

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 4, 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, BURKE, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; Absent: JAMES.

69-39 The invocation was given by Dr. D. Ford Nielsen, Councilman.

Action on the minutes of August 28, 1969 was postponed.

69-39 The Clerk read the following ordinance which was explained by Mr. John Brooks, Purchasing Agent, and after consideration, on motion of Mr. Hill, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: McAllister, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Calderon, James.

AN ORDINANCE 37,854

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF UARCO, INC. TO FURNISH THE CITY OF SAN ANTONIO CORPORATION COURT WITH WARRANT OF ARREST FORMS FOR A NET TOTAL OF \$2,043.60.

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69-39 The Clerk read the following ordinance.

AN ORDINANCE 37,855

AMENDING ORDINANCE NO. 37724 BY ADDING FIVE (5) ADDITIONAL PASSENGER CARS TO BE PURCHASED.

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Mr. John Brooks, Purchasing Agent, explained that this ordinance increases the order previously given to Jordon Ford and Tom Benson Chevrolet. The purchase is for three police cars to be used in the Model Cities area and two administrative cars as replacements.

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

69-39 The Clerk read the following ordinances which were explained by Purchasing Agent John Brooks and after consideration on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 37,856

ACCEPTING THE ATTACHED LOW AUALIFIED BID OF ROYAL LUMBER & HARDWARE TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH CERTAIN ROUGH LUMBER FOR A TOTAL OF \$6,954.28.

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AN ORDINANCE 37,857

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF ALAMO IRON WORKS TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH ONE PORTABLE GASOLINE POWERED PUMP FOR A TOTAL OF \$1,697.60.

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69-39

The Clerk read the following ordinance.

AN ORDINANCE 37,858

CONSENTING TO ASSIGNMENT WITH RIGHT OF REASSIGNMENT OF STINSON MUNICIPAL AIRPORT LEASE NO. 651 BY LESSEE C. E. EARNHARDT d/b/a EARNHARDT AVIATION TO SECURITY NATIONAL BANK OF SAN ANTONIO AND AUTHORIZING EXECUTION BY CITY MANAGER OF LESSOR'S AGREEMENTS SUBORDINATING TO ALL LIENS SECURING LESSEE'S INDEBTEDNESS TO SAID BANK.

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Mr. Thomas Raffety, Director of Aviation, stated that the ordinance was presented last week but there was a question regarding subordinating of the agreements to all liens.

Mr. Mitchell Rosenstein, Attorney for Mr. C. E. Earnhardt, explained that his client conducts a general aviation business at Stinson Field. He is a fixed base operator and conducts flight training and rents planes. They have tried to obtain financing for a hangar to be constructed to house additional aircraft at a location away from the commercial area. They applied for a Small Business Administration loan a year ago. The ordinance under consideration is the last item necessary for approval of the loan.

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In connection with the reassignment, he stated that the Security National Bank has agreed to insert the language, "satisfactory to the lessor." As to subordination of the liens, the City in its present agreements with the Federal Government has the same provision. He urged the Council to approve the ordinance as without it the loan would not go through.

Mr. Thomas Raffety then reviewed the terms of the lease agreement.

The City Attorney reviewed the bond requirement which is for one-half year's rental and the total amount of monetary loss to the City in the event the lessee did not make a go of it. It was brought out however, should the lessee not be successful, the City would cancel the lease itself.

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

69-39

The Clerk read the following ordinance.

AN ORDINANCE 37,859

AMENDING THE CURRENT BUDGET BY ESTABLISHING A TRUST FUND TO HANDLE ACCOUNTING REQUIREMENTS PERTAINING TO "EXPANSION AND DECENTRALIZATION OF POLICE COMMUNITY RELATIONS BUREAU" A MODEL CITIES PROGRAM, AND APPROPRIATING \$50,820.00; ALSO AUTHORIZING SIX (6) ADDITIONAL PERSONNEL.

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Police Chief George Bichsel explained that the purpose of the project is to improve the relationship between the law enforcement agencies and the residents of the Model Cities area. There would be established six Police Community Relations Offices within the Model Cities area which would possibly be located in each of the public housing projects. The ordinance provides for six personnel. Three will be regular police patrolmen and three will be Community Service officers. The Community Service officers will be recruited preferably from the Model Neighborhood area.

He then presented a report on the number of police calls made to the six San Antonio Housing Authority projects during a four week period in August. The personnel will be working primarily with the people in the housing projects and the surrounding area to prevent and reduce crime and disorder.

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

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ZONING HEARINGS:

a. First heard was Zoning Case 3664 to rezone Lot 33, Blk. 5B, NCB 11958 from "A" Single Family Residential District to "B-3" Business District located southeast of the intersection of Parkridge Drive and Slavin Avenue, having 75.20' on Parkridge Drive and 291.75' on Slavin Avenue.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 37,860

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 33, BLK. 5B, NCB 11958 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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b. Next heard was Zoning Case 3694 to rezone Lot 20, NCB 11156 from "B" Two family Residential District to "I-1" Light Industry District located northwest of the intersection of Roosevelt Avenue (U.S. 281) and Herbst Lane having 74.06' on Roosevelt Ave. (U.S. 281) and 385.43' on Herbst Lane.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 37,861

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 20, NCB 11156 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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c. Next heard was Zoning Case 3697 to rezone Lot 13, Blk. 5, NCB 2973 from "C" Apartment District to "B-3" Business District located on the west side of South Main Avenue, 100' south of W. Guenther Street, having 100' on South Main Avenue and a depth of 150'.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Discussion brought out that the Planning Staff did not recommend the proposed change. Mr. Taylor explained they felt that this is a border line area. The majority of uses are residential. They recommended that the zoning remain as is although the area is somewhat transitional and sooner or later it will be changed. Under the present "C" Zoning, apartments, duplexes, single family residences, doctor's offices, nursing homes and kindergartens can be established.

Dr. Calderon stated he would like to see the Commission study the entire area and make a recommendation on it and stick to it, rather than approve just one piece of property in one block.

After discussion, Dr. Calderon made a motion that the Planning Commission study the area and see if they can come up with a plan which would be less conflicting than rezoning the area individually. The motion was seconded by Mr. Torres.

Mr. John Tracy, the applicant, advised the Council that several blocks in the area had been bought for the site of the new post office building. If the post office is constructed everything south will not be suitable for residential.

On roll call, the motion to refer Zoning Case 3697 back to the Planning Commission prevailed by the following vote:
 AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres;
 NAYS: None; ABSTAINING: Cockrell; ABSENT: James.

d. Next heard was Zoning Case 3704 to rezone Lot 2 and 3, NCB 8592 from "B" Two Family Residential District to "B-2" Business District located southwest of the intersection of Burton Avenue and Rayburn Drive, having 120' on Burton Avenue and 300' on Rayburn Drive.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Dr. Calderon stated that the proposed use is fine, but the uses allowed under "B-2" Business District are bad and could so result in the future.

Planning Director Steve Taylor advised that the Council, by exception, could allow a greater number of children in a day care nursery under "R-3" Apartment Zoning. The applicant has requested "B-2" to protect his investment and be able to dispose of the property in the event the kindergarten is not successful.

Mr. Charles Jackson, attorney for the applicant, explained the property is owned by the Cokesbury Methodist Church. There is a church building on the property. There is one lot which they are buying with 100' frontage that is vacant. The Texas Department of Public Safety Office is to the west. They asked for "B-2" Zoning with full recognition that a kindergarten could go in another district. In addition, the vacant land needs a use. They felt that unless it is zoned as requested it would not be economically feasible to buy the property. Rayburn Elementary School is across the street and is in favor of the kindergarten. He added that the school is aware that they are asking for a "B-2" Business District Zoning. The property was formally zoned "F" Local Retail but when the church made an addition to the building, the property was rezoned back to "C" Apartment District in 1959.

Mr. Louis P. Lubbering, the applicant, stated that he has put in a circular driveway on the property to unload and pick up the children off the street. This was done at the recommendation of the Traffic Department. The children are left prior to the beginning of school and picked up after school is out. He added that Rayburn is a 100' wide street and Burleson Avenue, the side street, is 80' in width.

After consideration, on motion of Mr. Torres, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: McAllister, Calderon; ABSENT: James.

AN ORDINANCE 37,862

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 2 & 3, NCB 8592 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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e. Next heard was Zoning Case 3718 to rezone Lot 73, Blk. 28, NCB 8949 from "E" Office District to "B-3" Business District located on the north side of S. W. Military Drive, 220' east of Commercial Avenue, having 70' on S. W. Military Drive and a depth of 130'.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 37,863

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 73, BLK. 28, NCB 8949 FROM "E" OFFICE DISTRICT TO "B-3" BUSINESS DISTRICT.

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f. Next heard was Zoning Case 3727 to rezone the northwest 140' of Lot 25, Blk. 3, NCB 13765 from "A" Single Family Residential District to "B-3" Business District located on the southeast side of I. H. 35, (U.S. 81 North) Expressway, approximately 359' north-east of Starlight Terrace, having 230.31' on I. H. 35 (U.S. 81 North) Expressway and a depth of 140'.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 37,864

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 NORTHWEST 140' OF LOT 25, BLK. 3, NCB 13765 FROM "A" SINGLE FAMILY RES. DISTRICT TO "B-3" BUSINESS DISTRICT.

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g. Next heard was Zoning Case 3729 to rezone Lot 10, Blk. 18, NCB 13033 from "R-3" Multiple Family Residential District to "B-3" Business District located southwest of the intersection of Chulie lrive and Errol Drive, having 356.68' on Chulie Drive and 149.76' on Errol Drive.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

It was brought out that the Planning Commission recommended a solid screen fence on the east and south property lines.

No one spoke in opposition.

After consideration, Mr. Torres made a motion that the recommendation of the Planning Commission be approved with the requirement that a solid screen fence be built along the east and south property lines. The motion was seconded by Mr. Hill. On roll call the motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 37,865

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 10, BLK. 18, NCB 13033 FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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h. Next heard was Zoning Case 3731 to rezone 0.205 acres out of Lot 8, NCB 9477 being that portion not presently zoned "J" Commercial from "C" Apartment District to "B-2" Business District located 400' south of S. W. Military Drive and 209' west of S. Flores Street being 31.60' x 288.33' and containing 0.205 acres. (further described by Field notes)

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

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AN ORDINANCE 37,866

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 0.205 ACRES OUT OF LOT 8, NCB 9477 BEING THAT PORTION NOT PRESENTLY ZONED "J" COMMERCIAL FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT.

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i. Last heard was Zoning Case 3524 to rezone all of NCB 124, 114, 130, 126, 900, 155 and 142, Lots 1 thru 6 inclusive, Tracts A-1, A-2, A-3, A-4, A-5, A-35 and AB-35, Lot 36, the remaining portions of Lots 37, 7 and A-6, NCB 901, Tracts A-34, A-36, A-37, A-39, the east irregular 104.4' of Lot 33, the east 104.2' of Lots 31 and 32 and the east 104.2' of the remaining portion of A-30, NCB 904; Lots 1 thru 7 inclusive, Lots 15 and 17, NCB 134, Lots 2, 3, 4, and 5, the east 144' of Lot 6, NCB 125, to be placed in the "H" Historic zone, located on the north side of Villita St., between South Presa Street and South Alamo Street, on the west side of South Presa Street, between Durango Boulevard and a point 70.3' south of Villita Street, also property bounded by Villita Street on the north, South Alamo Street on the east, Durango Boulevard on the south and South Presa Street on the west.

Mr. Steve Taylor, Director of Planning, explained the proposed change which the Planning Commission recommended be approved by the City Council.

He stated that most of the property in the proposed "H" Historic District is City owned or owned by the Urban Renewal Agency. This places La Villita and the expanded La Villita area in this zone.

He explained that it places certain limits on repairs and remodeling of buildings in this particular area.

Mr. Taylor then reviewed the procedure for obtaining a permit to remodel or demolish a building.

Mr. Miguel Galvan, 317 South Presa, stated he was in favor of the proposed change but he felt it needed more clarification in reference to what it will mean to him personally.

Mr. Van Henry Archer stated he did not know whether or not he was in opposition to the proposed change in zone. He asked if on the west side of Presa Street they could control the area through building permits alone.

Rev. Roald E. Braulick spoke concerning the church parking area one-half of which is included in the Historic Zone and one-half which is not.

Mr. John Yturri, owner of property in the 300 block of Presa Street, and two houses on St. Mary's Street, objected to the change because someday they will want to develop the property as a whole unit. He felt the restrictions on the property later on will keep anyone from buying the property from them.

Mr. Galvan stated that some people in the area were told that if they did not agree to the ordinance their property would be subject to condemnation by the Urban Renewal Agency.

Discussion brought out that the property could, at a later time, be included in an Urban Renewal Project. Also it was brought out that this area, as well as other large areas, were in the total Del Alamo plan.

Mrs. Alta Tschirhart also opposed the proposed historic zone. She objected to her property being divided into two pieces by the classification.

Mrs. Lois Graves, representing the San Antonio Conservation Society, spoke in favor of the designation. She commented that the ordinance controls the repair and remodeling of the exterior of the building, not just the front. As she understood the ordinance, the present zoning stands as it is even though it has the added designation of historic zone.

After consideration, Dr. Calderon suggested that the Staff should take all the people involved and discuss the ordinance on a personal basis and try to clarify the matter and answer all their questions.

Mayor McAllister advised that action on the ordinance would be postponed thirty days and asked that the persons who appeared at the hearing this morning to personally discuss with Mr. Taylor their problems to find out if they are for or against this ordinance.

Mayor McAllister was obliged to leave the meeting temporarily and Mayor Pro-Tem Cockrell presided.

69-39 AUTHORIZING CITY ATTORNEY TO FILE SUIT IN CONNECTION WITH BONDS FOR BUILDINGS TO BE RELOCATED.

Assistant City Manager Ancil Douthit advised the Council that they are having problems with houses being relocated within the City. While a bond is filed to guarantee compliance with the Building Codes, the houses are left sitting on the lot. The ordinance requiring the bond does not give the City Attorney authority to file suit either against the owner of the building or the surety company.

He requested that the Council give this authority.

After consideration, Mr. Trevino made a motion that the City Attorney be authorized to file suit against the owners of houses and the surety company in cases involving Relocation of House Bonds to seek compliance with the Building Codes. The motion was seconded by Dr. Nielsen and on roll call prevailed by the following vote: AYES: Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, James.

Mr. C. H. Alejos, representing the South Laredo Street Area Council, who appeared before the Council two weeks ago, asked if the Council had decided on his requests concerning representation of small businessmen in the Model Cities organizational structure and the question of whether or not the width of the Alazan-Apache Creek project in the Model Cities area could be reduced.

Mayor Pro-Tem Cockrell advised that the City Manager had furnished a report to the Council on the matter. She asked that the City Manager furnish Mr. Alejos a copy of the report and then the matter can be discussed.

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PETITION OF HUTCHINS COMMUNITY COUNCIL

Mr. Joe Castillo, 8306 Station Drive, presented a petition requesting the City Council to make whatever arrangements are necessary to provide the area with a fifty acre park. The first ten acres to be out of general funds and an additional forty acres to be considered in the next bond issue. He also requested that sidewalks be installed in accordance with a survey made by the City on South Zarzamora between Gillette and Hutchins Streets. In addition there is a drainage problem effecting Zarzamora Street from Grosvenor Street to Gillette which he asked be included in the next bond issue.

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Mayor McAllister returned to the meeting and presided.

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MAYOR McALLISTER: I'd like to say to the Council that I excused myself a moment ago to have a talk with some of the Trustees of the Transit System in regard to the strike situation. I'd like to make this statement: that the Transit Board Trustees are well aware of the inconvenience to the citizens as a result of the strike. This strike is strictly an illegal strike in that the people who are on strike are violating the state law. A very definite attempt has been made to affect the reconciliation and agreement of minds and the Transit Board has offered the employees a substantial increase in wages and extended over a period of time from now until August of next year and they are very muchly concerned about the refusal of the employees to accept this offer.

The offer and the compromise was agreed to by the Labor Representative of the employees with his recommendation to the employees that it be accepted. They declined to accept. The situation has remained in, you might say a status quo, since that time. As was stated in the press this morning, there has been considerable disagreement among the members of the group as to whether they would support Mr. Wilson or whether they would not. But yesterday afternoon a meeting was held in which they agreed to support Mr. Wilson in his negotiations and he had previously accepted the proposition by the Transit Board.

I want to say to you that the Board itself is very seriously considering the question of injunction. We have the right to go and get an injunction which would require the employees to go back to work. Now, I want to tell you that if the Board takes this route, they would like to ask the City to cooperate and join in the legal action. I am making this statement to the Council right now so they can discuss and express their opinion in reference to it. I am, as you know, a member of the Transit Board by virtue of the fact that I am Mayor and I have attended the meetings. It is my recommendation that this Council give okay or authorization and pledge of cooperation in the event the Transit Board determines that that is the proper thing to do and takes that action.

COUNCILMAN BURKE: Mr. Mayor, I think that we as a City Council should make it clear that we are concerned about the 65,000 bus riders today who are now being deprived of bus service. This is a real concern of the City. The people are not being able to get to work and many of the school children are not able to get to school. This morning's paper showed this and I think and would like to put it in the form of a motion that we urge the Transit Board to immediately on a voluntary basis get these buses moving again. And if they can not do that then we pledge our assistance and cooperation in seeking an injunction.

MAYOR McALLISTER: I might say to you, that I didn't mention to you, you might say what is involved? Let me say to you that the average bus employee in the State of Texas earns \$2.21 an hour. The bus employees in San Antonio are currently earning \$2.78 an hour and their proposal is, the Transit Board proposal is that this be increased to \$2.84 as of January 1, 1970 and \$2.94 as of August 1, 1970.

MAYOR McALLISTER: I might say that only two cities, Dallas and Houston, offer a higher wage rate than San Antonio. Dallas is \$2.98 and Houston is \$3.05. The average, as I said before, for the State is \$2.21. I am frank to express a personal opinion that if the difference in the cost of living between Dallas and Houston is considered that our \$2.78 plus the additional implements that are offered will result in a higher standard of living here than it will at the present rate in Dallas or Houston.

MAYOR PRO-TEM COCKRELL: May I ask a question, Mr. Mayor? If the injunction were followed by the Transit Board, what effect does this have on the ability to continue conversations with the representatives of the employees? They could still go on could they not although an injunction was obtained?

MAYOR McALLISTER: Let me say this. If a proposal made by the Transit Board is such a substantial increase that, and I am just expressing my personal opinion, I don't know how far they can go without an increase in fares. What the Transit Board does not want to do is to increase the fares, but they have found, transit companies have found, that whenever fares have been increased by 10% that the users of the bus system have been decreased by 3%. Following that mathematical formula, if all the demands of the bus employees were to be met, which is approximately \$.85 an hour and certain fringe benefits as well, which are not included, it is conceivable that our bus fare would be somewhere in the neighborhood of \$.40 or \$.45 and that is entirely out of line. There just isn't any way in which a more liberal offer can be made and I am hoping that with this offer that the bus fares can be maintained. On the other hand, none of us can tell about that. Certainly it is not contemplated that a request be made for an increase in bus fares.

MAYOR PRO-TEM COCKRELL: Mr. Mayor, I feel that we have sort of a triple responsibility. I feel that our first responsibility has to be in the public interest and I think that the welfare of all the citizens who depend on bus service has to be a very serious consideration. I think that we are also concerned with the Transit Board and their operation. We are also concerned with the bus operators and their problems. I do think the City Council should lend support in getting the buses back in operation as quickly as possible and I would like to support the recommendation that Mr. Burke has made. I feel that this will move toward getting the buses back in operation as quickly as possible. I do have one additional suggestion. That is that I feel it would be very helpful overall if there could be close liason between management of our different city boards, such as the Water Board, City Public Service Board, Transit Board and the City Management because I feel that all of the employees of the City, whether they are working for the City Manager or they are working for the Manager of the Transit System, or whether they are working for the Manager of the City Public Service Board or the Manager of the Water Board, that their benefits should be somewhat comparable and I think that close liason between the management level would be very helpful. So I would just like to offer that comment in addition to the fact that we are quite interested in seeing that all measures be taken to get the buses operating as quickly as possible.

COUNCILMAN TORRES: I would like to be recognized, Mr. Mayor. I am real glad, finally, to see the Council take an interest in the matter of the Transit strike because I brought this point up one whole month ago before there was a strike. I advised the Council that this situation was imminent and that before it was upon us, and it is upon us this morning, that we ought to take some action. I think that the Council procrastinated and stuck their heads in the sand, so to speak, in not wanting to take a position on the matter said this is not a City problem, these are not City employees. So of course I am pleasantly surprised to hear Mr. Burke this morning say he is concerned about the welfare of the citizens of San Antonio. I think that if Mr. Burke, you, Mr. Mayor and Mrs. Cockrell were so concerned about the rights of the citizens of San Antonio and the welfare of the school children, if you please, Mr. Burke, and the rights of the Transit employees, we would have acted a month ago when this matter was brought up and when we knew it was imminent.

You say, Mr. Mayor, that it is an illegal strike. The point is, not whether it is legal or illegal, but the point that there is a strike and the point there is some action required of us as a City Council and as elected officials. I do not think that the matter of the wages is the root of the problem. I want to point out, and I don't usually agree with Mr. Shelton of KITE, but I am going to offer into the record this morning a piece that he ran this morning on his program, 'The Local Scene'. He said, and I am merely reading excerpts from this Accent item where he said something must be done and soon to get the buses rolling again. An estimated 70,000 San Antonians are being inconvenienced, many hard pressed to find transportation to and from work and school, In addition to loss of income by the bus drivers the Transit System is losing money. He said that sick leave and emergency leave time is ridiculously low. The clothing allowance of \$50.00 a year won't even clean the uniforms over a 12-month period. KITE urges, he said, Transit System officials to take a more realistic attitude toward some of the fringe benefits for the bus drivers. The point is Mr. Mayor, that this is a time when humility is required on both sides. I have asked that the Council intervene, that the Council take an active position. I recall the bus drivers' strike in San Francisco when Mayor Alioto intervened as mediator and the matter was resolved. This is the position I have asked the Council to take. Not a position of cheap politicians talking about a harsh remedy of an injunction, but the position of people who are willing to be introspective, people who are willing to look at the faults on both sides.

I am suggesting to the Council that this is a time for statesmen and I am urging this Council to be statesmen in the crisis that is before us and to look at this problem in its entirety. I talked with you, Mr. Mayor, two days ago and I suggested that we sit down and meet with the Transit Company management, that we meet with the union officials and you said you would not meet with the union officials. Now how in the world are we going to discuss a problem and see all sides, and I presume you want to be open minded about this thing, so how are we going to see all sides if you refuse or you want only to look at and discuss this thing from the management side. If we are going to see all sides we have got to sit down, Mr. Mayor, as mediators and as elected officials and talk with not only management of the Transit System but talk with Mr. Parker or the union representatives. I think this is what we should do at this time, although it be one month later, Mr. Mayor.

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MAYOR McALLISTER: Okay, young man. Let me just say to you that the Transit employees, through their recognized and elected heads, have been meeting with the management of the Transit System for months and there was a meeting of minds before the strike took place and a recommendation was made by the representatives of the union employees and the members themselves simply repudiated the judgement of their elected officials. So when you say nothing has been done you are ignoring the fact because there has been many, many meetings between management and the Transit employees.

COUNCILMAN TORRES: I am saying, Mr. Mayor, that we have not become involved.

MAYOR McALLISTER: It is not our position to be involved as long as the strike can be settled and it was in the process of being settled.

COUNCILMAN TORRES: You are saying now to become involved because the strike is upon us. What I was suggesting was that before there was a crisis and in order to avert a crisis that we do become involved to avoid a crisis, sir. That was what I was suggesting to the Mayor.

MAYOR McALLISTER: You are just wanting everybody here to be a manager of the Transit System.

COUNCILMAN TORRES: No I want you to assume your responsibility as an elected official and Mayor of this City. Mr. Mayor, all I am asking is that you seek to be fair and impartial about this thing and that you sit down with both sides, that we as the Council sit down with both sides, and try to reconcile the differences, not to add more fuel to the fire, but to try to resolve the differences that exist between the two sides.

MAYOR McALLISTER: There are some other people to be considered besides the 350 employees of the Transit System that are on strike. You have got to consider the 65,000 to 70,000 people that use the Transit System every day, the 2 million people a month that use the Transit System. An unreasonable and unfair and economically impossible increase in wages can only result in one thing and that is a very substantial increase in fares.

COUNCILMAN TORRES: You are being a cheap politician, Mr. Mayor. What you are doing is you are trying to divide the community by saying the bus drivers do not have the interest of their passengers at heart. These bus drivers have been patient for a long, long time. If you had really wanted to avert the situation that is before us today you would have taken action when I suggested this one month ago. You would take action today, Mr. Mayor if you wanted to avert a further crisis. Rather than talk about an injunction we can say let two heads prevail, let us all discuss this matter with the Transit officials and the bus drivers for the mutual benefit of everybody and for the benefit of the 70,000 bus passengers.

COUNCILMAN NIELSEN: I wanted to ask Mr. Burke is the intent of your motion that there be some voluntary attempt, it has been some while back, before we go to an injunction? Was that the intent of your motion?

COUNCILMAN BURKE: Let me explain my motion. Number one is that this Council affirm its belief in the integrity of the Transit Board. Number two is to ask the Transit Board to attempt to voluntarily get the buses moving again. Thirdly, if they are unable to get the buses moving on a voluntary basis that this City Council will support them if they desire to bring an injunction.

COUNCILMAN NIELSEN: I think you said there were some people here. I think that would be very valuable at this time.

MAYOR McALLISTER: It is very unusual, but if it meets with the pleasure of the Council, I have no objections. We will give them a few minutes.

JOHN ALANIZ: I represent the housewives of the bus drivers. They are not members of the union. You can pass one thousand injunctions and it won't affect them. It won't affect their kids, their neighbors, their cousins and their friends. The fact that you are going to enjoin the bus drivers doesn't mean the citizens of this town do not support the bus drivers. We have here with us a committee of women that want to speak with you as housewives. Mrs. Cockrell, concern don't buy meat at H.E.B. and all this demagoguery and all these nice words don't go buy clothes for kids to go to school. It's nice to talk about nice things. But let's talk about concern for bus drivers and children and riders. Why don't we just go back to slavery and don't pay the bus drivers any thing and just feed them like they used to and save all that money. If you say you are concerned about the riders and not the bus drivers, I am charging you with being a cheap politician.

MAYOR McALLISTER: Mr. Alaniz, I have given you the privilege of the floor. You will conduct yourself in a proper and gentlemanly manner and quit indulging in personalities.

MR. ALANIZ: It is a matter of opinion, Mr. McAllister. It is proper for me to address myself to any member of the Council here as a public official.

MAYOR McALLISTER: I will just say this to you sir. You can either conduct yourself properly or I will declare you out of order and you will be seated.

MR. ALANIZ: On what point?

MAYOR McALLISTER: Because of personalities.

MR. ALANIZ: Well you were concerned with personalities when you said the bus drivers were not concerned about the people who ride the buses.

MAYOR McALLISTER: Just give me a statement on what you want to say.

MR. ALANIZ: Well, I have here a committee of ladies who are here representing the housewives and I would like to introduce them. Mrs. Rodriguez, Mrs. Sandoval, Mrs. Martinez, Mrs. Lozano and Mrs. Thompson is a speaker for the housewives. She will speak to the Council.

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MRS. ROBERT THOMPSON: I represent a committee of housewives of bus workers. We come before you as housewives and we have not been urged by any of the union officials to be here. We are acting now in our individual capacity. We are concerned that you, as elected officials of our city, have not shown a real public concern to be fair to the bus drivers. We urge all of you to treat this as an emergency crisis. As housewives we do not know all the fine points of city financing and city revenue. All we know is that our husbands do not bring home enough pay to live decently in our society today. We ask you as our City Council to let the Transit System know that you as Councilmen are for good wages in San Antonio. We all know that San Antonio is known, throughout the United States, as a cheap wage town where wages are low. I think the City should be a model employer and all of the agencies likewise. It is my understanding that this is the second time this union has gone on strike. The housewives are tired of their husbands getting up at 4 o'clock in the morning and not returning until 7 o'clock at night and only putting in eight hours work. As you know, one of the demands of our husbands' union is to eliminate the split shift. What is the use of bringing all these federal funds to San Antonio to help the people if our City government does not demand that the Transit System pay good wages to its workers.

The issue in San Antonio is not war on poverty. The issue should be war on cheap wages. We are hoping that the City can meet continuously every day until the money is found to solve this crisis. The City Council who found the money and energy to put on HemisFair surely can find money and the energy to pay our bus drivers and workers a decent wage. Thank you.

MAYOR McALLISTER: Mr. Burke, you meant that as a motion and Mrs. Cockrell seconded it.

COUNCILMAN CALDERON: I think we need an amendment to the motion authorizing the City Attorney to enter into this injunction. In other words, I understand that he needs to be authorized by us, to act in our behalf. Otherwise a special meeting would have to be called of this Council to give the authority. Is this correct?

MAYOR McALLISTER: Mr. Burke accepts that amendment. Mrs. Cockrell do you accept that amendment? Alright.

COUNCILMAN TREVINO: Mr. Walker, exactly what or will this allow the workers and management to continue to negotiate?

CITY ATTORNEY WALKER: Now I am assuming you are asking if whether or not the Transit Company files an injunction? An injunction will not prevent further deliberations.

COUNCILMAN NIELSEN: Is it your understanding, Dr. Calderon, that this authorizes them--

COUNCILMAN CALDERON: If they come to us.

COUNCILMAN NIELSEN: That's fine. There is no formal request at this time.

MAYOR McALLISTER: This puts the City in a position to cooperate with the Transit Board on that program if they go the injunction route.

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COUNCILMAN NIELSEN: We're going to be notified if that happens.

COUNCILMAN TORRES: Do we know what is keeping them apart at this time, Mr. Henckel? Do we know what points are in controversy between the union and the Transit officials?

CITY MANAGER HENCKEL: No sir.

COUNCILMAN TORRES: Have the Transit officials contacted you? Do they want you to join in an injunction?

CITY MANAGER HENCKEL: Yes sir. They have not requested it and I want to state at this time that Mr. Walker has informed me that an injunction would be in the name of the City of San Antonio in essence, through the Transit Board and therefore it would require action by this Council. I certainly wouldn't want to instruct the City Attorney to proceed unless I had acquiesce from the Council. I believe that is the form of Mr. Burke's motion, that you give us acquiesce to proceed once the request is made.

COUNCILMAN TORRES: Is there a written ordinance prepared on that point, Mr. Walker? I believe, Mr. Mayor that the rules of this Council require, before any action can be taken, it must be by ordinance and the ordinance must be in writing. I think the action at this time would be premature, sir.

COUNCILMAN CALDERON: Mr. Attorney, is an ordinance required to ratify that motion?

CITY ATTORNEY WALKER: No, you just got through passing a motion authorizing the City to sue on the bonds.

COUNCILMAN NIELSEN: But that is in relation to an already existing ordinance?

CITY ATTORNEY WALKER: No, that is in relation to an already existing fact situation, the question of forfeiture of bonds.

COUNCILMAN NIELSEN: But that isn't spelled out in an ordinance, right?

MAYOR McALLISTER: Mr. City Attorney, we have it all in writing in the indenture between the Transit Board and the City of San Antonio at the time the property was acquired, but all legal matters would be consulted with the City Attorney.

CITY ATTORNEY WALKER: That's what the indenture calls for, yes.

COUNCILMAN TORRES: The indenture says the City Attorney would do what, Mr. Walker?

CITY ATTORNEY WALKER: The indenture says the City Attorney is the chief legal advisor of the Board.

COUNCILMAN TORRES: Are we suggesting then that we fire their private attorneys that get thousands of tax dollars a year from us? Is that what we are suggesting?

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CITY ATTORNEY WALKER: I don't know whether that is your suggestion or not.

MAYOR McALLISTER: That is not our suggestion.

COUNCILMAN TORRES: In other words, Mr. Mayor, you are saying on the one hand they have the right to hire their own lawyers and on the other hand now they have got to use Mr. Walker's services in this matter.

MAYOR McALLISTER: They will prepare the papers.

COUNCILMAN TORRES: Oh I am sure they will, Mr. Mayor. I am sure you have a lot of influence up there.

COUNCILMAN NIELSEN: I would say that I can go along with this ordinance as long as it is very clear that the first step be to get down to some serious discussion of this problem and if that fails its going to an injunction. Is that what you are saying, Mr. Burke?

COUNCILMAN BURKE: We are asking the Transit Board to voluntarily attempt to get the buses running and failing in that then we get the injunction.

COUNCILMAN TORRES: He is saying he wants your approval to file an injunction. That's all this would amount to, Dr. Nielsen.

COUNCILMAN NIELSEN: I don't know for sure that if there was an attempt made, voluntarily, that it would fail. I don't know that for sure. Maybe it won't fail. We've got to try.

MAYOR McALLISTER: No further discussion. Call for the vote:

The motion, as amended, is as follows: That the City Council affirm its belief in the integrity of the San Antonio Transit System; that the San Antonio Transit System attempt to voluntarily get the buses running again; that if they are unable to do so that the City Council support them in getting an injunction; and authorize and direct the City Attorney to cooperate with the attorneys for the San Antonio Transit System in filing an action seeking an injunction.

On roll call the motion prevailed by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill; NAYS: Torres; ABSENT: James.

69-39

CITIZENS TO BE HEARD:

Mr. Raul Rodriguez, 339 Delgado: Perhaps the atmosphere could stand a little cooling off. So I beg the indulgence of the Council to give them a little more time.

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Mr. Rodriguez---continued--

I would like to do something today that I very seldom do, because very, very seldom is there an occasion to do it. I would like to give public thanks to a man whom I have considered for a long time an enemy of the public and who has done something within the last month for which he should be publicly thanked.

I refer to my good friend and enemy, Mr. John Gatti. Mr. John Gatti worked very, very hard for Amendment No. 5. He surprised me greatly because I would never have dreamed that he would have engaged in such a thing in the name of love. I can well understand that he incurred great criticism from many people. He must have suffered, and he paid for a few of his sins. Most people very seldom ever think of saying thanks so it will give me great pleasure to thank Mr. John Gatti for many, many people who have benefited from his actions. There were many people going to the supermarkets handing out leaflets that Mr. Gatti provided that were extremely well written, informative and very intelligent. I don't know where he got them or furnished him with them. But I have got to shake his hand. If I ever offended you, forgive me.

Mr. John Gatti: I'd like to say that the passage of Amendment No. 5 was evidence of the good faith of all people including this City Council who backed it 100%. The Council was behind it, all groups were behind it and the City of San Antonio should be proud.

* * *

Mr. Rodriguez: I am going to make a few people mad now. On the bus strike, I believe that the bus drivers should be censored and strongly criticised for their complete disregard for the interest of the public. They chose the one particular time when they could do the most harm to the public, especially the school children. I believe that this is despicable. I am not an enemy of labor. I have sacrificed plenty for labor when it worked for the poor people, but I am against abuse of power, whether it is by the government or by labor. I believe that in this case the bus drivers have supported attempts against the most important interests of the public and they don't deserve the support of any right thinking man. I have an acquaintance whose husband ran away and left her with four children. She works three days a week and two of the days she gets \$8.00 and the other day she gets \$10.00 so she gets \$26.00 a week income. She lives in a garage. Three of the children go to school. With the bus strike she won't be able to make a nickle because the hours she works and she works far away. If the fares are raised the children will not have money for fare on top of the sad circumstances they find themselves in this offers still more. So I believe the bus drivers who make more than \$112.00 a week should have some concern for this woman who only makes some \$26.00 a week and have to spend almost \$2.00 out of that for transportation. I believe that in this one instance, which is very rare, the Council is looking, whether intentionally or not, after the best interest of the public. I believe that if the bus drivers do not want to work, they believe that their talents are worth a great deal more than delegated, I believe that the City and the Transit Board would be justified in hiring new drivers. If I was not so old and weather beaten I would be glad to drive a bus because those children have to get to school, people have to get to work.

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The City has to keep on working and living. I hope the bus drivers change their views. There has been nobody here to speak up for the people. Just bus drivers and people who are interested in the matter. This shows that the public has lost faith in the City Council. I believe that the Council should purport itself so, like in this matter here, so that the Council looks after the best interests of the public. Keep the faith and don't let the bus fares go up.

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CITIZENS TO BE HEARD CONTINUED

Mr. Kristjan Bredvad, 2302 Palo Alto Road, spoke to the Council concerning the petition of Mr. Casillas for playground and school sidewalks in south San Antonio.

He said that sidewalks have not been needed up to this time. They have now built 400 homes in the area of Gillette and Zarzamora Streets. This means at least 300 children walking to and from school and sidewalks are now a matter of necessity. He added that he understood that the Council could not go out and build the sidewalks right away but that the matter will have to go through the regular channels and hopefully the sidewalks can be constructed next summer.

He then spoke concerning the recreation park in Palo Alto Heights. He said the City had sent Mr. Frazer out and he showed good judgement in selecting a park site for that area. Now 400 homes have been built next to the park. He recommended that Mr. Frazer go out to Patton Heights and look the area over for the most suitable spot for a park and that the Council go by Mr. Frazer's recommendation.

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69-39

NORTH EXPRESSWAY - U. S. 281

Councilman Torres, in connection with the previous discussion of the North Expressway, read the following letter:

OFFICE OF THE SECRETARY OF TRANSPORTATION

July 8, 1969

Mr. Tommy Lane
 Tommy Lane, Activities
 P. O. Box 12220
 San Antonio, Texas . 78212

Dear Mr. Lane:

This will acknowledge receipt of your letter of June 21, 1969, in which you comment on possible alternative routing for the proposed North Expressway in San Antonio. It is very interesting to me to receive your letter because I have arrived at almost identically the same conclusion and have so recommended to Secretary Volpe.

September 4, 1969

I have proposed that the road be built to parkway standards so as to be compatible with that portion of the park north of the flood control dam and that in general both through this area and further south that it follow the routing of Devine Road. This would take it through the dogleg of Olmos Park, and I don't think that should be a sufficient road block to invalidate the routing. It would be necessary to pass adjacent to Olmos Stadium under the parking lot, but this would be a fairly easy job being a simple cut and cover with the replacement of the parking area above. From that point on the right-of-way already acquired and cleared could be used, and it seems to me that this makes a very feasible route for the project.

I am not sure yet what the Secretary's decision will be, but I thought you might be interested to know that I have arrived at almost the same conclusion.

Sincerely,

J. D. Braman
Assistant Secretary for
Urban Systems and Environment

Mr. Torres then stated the following:

"In view of Mr. Braman's letter, Mr. Mayor, just to conclude with this short note. I would think, to avoid any more complications and delays should the present proposed route not be accepted, that I want to reiterate the suggestion I made last week that the Council should begin to develop an idea of the cost of the route suggested by Mr. Braman or propose such to the Texas Highway Department and the legal complications involved in order to proceed with construction plans immediately upon approval of the alternate route."

69-39 The Clerk read the following letter.

September 2, 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.

8-21-69 Petition of Jack Devore, Devore Construction Co. requesting permission to erect an 8' vertical board privacy fence along a 14' length of the northwest property line of 9310 Ranchero Drive.

/s/ J. H. INSELMANN
City Clerk

* * * *

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There being no further business to come before the
Council, the meeting adjourned.
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A P P R O V E D:

Mr. McAllister
M A Y O R

ATTEST: *JH Inselman*
C i t y C l e r k

September 4, 1969