed the problem of streets, and they have come up with a temporary solution that is satisfactory. However, the Columbia Heights community would appreciate something being done concerning drainage. He said they understood that drainage involved a capital improvement program and would require a bond election. Columbia Heights is willing to support a program of this type. He asked the Mayor and Council to start giving it some thought and assured them of their support and felt that the program would carry at an election.

Mr. Sam Granata, Director of Public Works, advised the Council that drainage is the primary problem. They are interested in one drainage project north of Southcross which alone will cost \$1,500,000. Another project just below Columbia Heights and equally important will cost \$1,100,000.

The Mayor stated that, obviously, the City can not take care of these problems with the current income. It will require a bond issue. He expressed a personal feeling that, by the end of the year, the City should know to a degree what it can do, in so far as added income to the City is concerned. He favored an all-inclusive bond issue, even though the bonds would be sold serially, and all the improvements can not be made at one time.

Councilwoman Mrs. Cockrell agreed that serious consideration in the near future should be given to the timing of the next added improvements for the City as it is now about the end of the bond programs initiated in 1964. She said that Mr. De la Garza has brought the particular needs of the Columbia Heights neighborhood to the attention of the City. The Council has also had citizens from the east, west, north, and south sides requesting needed projects and thought that the timing and scheduling of the program should be given serious consideration, with drainage and street improvements high on the list.

To questions by Mr. Torres, the Director of Public Works, on a map of the area in question, showed that one drainage project on Brighton Avenue was constructed with 1964 bonds. In addition, trunk lines with laterals are needed. The projects are classified as underground drainage, and the cost will include only the related street work over and above the streets. No other improvements are included in the estimated cost. When the projects are completed, then the streets, because it is a relatively flat area, can be cut and graded so that they can drain. At the present time, they are flat, and there is no place for the water to go. He added that this water will drain into the San Antonio River, and, from that point on, drainage is satisfactory.

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Dr. Calderon, with reference to what Mr. De La Garza mentioned in reference to the need to take a new look at the G-5 surface streets, stated that Mr. Granata has already been requested, at his suggestion some three weeks ago, to re-study the condition of the G-5 streets and to see that they are maintained. He added that the City needs to have a good idea as to what the sales tax revenue is to be. Revenue from this source has to be well understood before the City can make any kind of commitment towards any bond program. They need to get the total impact of the sales tax revenue in relation to current budgetary commitments, as well as figuring out what should be included in the next bond issue.

Mr. Sam Granata reported that the City has begun a program of reconditioning streets in the area, especially those in Columbia Heights. Starting Monday, the major street in the area will be reconditioned and given another G-5 treatment.

The Mayor was obliged to leave the meeting and Councilman Calderon was elected to preside.

68-329 The first zoning case to be heard was Case 3145 to rezone the west 181.87' of Lot 18, Blk. 7, NCB 707 from "D" Apartment District to "B-2" Business District, located on the southwest side of Victoria Street.

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

No one spoke in opposition.

Mr. Torres made a motion to approve the recommendation of the Planning Commission and grant the rezoning. Mr. Trevino seconded the motion. The motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: CALDERON, JAMES, COCKRELL, TREVINO, TORRES; NAYS: None; ABSTAINING: GATTI; ABSENT: McALLISTER, JONES, PARKER.

AN ORDINANCE 36,466

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 AS THE WEST 181.87' OF LOT 18, BLK. 7, NCB 707 FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT.

Mayor Pro-Tem Gatti took the chair.

68-238 Mrs. Cockrell requested the Council to postpone Item 8 on the supplemental agenda regarding creating a historic district within the City of San Antonio. She stated that this item would require 7 votes in order to pass, and there were only seven Councilmen present. Since there were people in the audience interested in this, and, if the Council postponed this item, they would not be obliged to stay.

The Council agreed to postpone the proposed historic district ordinance for one week.

68-328 The next zoning case heard was Case 3207 to rezone the east and west 87.5' of Lot 35, NCB 11923 from "D" Apartment District and "R-3" Multiple-Family Residence District, the east half of this lot to "O-1" Office District and the west half to "B-2" Business District, located northwest of the intersection of Broadway and Nottingham Road.

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

No one spoke in opposition.

Mr. Torres made a motion to approve the recommendation of the Planning Commission. Dr. Calderon seconded the motion. The motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: McAllister, Jones, Parker.

AN ORDINANCE 36,467

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST AND WEST 87.5' OF LOT 35, NCB 11923 FROM "D" APARTMENT DISTRICT AND "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, THE EAST HALF OF THIS LOT TO "O-1" OFFICE DISTRICT AND THE WEST HALF TO "B-2" BUSINESS DISTRICT.

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68-326 The next case heard was Zoning Case 3283 to rezone Lot 89, Blk. B, NCB 11508 from "A" Single-Family Residence District to "R-3" Multiple-Family Residence District, located on the north side of Woodlawn Avenue, 104.8' west of Embassy Drive.

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

Dr. Calderon stated he had reservations about granting this request, due to the staff's recommendation for denial.

Mr. Lawrence explained that, approximately two weeks ago, the Planning Commission had recommended that this entire area be reclassified to "B-2" Multiple-Family Residence District in line with the new zoning code.

No one spoke in opposition.

After further discussion, Mr. Torres made a motion to approve the recommendation of the Planning Commission. Dr. Calderon seconded the motion. The motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: McAllister, Jones, Parker.

AN ORDINANCE 36,468

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 89, BLK. B, NCB 11508 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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68-327 The last case heard was Case 3296 to rezone Lots 1-10, NCB 14077 and Lots 1-11, NCB 14078 from "A" Single-Family Residence District to "R-3" Multiple-Family Residence District, Lots 1-10, NCB 14077 being located on the west side of Sherrilbrook Road, between Oak Knoll Dr. and Oakwood Dr.; Lots 1-11, NCB 14078 being located northeast of the intersection of Oakwood Dr. and Sherrilbrook Road.

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

No one spoke in opposition.

Dr. Calderon made a motion to approve the recommendation of the Planning Commission. Mr. James seconded the motion. The motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: Calderon, James, Cockrell, Gatti, Torres; NAYS: None; ABSENT: McAllister, Jones, Trevino, Parker.

AN ORDINANCE 36,469

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1-10, NCB 14077 AND LOTS 1-11, NCB 14078 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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The Mayor returned to the meeting and presided,

Mr. John Brooks, Purchasing Agent, briefed the Council on the following ordinances, and on motion made and duly seconded, each was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: Jones, Parker.

68-330

AN ORDINANCE 36,470

AUTHORIZING THE FINANCE DIRECTOR TO PURCHASE CERTAIN "PRECISION" TUBES FOR USE ON AERATION TANKS AT SEWAGE TREATMENT PLANT OF THE CITY OF SAN ANTONIO FOR A TOTAL OF \$1,037.40.

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68-331

AN ORDINANCE 36,471

ACCEPTING THE PROPOSAL OF AND MANIFESTING A CONTRACT WITH EACH OF THE BIDDERS SET FORTH HEREIN FOR THE BIDDER TO FURNISH AND FOR THE CITY OF SAN ANTONIO TO PURCHASE ALL ITS REQUIREMENTS OF CERTAIN SPARK PLUGS FOR A ONE-YEAR PERIOD COMMENCING AUGUST 1, 1968 AND TERMINATING JULY 31, 1969.

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68-332

AN ORDINANCE 36,472

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF JACK HULETT SALES, INC. FOR CERTAIN TRAFFIC SIGNAL CONTROL EQUIPMENT FOR THE CITY OF SAN ANTONIO DEPARTMENT OF TRAFFIC AND TRANSPORTATION FOR A TOTAL OF \$7,135.65 AND TRANSFERRING SAID SUM FROM 70-01-01 TO ACCOUNT NO, 23-04-02.

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68-333

AN ORDINANCE 36,473

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF PERRY SHANKLE COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN CAST IRON MECHANICAL JOINT PIPE FOR USE ONE PROJECT 68-39P FOR A TOTAL OF \$1,102.30.

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68-326 Item 6 on the Agenda was withdrawn at the request of the City Manager.

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

68-334

AN ORDINANCE 36,474

APPROVING THE PROPOSED CONTRACT FOR PLANNING GRANT FOR A COMPREHENSIVE CITY DEMONSTRATION PROGRAM, AUTHORIZING EXECUTION OF SAID CONTRACT AND OF AMENDMENTS THERETO, AUTHORIZING THE DIRECTOR OF FINANCE TO FILE REQUISITIONS FOR FUNDS THEREUNDER, AND GIVING ASSURANCE THAT THE NECESSARY NON-FEDERAL SHARE OF THE COST WILL BE DULY PROVIDED.

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67-801

AN ORDINANCE 36,475

AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH RADIO STATIONS KTSA AND KITE FOR USE OF SPACE ATOP THE TOWER OF THE AMERICAS AS A LOCATION FOR FM RADIO TRANSMITTING ANTENNAS.

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Mr. Gatti asked the City Manager what the status of the General Electric Cablevision was.

Mr. Ancil Douthit, Assistant City Manager, stated that the General Electric Cablevision operation is waiting on the outcome of a suit in Federal Court. The City has received the money as per the contract.

Mr. Gatti then requested the City Manager's staff to prepare a status report and see if some action could be initiated by General Electric at this time as to the educational portion of the cablevision television.

66-1268 Mr. Howard Walker, City Attorney, briefed the Council on the following ordinance.

Mr. Torres made a motion to approve the ordinance. Seconded by Dr. Calderon, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: Jones, Parker.

AN ORDINANCE 36,476

AMENDING AND CORRECTING ORDINANCE 36,465 TO PROVIDE FOR ADJUSTMENT IN THE AMOUNT OF PAYMENT TO BE MADE BY THE CITY TO DON'S AMBULANCE SERVICE, INC.

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68-335 Mr. John Brooks, Purchasing Agent, briefed the Council on the following ordinance, and in answer to questions from Councilman Torres, he explained that the Alamo Windshield Company would be renting approximately 2900 square feet of open space on the first floor of the Martin Wright Building and would be paying the City approximately \$204.54 per month rent, which figured at \$.07 a square foot. He stated that this building has been vacant for some time, and no one had wanted to rent this space due to the exorbitant cost of renovating it. The Alamo Windshield Company will pay the entire cost of renovation as well as the extra electricity used for the display windows.

Mr. Henckel, City Manager, explained that the company desired the space which amounts to two-thirds of the first floor of the Martin Wright Building for excess storage. Their main headquarters is immediately across the street from the Martin Wright Building. Mr. Henckel further stated that the space had been leased to the Adult Education Center for approximately \$100 a month, and the City paid all utilities. Last Spring, the City

felt that it would need the building in order to move the Housing and Inspections Department to this space, but, after serious consideration, the exorbitant cost of renovating the interior of this building, and in view of the fact that the Water Board is planning to build their own building after HemisFair, these plans were dropped. When the Water Board vacates their present location in the City Hall Annex, there will be sufficient room to relocate the Housing and Inspections Department and perhaps another City Department in that space.

In answer to questions from Mr. Torres, Mr. Henckel stated that if the City renovated the Martin Wright Building for its own use, it would cost between \$60,000 and \$70,000. The Civil Defense is occupying one-third of the first floor, as well as the entire second floor and the majority of the space in the basement. It was possible that, eventually, the City could sell the Martin Wright Building.

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

AN ORDINANCE 36,477

AUTHORIZING EXECUTION OF A LEASE OF SPACE IN
A CITY-OWNED BUILDING (OLD MARTIN WRIGHT BLDG.)
TO ALAMO WINDSHIELD COMPANY, INC.

* * * *

67-734 The Mayor declared the hearing open on the petition of Mr. Ruble Langston, requesting a permit for temporary housing during HemisFair on Lot 4, NCB 13804, located at 4511 Austin Highway.

Mr. Steve Taylor, Planning Director, explained that this request by Mr. Langston is to locate some 40 temporary housing units at the address legally described as Lot 4, NCB 13804. Eventually, there would be room for approximately 120 units on this property. He stated that the request had been circulated to all the departments, and there were only minor objections, all of which could be corrected without any problems. The zoning of this property is "I-1" Industrial. There were eight notices mailed. None were returned in opposition; three were returned in favor. Mr. Taylor then recommended that this request for temporary housing be granted by the Council, subject to the corrections being made and subject, of course, to the \$5,000 cash bond required. He explained that, per the resolution passed January 4 by the City

Council, the length of time this permit would be good would be the months during HemisFair plus 2 months afterwards before removal.

No one asked to speak in opposition.

After discussion by the Council, Dr. Calderon made a motion to grant the permit for temporary housing during HemisFair. Mr. James seconded the motion. On roll call, the motion prevailed by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Torres; NAYS: None; ABSENT: Jones, Gatti, Parker.

67-734 The Mayor declared the hearing open on the petition of Donna May Perry, requesting a permit for Temporary Housing (Group Housing) during HemisFair on Lots 17, 18, 19 and 20, Block 41, NCB 344, located at 1247 Winnipeg Street.

Mr. Steve Taylor explained that this property is zoned "B" Duplex District and, if the request is granted, the existing building will be remodeled in the interior and will be used as "Fair-Dorm". The remodeling would be for the addition of certain baths and showers in compliance with the Health Department requirements. Approximately 40 to 50 persons per day would be renting the property. Mr. Taylor explained that all departments recommended the request, subject to minor changes which the applicant had agreed to perform. Notices were mailed, and one was returned in favor, three returned in opposition.

Mr. Cotton, representing the applicant, pointed out that one of the objecters owned vacant property and did not live in the area. The other two individuals who opposed the rezoning opposed it on the basis that this was strictly a residential area.

In answer to questions from the Mayor and Council, Mr. Cotton explained that the dormitories would be used mostly by church groups, and they would arrive by bus, so there will be very little traffic created. He explained that his clients purchased the property on a speculative venture and, after HemisFair, will simply sell the property to a church or private school, as it was used for this purpose previously.

After further discussion, Mr. Torres made a motion to approve the request, seconded by Mr. Gatti.

Mr. Cotton then stated that this was a permanent building and there would be no removal necessary since it will remain as it is after HemisFair, and asked the Council if they would consider waiving the \$5,000 cash bond.

The Mayor stated: "My feeling is that we would put ourselves in a difficult position with regard to any other

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applications or with the other ones that we've already approved if we make an exception in this case. On the other hand, at the expiration of this time when this property is no longer used for that purpose, I would see no reason at all to retain the \$5,000."

Mr. Walker stated: "Mr. Mayor, to the extent that we were to waive the cash bond, it would establish a precedent. To that extent, you will have to make a determination in Council. Now, if it is the desire of Council to waive it, I think it may do so from a legal standpoint on the basis that the intent of the Resolution, if that was the intent of Council, was that it would apply to situations which would require a removal, and this particular fact situation might not necessarily fall within that requirement. Apparently, there is nothing to be removed here, so that Council is going to have to make a determination of whether or not it will make a waiver of this requirement or sustain the requirement and require all temporary housing permit holders to provide a cash bond."

Mr. Torres stated: "Well, my understanding was that we, in the discussion of setting up this \$5,000 requirement at the time we were discussing the temporary facility being located on the Austin Highway, in anticipation that there would be other requests for temporary facilities, I think the requirement would be stringent when we are talking about a permanent facility like this one. I would go along with the waiver."

Mr. Trevino stated: "Well, here we are allowing a temporary use, and how are we to stop them, or how can we be sure that the ordinance will be followed through at the end of this time?"

Mr. Jones stated: "Couldn't the \$5,000 bond be for a discontinuance of the use?"

Dr. Calderon: "This is what I had in mind, and I personally would not be in favor of waiving this bond."

After further discussion by the Council, the Mayor stated that the bond would be required.

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

The Mayor recognized Mr. Quinta Galindo.

68-326 Mr. Galindo stated that he desired to operate a welding shop at 807 N. San Marcos and explained that the Housing and Inspections Department had denied him a permit in order to get his electricity hooked up.

Mr. George Vann explained that Mr. Galindo operated the equivalent of a junk yard at this location, and, at the request of the Mayor, he stated that he would be very happy to talk to Mr. Galindo after the meeting.

68-302 Councilman S. H. James stated that there had been one informal meeting on the matter of a proposed open housing ordinance and asked that the Council give consideration to this matter at next week's meeting.

After discussion, it was the consensus of the Council that a public hearing be held at which all interested persons and organizations can present their views on the subject, after which the Council can proceed with the consideration of an open housing ordinance.

The date of the public hearing was set for May 23, 1968, at 10:00 A.M.

68-326 The Clerk read the following letter:

April 30, 1968

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

Gentlemen and Madam:

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

4-26-68 Petition of Mr. Bryan Maxey requesting the City to erect a series of asphalt humps on Avenue B to deter speeders on this street.

4-29-68 Petition of A. E. Besch requesting a permit to construct a 7 foot fence with barbed wire at the top on property located at 519 Mission Rd. for security purposes.

J. H. INSELMANN
City Clerk

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68-337 The meeting was recessed, and the following was discussed informally.

City Manager Henckel advised the Council that he would like to obtain their approval for him to proceed with negotiation of a contract with the Anovak Computer Company. This computer analyzes character from signatures. They have proposed that they be placed at the Tower entrances, and people, after they buy tickets and are in line, can, if they desire, use the computer to have their character analyzed. He stated that the company has made an attractive guarantee. They are willing to go on a one-year basis, but they would like a contract for a longer period. At this time, he asked that they only allow him to negotiate.

There was some question as to whether it would be appropriate to have the computers at this location.

Mr. Henckel then suggested that one computer be tried out on a 30 day basis to give the Council an opportunity to evaluate it.

There were no objections to the suggestion.

68-338 The City Manager then spoke to the Council regarding the operation of the parking lot on the west side of the Convention Center on Alamo Street. He recommended that this parking lot be included with the present contract with All-Right Parking, for its operation on a charge basis, as they had been experiencing difficulty in controlling this parking lot. The lot is on the west side of the Convention Center on Alamo Street and would be on the same charge basis. It has been figured that revenues could amount to around \$20,000 a month on this facility. At the present time, it is not controlled by anyone. The City has to have a policeman at the gate just to authorize people to come in and park. These are people who are going into the Convention Center, people who are going in for business, and some people who are actually attending conventions. The control has been difficult because many of the employees and workmen have been sneaking in the gate. The gate had to be kept closed. It irritates people that they can not go into the lot, and they see it is not full. Further, it is bad public relations to have the lot there and it not be utilized. He stated that no official action is needed as it will be placed under the existing contract, and it will have the usual cancellation clause.

Mr. Henckel added that the lot on the east side of the Convention Center in back of the Fine Arts Theatre was originally intended to be an employee lot, but has been placed under the contract. The revenue estimate for the first month is around \$9,000 and is probably the most productive parking lot in the whole area

surrounding the Fair, including the two large lots that the City operates. He said that the reason that this lot was made commercial was the same problem of control and that everybody wants free parking. There are so many people who say they have business at the Fair who are only looking for free parking. It puts quite a burden on the Police Department and is costing the City money to operate the lot without any revenue, besides making bad public relations.

Councilman Torres asked if parking meters would work just as well on the west side, with some slots reserved for people with official business. He added that he did not like to see the City commercialize everything around a public facility. The space west of City Hall is not leased to All-Right Parking, but he agreed it is not a good analogy.

Dr. Calderon felt that the recommendation is to overcome the present problem which will exist during the six months of HemisFair, and the Council can take a new look at it after the Fair.

The City Manager stated that, as to the parking meters, this, too, would be a problem because of the cost of checking them, which would be in excess of the revenue that could be derived from these spaces at \$.10 maximum an hour. They would need someone to be checking constantly so that there would not be all-day parking. The charge in the parking lots under the contract would be \$.35 for the first hour, with a maximum of \$1.50.

Mr. Torres objected to the recommendation as he thought there should be something in the community that is free. The City has police and parkettes who are regularly hired to police parking along the streets. He felt that this was no different a situation than on any other public thoroughfare where there are fines established for the purpose of seeing that people don't park in the particular area all day long and take advantage of the City. He felt that the place could be properly striped, limiting parking to an hour or two and either go the parking meter route or at least set up free parking in the area for people who have business at the Convention Center and set a time limit. This would not require a policeman to patrol the area, and a custodial employee could control the lot.

Mrs. Cockrell stated she concurred with the Staff recommendation and that many times there have been people who have conventions and had great difficulty in finding parking adjacent to the Convention Center because it was filled with cars owned by people in the neighborhood who utilized it to park all day. She thought that the proposal will make the parking available to those who really have business at the Convention Center and that the moderate charge for short-term parking will make it available to those who have business in the center or who are there for a particular meeting. She recommended that the Council concur with the Staff recommendation.

Mr. Torres then asked why it was not put up for bids.

Mr. Henckel stated that they could advertise for bids, but he thought the City would be caught in the same category that it is when they talk about city facilities and because of the prime location. They would get bids in excess of what the City thinks an operator could operate profitably. The existing contract with All-Right is reasonable and the reason they were recommended in the first place was that the City felt they were qualified operators. He added that he did not recommend taking a chance with an unqualified operator at this time. He also doubted seriously that anyone else would be willing to contract with a 30 day cancellation clause. With this arrangement, the City has the prerogative of making a change if this operation is not what it should be.

The meeting was reconvened.

Dr. Calderon made a motion that the recommendation of the City Manager to add the parking lot west of the Convention Center to the existing contract with All-Right for its operation be approved. The motion was seconded by Mrs. Cockrell. On roll call, the motion prevailed by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino; NAYS: Torres; ABSTAINING: Jones; ABSENT: Parker.

68-326 Mrs. James and other ladies of the 200 and 300 blocks of E. Lullwood asked the Council for its decision concerning their protest against the establishment of a school for mentally retarded children at 269 and 271 E. Lullwood.

City Attorney Walker stated that, under the City's zoning ordinance, there are several provisions concerning this matter. For example, if you have a day nursery kindergarden, it is limited to twenty students. The particular activity in question has the aspects of a day nursery or kindergarden in that it has noisy children. It also has another provision that a permitted "D" use is a use of a philanthropic nature. It has been held legally speaking that an all day school falls within the category of a philanthropic type of operation. The school in question is for mentally retarded children. The zoning code provides that the use may not be placed in "D" for children or people who are insane or feeble-minded. The medical definition of a mentally retarded child does not fall within the definition of insane or feeble-minded children. He said that, therefore, it is the opinion of the Legal Department that the proposed use does fall under the philanthropic aspect of the "D" zone, and, while it may be an unfortunate use as far as the ladies are concerned because of the noise, he believes it to be a legal use.

Mayor McAllister explained that, in view of the opinion

of the City Attorney, the City Council would have no authority to restrict the use of the property for the school in question.

Mrs. James stated that the school has bought a second lot and is using it for a parking lot, which she understood was against the City ordinance. They are presently not using the parking lot and put the cars on the street. She asked the Council to look into the matter and the parking lot.

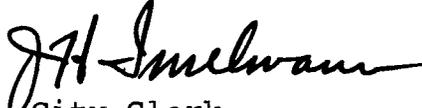
City Attorney Walker stated that a stop-order has been served on the school, and they are not going to be permitted to use this lot. The only way that they would get the use of this lot is to come in with a request to the Board of Adjustment for a variance. Should they apply to the Board of Adjustment, the adjacent property owners would be notified of a public hearing.

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

A P P R O V E D


M A Y O R

ATTEST:


City Clerk

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