

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 10, 1969, 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, HILL, TORRES; Absent: GATTI.

69-18 The invocation was given by Dr. John Hughes, Woodlawn Christian Church.

69-18 Mr. Dave Koch, Safety Director, explained that City departments and City personnel have received special awards through safe driving of City vehicles.

Mayor McAllister then proceeded to present awards to the following persons:

| | |
|----------------------------|---------------------------|
| Cecil C. Jones | Housing & Inspections |
| Louis L. Spahn | Housing & Inspections |
| Robert J. Pirie | Health Department |
| Elvira Cetken | Health Department |
| Jesse Z. Valdez | Public Library |
| Margarito Rodriguez Garcia | Finance Department |
| Jerome Delavan | Finance Department |
| Green Davidson Fleming | Finance Department |
| Richard Alfred Haensel | Traffic & Transportation |
| Isaac I. Gonzales | Traffic & Transportation |
| Pablo C. Hernandez | Traffic & Transportation |
| Luciano Villanueva | Parks & Recreation |
| Phillip W. Handley | Public Works - Drainage |
| Daniel Uribe | Public Works - Drainage |
| Clarence Whitley | Public Works - Drainage |
| John Cobb | Public Works - Southeast |
| Pedro Hewitt | Public Works - Southeast |
| Refugio Campos | Public Works - Southeast |
| Richard Lozano | Public Works - Southeast |
| Vincent Tenorio | Public Works - North Loop |
| Henry Salvera | Public Works - North Loop |
| Gilbert G. Ramos | Public Works - North Loop |
| Jesus Castillo | Public Works - North Loop |
| Lorenzo Castillo | Public Works - North Loop |
| Joe C. Honhorst | Police Officer |
| N. W. Waitschies | Police Officer |
| Kenneth E. Thuleen | Police Officer |
| Miguel Salazar | Police Officer |
| Joe G. Mendoza | Police Officer |

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Mayor McAllister also presented the following group awards to the following departments:

| <u>TYPE AWARD</u> | <u>DEPARTMENT</u> | <u>CLASS</u> | <u>GROUP</u> |
|-------------------|------------------------|-----------------|--------------|
| First | Metro. Health District | Combined Fleet | B |
| First | Metro. Health District | Passenger Fleet | C |
| First | Metro. Health District | Industrial | C |
| First | Aviation Department | Combined Fleet | C |
| Cert. Merit | Aviation Department | Truck Fleet | C |
| First | Public Works | Passenger Fleet | C |
| Cert. Merit | Civil Defense | Combined Fleet | C |
| Cert. Merit | Legal Department | Passenger Fleet | C |
| Cert. Merit | Library | Passenger Fleet | C |
| First | Finance | Passenger Fleet | C |
| First | Finance | Industrial | C |

Mayor McAllister congratulated the award winners and stated that City Employees represented the City in the eyes of the public and the City was judged by the conduct of the City employees.

69-18 Mr. John Brooks, Purchasing Agent, briefed the Council on the following ordinance and on motion of Dr. Calderon seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Jones, Gatti.

AN ORDINANCE 37,393

AUTHORIZING THE FINANCE DIRECTOR TO PURCHASE ONE ATOMIC ABSORPTION ACCESSORY UNIT (FOR AIR POLLUTION CONTROL) FROM BECKMAN INSTRUMENT, INC. SCIENTIFIC INSTRUMENTS DIVISION FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR A NET TOTAL OF \$4,537.00.

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69-18 Mr. John Brooks, Purchasing Agent, briefed the Council on the following ordinance and on motion of Mrs. Cockrell, seconded by Mr. James, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Jones, Gatti.

AN ORDINANCE 37,394

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF BARBER-COLMAN COMPANY, CHROMATOGRAPHY PRODUCTS DIVISION TO FURNISH SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH ONE GAS CHROMATOGRAPH FOR A NET TOTAL OF \$7,348.00.

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69-18 Members of the Administrative Staff briefed the Council on the following ordinances and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 37,395

ACCEPTING THE ATTACHED LOW QUALIFIED BIDS OF ALAMO WELDING SUPPLY COMPANY AND McKESSON CHEMICAL COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PARKS AND RECREATION WITH CERTAIN SWIMMING POOL CHEMICALS FOR A TOTAL OF \$7,713.50

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AN ORDINANCE 37,396

ACCEPTING THE BID AND MANIFESTING A CONTRACT WITH RAYWAY CORPORATION FOR OPERATION OF CONVENTION FACILITIES PARKING CONCESSION FOR A FIVE YEAR PERIOD COMMENCING MAY 1, 1969.

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AN ORDINANCE 37,397

MANIFESTING AN AGREEMENT WITH EASTERN AIRLINES, INC., LESSEE, BEING AMENDMENT NO. 7 TO AMEND CERTIFICATED PASSENGER AIRLINES LEASE NO. 30-62 AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 37,398

MANIFESTING AN AGREEMENT WITH ALL AMERICAN MAINTENANCE, INC., LESSEE, UNDER SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 101-A WHEREBY THE CITY CONSENTS TO THE SUBLEASE OF A PORTION OF SAID FACILITIES.

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AN ORDINANCE 37,399

MANIFESTING AN AGREEMENT WITH NAYAK AVIATION CORPORATION TO AMEND SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 11-A BY CHANGING THE AMOUNT OF GROUND SPACE AND REDUCING THE RENTAL.

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AN ORDINANCE 37,400

AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF SAN ANTONIO A MUTUAL RELEASE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION OF THE UNITED STATES OF AMERICA IN CONNECTION WITH THE ACQUISITION OF RIGHT-OF-WAY FOR U.S. 281, NORTH EXPRESSWAY.

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69-18

The Clerk read the following Ordinance:

AN ORDINANCE 37,401

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE SAN ANTONIO MANUFACTURER'S ASSOCIATION, FOR LEASE OF OFFICE SPACE IN THE PRESS CENTER AT HEMISFAIR PLAZA, FOR A NEW TERM ENDING DECEMBER 31, 1972.

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Mr. Bill Lindquist, Assistant Director of Municipal Facilities explained that this proposed contract had been discussed by the Council previously and that the contract does contain a sixty day cancellation clause and the janitorial fee has been changed from \$25.00 to \$50.00 a month. The City will realize \$255.70 per month in revenue for this space.

Mr. Torres stated he felt that the rent was still not sufficient.

After discussion by the Council, on motion of

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

69-18 Mr. Bob Frazer, Director of Parks and Recreation, briefed the Council on the following ordinance and on motion of Mr. Jones, seconded by Mr. Torres, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 37,402

MANIFESTING AN EXTENSION OF A LEASE AGREEMENT BETWEEN THE CITY AND MRS. STELLA TYLOR FOR THE USE OF CERTAIN CITY-OWNED PROPERTY FOR AN ADDITIONAL PERIOD OF ONE YEAR, ENDING APRIL 10, 1970.

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Mr. James stated he had received a call regarding the poor condition of the Hi-Lions Tennis Courts.

Mr. Frazer explained that while the courts are still new, the shift in soil causes maintenance above and beyond the normal. There are no funds available to resurface the entire court.

Mr. Henckel, City Manager, stated he was alarmed at the poor condition of the courts since they are certainly new and requested that Mr. Frazer submit a detailed report on the condition and what funds are available to bring the courts into first class shape.

In answer to questions from the Council, Mr. Frazer explained that there is a great deal of vandalism taking place in the parks and that there are not sufficient Park Rangers available to do a proper policing job.

69-18 Members of the Administrative Staff briefed the Council on the following ordinances and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 37,403

APPROPRIATING \$1,600.00 OUT OF STREET IMPROVEMENT BONDS, FUND NO. 489-01, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF HERBERT J. WERNER, ET UX, IN SATISFACTION OF FINAL JUDGMENT IN CONDEMNATION CASE NO. C-709, FOR THE ACQUISITION OF A TRACT OF LAND OUT OF LOTS 15 THROUGH 18, BLOCK 12, N.C.B. 3807, IN SAN ANTONIO, TEXAS, REQUIRED FOR STREET PURPOSES IN THE STEVES AVENUE PAVING PROJECT.

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AN ORDINANCE 37,404

APPROPRIATING \$100,000.00 OUT OF GARBAGE DISPOSAL BONDS E-45 FOR THE PURCHASE OF APPROXIMATELY 332 ACRES OF LAND FROM THE REPUBLIC NATIONAL BANK OF DALLAS, ET AL, ALSO APPROPRIATING \$100,000.00 OUT OF THE GENERAL FUND, UNAPPROPRIATED SURPLUS, AND TRANSFERRING THE SAME TO GARBAGE DISPOSAL BONDS E-45, SAID SUM IS TO BE REPAID UPON RELEASE FROM THE CITY DEPOSITORY BANK OF TIME DEPOSITS NOW INVESTED.

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AN ORDINANCE 37,405

AMENDING THE CITY PAY SCHEDULE ADOPTED IN THE 1968-69 BUDGET BY INCREASING THE BASE PAY OF A PATROLMAN FROM \$400.00 PER MONTH TO \$450.00; AND INCREASING THE BASE PAY OF A FIREMAN FROM \$400.00 PER MONTH TO \$450.00 BOTH INCREASES EFFECTIVE MAY 1, 1969; AUTHORIZING THE TRANSFER OF \$15,334.00 OUT OF THE GENERAL FUND CONTINGENCY ACCOUNT AND APPROPRIATING \$236.00 OUT OF INTERNATIONAL AIRPORT ADMINISTRATIVE FUND 8-04 IN ORDER TO PROVIDE FUNDS FOR THE INCREASED BUDGET.

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AN ORDINANCE 37,406

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SAN ANTONIO JAYCEES FOR OPERATION OF 14 MODULES IN THE TOWER FOOD PLAZA AND SERVOMATION BUILDING AT HEMISFAIR PLAZA DURING THE TEN-DAY PERIOD OF APRIL 18, THROUGH APRIL 27, 1969.

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AN ORDINANCE 37,407

ACCEPTING THE LOW BID OF PHILLIPS ERECTION COMPANY FOR THE REMOVAL AND STORAGE OF THE EAST COMMERCE STREET PEDESTRIAN OVERPASS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK; AUTHORIZING PAYMENT OUT OF THE GENERAL FUND OF \$3,834.00 TO SAID CONTRACTOR; AUTHORIZING \$200.00 TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT AND \$500.00 PAYABLE TO CANTY & BROWN FOR ENGINEERING FEE; ALSO AUTHORIZING A TRANSFER OF FUNDS.

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AN ORDINANCE 37,408

ACCEPTING THE LOW BID OF FORGY CONSTRUCTION COMPANY FOR ADDITIONS TO THEATER RESTROOM, CONVENTION CENTER; AUTHORIZING THE CITY MANAGER TO AUTHORIZE A CONTRACT FOR SAID WORK; APPROPRIATING THE SUM OF \$24,211.00 OUT OF COMMUNITY AND CONVENTION CENTER BOND FUND NO. 489-05 PAYABLE TO SAID CONTRACTOR; APPROPRIATING \$1,200.00 OUT OF THE SAME FUND AS A CONSTRUCTION CONTINGENCY ACCOUNT; \$800.00 AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT AND \$1,452.66 PAYABLE TO NOONAN & KROCKER AND PHELPS & SIMMONS & ASSOCIATES FOR PROFESSIONAL SERVICES; ALSO AUTHORIZING A TRANSFER OF FUNDS.

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69-18 Mr. Leroy Denman, representing the applicant, Mrs. Eloise Fisher, First National Bank of San Antonio, for the Southwest Texas Corporation, explained that his client proposed to erect a bank office building and a multiple story parking garage on the property and the alley is needed for this project. They are most anxious for the Council to take action today as the financing depends on the success of their obtaining the alley property.

Mr. Paul Green, representing the Nix Estate, stated that after reviewing the proposed alley closing and dedication of the new alley that his client was withdrawing his previous objection.

Mr. Jose Olivares, Jr. opposed the alley closing in that it would effect his business which is located on Lot A-14, NCB 408. He explained how difficult it is for patrons of the hotel to now park for unloading and stated that if this alley were closed it would aggravate the situation further. Mr. Olivares suggested that they could go over the Gildemeister property and get better results or on the other hand they could demolish the Gildemeister property completely. He distributed pictures of the alley as well as read a letter in which he sought a meeting with the attorneys of the applicant.

Mr. W. S. Clark, Land Division Chief, stated that the money the City would receive for the alley is in keeping with the sale of all excess City property.

Mr. Olivares then explained that he failed to attend the Planning Commission meeting because he was tied up at the airport and his case was not placed on the Planning Commission agenda until late Wednesday afternoon.

Mr. Steve Taylor, Planning Director, explained he had talked to Mr. Olivares that morning and that this case was not on the agenda at the time, however Mr. Fite, Chairman of the Planning Commission, reviewed this request later on during the meeting.

In answer to questions from the Council, Mr. Taylor stated that the Staff recommended the request because it was certainly an improvement over what exists there now.

After a lengthy discussion by the Council, on motion of Mr. Jones, seconded by Mr. Hill, the following ordinance was passed and approved with the recommendation that the deeds would not be conveyed to the applicant until such a time as proper replatting containing the new alleyway dedication has been accepted by the Planning Commission. by the following vote: AYES: McAllister, Calderon, Jones, James, Hill; NAYS: Cockrell, Trevino; ABSTAINING: Torres; ABSENT: Gatti.

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AN ORDINANCE 37,409

CLOSING AND ABANDONING PORTIONS OF THE ALLEYWAYS LOCATED IN NEW CITY BLOCK 408 AND AUTHORIZING QUITCLAIM DEEDS TO THE ABUTTING OWNERS FOR A CONSIDERATION OF \$16,860.00 PLUS THE DEDICATION OF A NEW ALLEYWAY TO BE LOCATED IN SAID BLOCK.

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69-18 Mayor McAllister declared the hearing on the proposed annexation of 5.552 acres of land, being a portion of University Estates and a portion of Wurzbach Road known as Unit-1, open for public hearing.

Mr. Steve Taylor, Director of Planning, explained the proposed annexation is at the request of the owners, H. B. Zachry Properties, Inc. He stated the first reading of the ordinance would be in two weeks, on April 24, 1969.

No one spoke in opposition.

Mayor McAllister declared the hearing closed.

Mayor McAllister was obliged to leave the meeting and in the absence of the Mayor Pro-Tem, Councilman Herbert Calderon was designated to act as presiding officer.

69-18 CITIZENS TO BE HEARD:

Mr. Peter Enriquez, 846 Jean, asked the Council how long it would be before the City will take action to pave the streets, install curbs, and put in more street lights in this area. He explained that it has been five years since he first complained about the streets and nothing has been done in this area.

After discussion, Mr. Henckel stated that he would have the Staff make a report to the Council within thirty days time as to the condition of the streets and curbs and the need for additional lights in that area.

Mayor McAllister returned to the meeting and presided.

69-18 Mr. Joe Rainey Manion, unsuccessful candidate for the City Council, congratulated the Mayor and other members of the City Council on their election. However, he stated that the letter that was mailed to members of the Good Government League requesting additional funds on the Council campaign and signed by Walter McAllister, Jr. was an outrage.

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Councilman Pete Torres made the following statement:

I want to thank Mr. Manion for appearing here this morning. Of course, I think he is a very noble man. I didn't want to use his appearance, Mr. Council to initiate my own remarks, if I might speak on a matter of personal privilege. At this time I would like permission to do so.

Mayor McAllister: Members of Council, no objection? Proceed.

Mr. Torres: Of course, the letter, as mentioned Mr. Mayor, dated April 4, it's on GGL stationery, and is signed by a Terrell Hills resident, one Walter McAllister, Jr. I realize that my own election is history, however, I feel like the voting consensus of this community has not prevailed upon the Good Government League Organization in that this personal attack has been made on me by Mr. McAllister and the organization which he ostensibly represents and of which the Council majority are members. I feel compelled to comment. I am accused in the letter of preaching radical racism and brown power; I am accused of lying and screaming to west side voters on the one hand and voicing a plea for unity on the other; and substantial voters of this community are accused of being instructed votes. I say that neither of these allegations are true, however, if Patrick Henry was screaming when he said, "Give Me Liberty Or Give Me Death" then I suppose I am guilty of the charge of screaming. I think the letter is a reprehensible act on the part of the GGL in seeking to divide our peaceful community, in seeking to inject hate and racism into a run-off campaign in which the citizenry are yearning for an airing of the real issues rather than false accusations or charges of guilt by association. In my own defense, throughout my two years as member of this Council, and throughout my life, have advocated and plead for unity. Fortunately, the GGL does not have a monopoly on what is good and what is true and virtuous as this professes. My plea in all areas of the community has been one of a community moving forward together with involvement of all people. This is why the letter, which I bring to your attention today, and which I am sure you are familiar with is so reprehensible and heinous in my opinion because it seeks to breed hate and dissension.

I have a file here which I would make available for public inspection for anyone who wants to see it where I have principal speeches which I have made and every principal speech which I have made since January, 1967. This includes speeches to the Santa Maria Community Council on the West side, to the Columbia Heights Council on the South side, to the St. Thomas Moore Catholic Fidelity group on the Northeast and to the Machinist Union on the Southwest, and no where will you find an adverse reference to race, religion or national origin or any other reference than that I am a solid American Citizen. Neither to the Young Democrats, nor to the JC's, nor to the Lion's Clubs, nor to the poverty groups is there a reference or an appeal toward the unity or an appeal that "Let us all work together for a better community."

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On the contrary, you will find I have consistently cited the danger of separatism. I have consistently pointed to issues that beg clarification that the two independents, the two independent candidates, Mrs. Wanda Ford, and Dr. Ford Nielsen, have done, which issues are not going to be resolved by letters such as the one that was mailed on April 4 and by these bigoted appeals, I feel that when you breed hate, too often and unfortunately, you beget hate. I think that the bigoted appeal made in this letter by Mr. McAllister and the GGL is a fear tactic which has its precedent in Nazi Germany and a tactic which seeks to create animosity and division. This mailing accusing the GGL Political adversaries of radicalism and racism and of seeking to inject fear into our peaceful community is a tool of bigots because bigots and those responsible for this letter among them can only thrive on fear hate and division. I would plead to you to repudiate the contents of this willful and malicious letter which could have only been prepared by an opinionated mentality warped by self-righteous fanaticism.

To those who would join Mr. McAllister in this act of hate I would offer my sympathy and my prayers because there will come a day when we will all be judged on equal terms, when we shall have to answer for our deeds and misdeeds and all the money in the world cannot save you on that Judgement Day.

69-18

BARRIO PROBLEMS

Mr. Pete Tijerina, Attorney, stated that now the Barrio people can go to court and demand legal representation. It would be wise that the Council take the initiative and meet with the various Barrio Organizations and find out just what is causing unrest and find a solution to these social ills that exist.

Mayor McAllister stated he would be happy to discuss these problems with Mr. Tijerina personally and thanked him for his remarks.

69-18

DISCUSSION ON DOG LEASH LAW

The Clerk read the following Ordinance:

AN ORDINANCE

AMENDING SECTIONS 6-31, 6-34 AND 6-37 OF THE CITY CODE, MAKING IT UNLAWFUL TO PERMIT ANY DOG TO RUN AT LARGE IN PUBLIC PLACES OF THE CITY, PROVIDING FOR IMPOUNDING SUCH DOGS, PROVIDING FOR THE EFFECTIVE DATE HEREOF, AND PROVIDING THAT ANY VIOLATION HEREOF SHALL BE PUNISHED BY A FINE NOT TO EXCEED \$200, AND PROVIDING FOR SEVERABILITY.

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Mr. Louis Sanchez, Mr. Earl R. Behnsch, Mr. Steve Sanchez III, Mr. James Key, Mr. Elizondo, Mr. Frank Gutierrez, Mr. Woodrow Banks, Mr. Priest, and Mrs. Nan Burke, all spoke in favor for the passage of a dog leash law and made various statements and presented petitions for the passage of this law.

Mrs. Joe Kenny, Mr. Douglas Newman, Jr. Mr. J. H. Logan, and Mr. R. N. Hicks, all opposed the passage of a dog leash law.

Mr. Henckel, City Manager, made the following recommendation:

As you requested, a study has been made concerning the enforcement of the Dog Leash Law in San Antonio. Reports and estimates from the Metropolitan Health Director indicate that such a law would be difficult to enforce with personnel of his department, and because of the fact that it becomes primarily a police department function. It would be impossible to increase the staff of the Animal Control Division to adequately pick up all dogs running loose in the City. The estimates for increased budget for this division would be in the neighborhood of \$225,000.00.

From a practical viewpoint, a leash law would in effect protect property and persons. There is no doubt that more than an inconvenience is caused by dogs to yards, shrubs, and persons walking and riding bicycles in our city. It is difficult to justify placing the burden on the citizen to protect himself and his property from dogs. Many people feel it is necessary to have a dog to protect themselves and their property. It is my recommendation that if the Council desires to give favorable consideration to a leash law, that the burden be placed on the owner of such dog. Because of the increased crime rate in our country and city, and the additional responsibility on our police department, there is no way that I could justify or recommend that the burden of enforcement be placed on the police department. These men have more than they can handle now. In effect, the burden of filing a complaint for a dog running loose would be on the citizen so aggravated, and the City would vigorously prosecute in Corporation Court all complaints filed. It is my belief, although this would not completely solve the problem, it would relieve it. It certainly would have a psychological effect on dog owners because of the inconvenience of appearing in Court when a complaint is filed. There are many citizens who would comply with the law when passed. There are, of course, others who would disregard it completely.

In conclusion, I think that if the Council favorably considers a Leash Law, an Ordinance of this type should be adopted.

After discussion, it was the consensus of the Council to follow the City Manager's recommendation and Mayor McAllister directed Mr. Henckel to have an ordinance prepared for the next Council meeting for necessary action and to supply the Council and interested parties with a copy of the proposed ordinance.

Police Chief, George Bichsel, made the following report:

Crimes reported to the police in San Antonio in 1968 exceeded crimes reported in 1967 by 32%. For the first three months of 1969 the total is 4% over 1968. The FBI Uniform Crime Preliminary Report for 1968 shows crime up 21% over 1967 for seventeen cities, including San Antonio, in the population bracket from 500,000 -1,000,000.

Chief Bichsel then gave figures on the offenses that are measured by arrests rather than complaints, and show an increase of 11% for 1968 over 1967.

Chief Bichsel stated there are many factors in our society which affect the crime rate: Economic conditions, school attendance, influence of religion, parental supervision, automobiles, television, and pertinent to this report - the Criminal Justice System. Of that system the two elements which seem to have the most conspicuous impact are: The omnipresence of the police, and the certainty of punishment to fit the crime.

The Police per capita in San Antonio is approximately 1.1 per 1000 population and is increasing, but the size of the force remained static for two critical years prior to 1968 and HemisFair, which left the city more vulnerable to increases in both crime and traffic accidents.

WHAT WE CAN DO TO REDUCE CRIME

1. Increase the actual strength of the Police Department to 900 by May 1970. Recruiting is up, and if current progress is maintained, two training classes of 30 men each will be operating simultaneously by July and continue until authorized strength is reached.
2. Take other steps necessary to increase the certainty of punishment.
 - A. Support legislation for additional * Criminal District Courts for Bexar County. The Police Department is filing 20-30 felony cases per week. Murder cases take the better part of a week for trial, other felony cases approximately two days each. This causes delay, and places the District Attorney in a position of forced negotiation for guilty pleas and, consequently, less penalty than a Court would assess. At least one additional Juvenile District Court is also needed.

* Currently two Courts: 144th and 175th.

- B. Set high bonds for felony cases filed against defendants already free on one bond. Judges of the Justice of the Peace Courts in the Court House set most of the bonds, and have been cooperative, but there is constant pressure by the defense to lower the bonds. There is an acute need for public support to keep these bonds high.
- C. Support an increase in parole and probation officers. The current case load is too high:

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|-----------------------------|---|----------------|
| State Parole Officers | - | 74 cases each |
| Adult Probation Officers | - | 280 cases each |
| Juvenile Probation Officers | - | 70 cases each |

It is common knowledge that most felony prisoners are released on parole after serving a third or less of time sentenced. The parole officers are competent, but they can't keep tab on this many parolees with any effectiveness. The vast majority of juvenile offenders are placed on probation and need far more supervision than this load permits. Fifty per cent of juveniles apprehended are repeaters.

- D. Help obtain some law control the "fences" who are making fortunes out of buying and selling stolen property. The District Attorney says you can not prosecute "fences" under the current "Receiving and Concealing" statute without proof that the "fence" knew the property he bought was stolen. The existence and immunity of the "fences" has caused the crime of burglary to soar by providing ready cash for television sets, typewriters, guns, etc.

Two bills are pending in the Legislature that could help some: House Bill No. 38 (Joe Salem), and Senate Bill No. 636 (Joe Bernal), if they become law.

After discussion by the Council, Mr. Hill complimented the Chief of Police on a fine report.

69-18

CITY-COUNTY COOPERATIVE COMMITTEE

Mayor McAllister recognized Mr. Harold Keller, Chairman of the City-County Cooperative Committee and members of his committee and stated that since Mr. Keller had waited so long, the Council would be glad to hear from the Cooperative Committee at 8:30 A.M. the next Thursday meeting.

69-18

Mr. Lionel Wayne asked the Council to grant him permission to use the streets in order to shoot a film that he was making.

Mayor McAllister directed Mr. Wayne to get together with the City Manager to make the necessary arrangements.

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ADDITIONS TO CITY COUNCIL MINUTES OF APRIL 10, 1969:

Chief Bichsel commented that the Community Relations Bureau is also doing a fine job and they will be a lot of help in the event of any disturbances.

In regards to methods of crime control, a police dog has been sent to Washington for special training in regards to marijuana. They are taught the scent of it and they then can even locate marijuana in school lockers.

He reported that their problem in apprehending the Thief of Bagdad is due to the inability of victims to make a conclusive identification. He did want the Council to know that they do have some information and have determined that about twelve cases fit into the Thief of Bagdad category.

Mayor McAllister stated he had received many letters from citizens who have had the benefit of the Police Department praising them for their many works and had received one today from the Manager of Merchants Ice and Cold Storage which also commended the Police Department.

* * * *

Mr. Torres: I have a couple of questions Chief. When are we going to begin to feel the impact of the Safe Streets Act and what will that impact be? The Safe Streets Act Fund that will be allotted to our local community.

Chief Bichsel: I'm sorry, I should have mentioned that along the way when I was talking about the adding the men. I am delighted to tell you that we have a hundred policemen going to college right now. Almost all of them are either going to San Antonio College or St. Mary's on a part time basis. I believe every one of them is being underwritten. The expense of schools are being underwritten by the Omnibus Crime in the Streets Bill.

Mr. Torres: When will the application that was filed by AACOG receive some direct benefits?

Chief Bichsel: We hope this summer. The indication was that there was supposed to be some action funds in June.

Mrs. Cockrell: I wanted to comment on this point if I may. I know of the interest of several members of the Council in this and at the last AACOG Meeting I inquired to Mr. Roser and was told that beginning now is the time for formulation of any applications for action funds and any municipality may apply for an action grant, although we were asked to direct our planning efforts to AACOG that it is possible for us to ask for a direct action grant. So this has been brought to the attention of the Council before. Mr. Torres asked about when it will be available and it is now the time if we have a program that fits under this category, I suggest we discuss this with Mr. Roser and see just how we make our application.

Chief Bichsel: We have a meeting on the 15th of this month (April) in which we will try to determine the priority on some of these programs.

Mr. Torres: You did submit a proposal did you not?

Chief Bichsel: We've been meeting as a committee and working on it. Different members of my department have been serving on two different committees. We have about six projects I think which are being considered. We just haven't established a priority.

Mr. Torres: One final thing on the use of hand guns. In Mr. Hoover's report of Dec. 16, 1968, he referred to the proliferation of guns in the hands of criminals and he commented, I quote: "Fire arms are used to commit 65% of all murders in the first 9 month period of 1968. Fire arms are used to commit 23% of all aggravated assaults and the use of fire arms in citizen assaults rose 26% during that first three quarters of 1969." Do we have any similar experience in San Antonio where fire arms or hand guns are used in a large percentage of these robberies by assaults.

Chief Bichsel: I don't know the percentage, Mr. Torres. But that doesn't sound too far off for us.

Mr. Torres: There is a provision in the Omnibus Crime Bill as I understand it, which has some prohibitions on the sale of hand guns. What burden is placed on local enforcement authorities for enforcing this.

Chief Bichsel: We receive a copy of the invoice on every shipment of guns into San Antonio. They send us a copy of the invoice. Of course the law prohibits shipping them to anyone except the licensed dealer. Once in a while we have to check because some license dealers have a residential address.

Mr. Torres: Isn't there a two week restriction between the application for purchase and the actual sale have any effect in alleviating our local problem in the use of hand guns in crime?

Chief Bichsel: I think possibly it does. You know we have a law on the books, but I don't know if it has ever been actually declared invalid or just partially unconstitutional or something and that is the requirement in purchasing a gun you must submit to the store, a certificate of good character from a Justice of the Peace. This has some bearing but it isn't enforceable.

Mr. Torres: It isn't enforceable?

Chief Bichsel: Mr. Barlow would have to explain to you why. I think they, I can't remember, if they left the penalty off or whether it is unconstitutional in some respect, but the law is still in the books although it never has been enforceable.

Mr. Torres: Would you find out Mr. Walker, what our particular hang-up is on the enforcement of that provision?

Mr. Walker: The Court has declared it invalid.

* * * *

April 10, 1969

14 B

The Clerk read the following Resolution:

A RESOLUTION

PROPOSING ADDITIONAL LOCAL PARTICIPATION IN THE FOOD STAMP PROGRAM

* * * *

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

The City Council proposes to increase the annual City appropriation for the local food stamp program by \$44,000.00 per year, in order that the additional funds plus an increase in the same amount by Bexar County may be used by the State Department of Public Welfare to establish additional distribution centers at suitable locations for the distribution of food stamps; provided, if Bexar County does not make such matching contribution, the proposed increased contribution by the City will be raised to \$50,000.00 toward such purpose. Said increase in the number of distribution centers may be accomplished in any manner authorized by law, including the proposal that the State Department of Public Welfare contract with Federal Credit Unions for that purpose.

Copies of this resolution are to be sent immediately to the State Department of Public Welfare and other officials.

* * * * *

Mr. Henckel gave the following report on the Food Stamp Program:

I have received a communication from Mr. W. M. Herndon, Director of Commodity Distribution Division, State Department of Public Welfare, answering various questions that were raised at the meeting held at the Court House of the Council Committee and Commissioner's Court on March 5, 1969. A copy is enclosed.

In summary, Mr. Herndon states (1) that they cannot issue coupons in grocery stores; (2) that use of volunteer workers in processing applications is not permissible; (3) that although mobile units would be permissible, he does not think this is practical; (4) that an appropriation from the State is not in the foreseeable future; (5) that they have now discovered that State agencies can contract with other agencies, group or organizations, which are (a) other state agencies, (b) banks, (c) cities and counties, (d) federally chartered credit unions.

He has submitted sample agreements for Credit Union operation, as well as a sample agreement for the City and County. I must point out that under the Credit Union Agreement, the Credit Union is entitled to a fee for each transaction, and such fee would be borne by the local community, in this case the City and County.

Under the proposed agreement with the City and County there are 14 regulations of assuming responsibility that the City and County must agree to. In essence, if the City and County contracted for issuance of stamps it would be under the supervision and control of the State Department of Public Welfare. For this reason, I would not recommend that we contract with the State, but would recommend that we increase our appropriation to them in the amount of \$44,000.00 provided the County of Bexar increases their appropriation by a like amount. In the alternate I would recommend that the City appropriate \$50,000.00 regardless of action by the County, to be used for staffing one additional distribution center and the local obligation for funding credit union operations.

There is no advantage to the City in entering into such an agreement, as I think it would be much better for State employees to handle the issuance because they are charged with the responsibility and supervision of these employees. The amount of money would be the same. It is my recommendation that the City Council pass a resolution this Thursday offering the additional appropriation. I would also recommend that the Council ask the State to accept the offer for free facilities.

As I stated to you when this matter was discussed before the Council on February 22nd, the City is ready, willing, and able to provide the additional funds if the Council so directs. I think some action is necessary this week as the City is continuously being blamed by most interested parties for the inadequacy of the program. I must point out to you again that the City of San Antonio is the only city in the State of Texas participating in the Food Stamp Program. This is the responsibility of the State of Texas and the County involved, and our contribution is evidence of the fact that the City is helping the poor in the area because both the County and State lack sufficient funds to conduct the program.

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

The Clerk read the following letter:

April 8, 1969

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

Gentlemen and Madam:

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

April 10, 1969

4-7-69

Petition of Mr. Pete Enriquez and other citizens of Jean Street, Elmendorf Street, Angela Street, and Saltillo Street requesting that these streets be improved and that streets be constructed as well as the installation of more street lights in the area.

J. H. INSELMANN
City Clerk

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:


C I T Y C L E R K

April 10, 1969

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