

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 30, 1970.

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

70-19 The invocation was given by Reverend Clifford Grosenbacher, Faith Lutheran Church.

Action on the minutes of the meeting of April 23, 1970, was postponed.

70-19 SAFE DRIVING AWARDS

Mr. David Koch, Safety Director, advised that the City has won 22 Fleet and Industrial Awards given by the Texas Safety Association. Also, individual driving awards will be given to six City Employees for outstanding records.

Mayor McAllister then presented First Place Industrial Awards to the following Departments: Aviation, Garage - Central Shops, Public Safety - Fire, Public Works - Engineering. First Place Fleet Awards were presented to the following Departments: Finance, Traffic and Transportation, Parks and Recreation, Metropolitan Health District, Public Works, Police, Central Shops.

Individual Awards were presented to the following Public Works' Employees: Jesus S. Castillo, Epifano Tovar, Cecil Edward Walsh, Oscar C. Lich; Housing and Inspections: Ferdinand F. Bielke; Metropolitan Health District: Eugene Joseph Albrecht.

Special Industrial Certificates were also presented to the Departments of Housing and Inspections, Planning, Finance and Convention Facilities.

Mayor McAllister congratulated the Safety Director and the employees for the fine safety record and added that it has no doubt helped the City financially because of it.

70-19 The following Ordinances were read by the Clerk and 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, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,493

ACCEPTING THE ATTACHED LOW QUALIFIED
 BID OF ANDERSON MACHINERY COMPANY TO
 FURNISH THE CITY OF SAN ANTONIO
 DEPARTMENT OF PUBLIC WORKS WITH
 THREE CRAWLER TRACTORS LESS TRADE-INS,
 NET \$147,898.00 AND APPROPRIATING
 FUNDS.

* * * *

AN ORDINANCE 38,494

ACCEPTING THE ATTACHED LOW QUALIFIED
 BID OF MARTIN WRIGHT ELECTRIC COMPANY
 FOR THE MODIFICATION OF ELECTRIC
 SYSTEM OF THE CONVENTION CENTER FOR
 A NET TOTAL OF \$5,325.00.

* * * *

70-19 The Clerk read the following Resolution:

A RESOLUTION

APPROVING THE MODEL CITIES ADULT
 BASIC EDUCATION PROJECT, AUTHORIZING
 SUBMISSION OF THE PROJECT TO THE
 DEPARTMENT OF HOUSING AND URBAN
 DEVELOPMENT, AND REQUESTING THAT
 THE PROJECT DESCRIPTION AND BUDGET
 BE INCLUDED IN THE GRANT BUDGET OF
 THE MODEL CITIES GRANT AGREEMENT.

* * * *

Mr. Roy Montez, Model Cities Director, explained that this project is to expand an existing Adult Education Program. It will cost \$95,700.00 and will provide for 40 new classes with 20 to 30 students each. This has been approved by the CRC and the CPPC and the Model Cities Staff recommends approval by the Council.

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

70-19 The Clerk read the following Resolution:

A RESOLUTION

APPROVING THE MODEL CITIES NARCOTIC
 ADDICTION PROJECT, AUTHORIZING SUBMISSION
 OF THE PROJECT TO THE DEPARTMENT OF
 HOUSING AND URBAN DEVELOPMENT, AND
 REQUESTING THAT THE PROJECT DESCRIPTION
 AND BUDGET BE INCLUDED IN THE GRANT
 BUDGET OF THE MODEL CITIES GRANT AGREEMENT.

* * * *

Mr. Roy Montez, Model Cities Director, explained that the Narcotic Addiction Project is sponsored by the Bexar County Board of Trustees for Mental Health/Mental Retardation Services. The purpose of the program is to provide time and facilities for withdrawal of addicts and comprehensive after-care services. 65 to 70% of hardcore addicts are from the Model Cities area. Total cost of the project is estimated to be \$284,217.00. The Model Cities' share is \$34,248.00, for which amount this application is being made. The CRC and the CPPC recommend approval of this project.

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

70-19 The Clerk read an Ordinance approving guidelines for employment of Model Neighborhood residents in connection with work done on Model Cities Projects, directing submission of the guidelines to the Department of Housing and Urban Development for approval, and providing for inclusion of such guidelines in future contracts for carrying out the Model Cities Program.

Mr. Roy Montez, Model Cities Director, explained that this had been discussed with the Council last week. There was a request that a change be made in the Manpower Evaluation Committee and it has been rewritten, as outlined on Page 14 of the Guidelines for Resident Employment.

The City Manager asked that in the last sentence on Page 14, which reads as follows, "The City Staff may refer any purported contract violations to the Contract Compliance Section of the Department of Housing and Urban Development," that the word "may" be changed to "will."

Councilman Torres stated that since the guidelines have been revised, they should be resubmitted to the CPPC Board for approval before the Council takes action.

After discussion, Mr. Montez was instructed to call a special meeting of the CPPC Board to consider the guidelines and report back to the City Council on May 7.

70-19

HUD REPORTS
RE: MODEL CITIES

Councilman Torres asked that copies of HUD's Reports concerning progress in the Model Cities area, which were given to the Mayor, also be furnished Members of the City Council.

City Manager Henckel stated that Model Cities has the Reports and copies will be furnished Members of the Council.

70-19 The Clerk read the following Ordinance:

AN ORDINANCE 38,495

GRANTING PERMISSION TO MELVIN SAWYERS
TO CONSTRUCT A SEVEN FOOT SIX-INCH
HIGH FENCE ALONG THE REAR OF PROPERTY
LOCATED AT 643 BARRETT PLACE.

* * * *

Mr. George D. Vann, Jr., Director of Housing and Inspections, stated that the permit is for a fence at the rear of the property only. They have checked with the neighbors and they have no objections.

Mr. Melvin Sawyers stated that he had asked for permission to keep a privacy fence, seven and one half feet high, on the side property lines. The Ordinance does not cover this part of the request.

Mr. Vann explained that the neighbors object to any fence over six feet along the side property lines and the City Staff does not recommend a fence over six feet in height.

After discussion, Mr. Hill made a motion that the Ordinance be approved as written. The motion was seconded by Mr. James and the Ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

70-19 The Clerk read the following Ordinance:

AN ORDINANCE 38,496

DETERMINING THAT THE PREMISES LOCATED
AT 123 PARSONS CONTAINS OR CONSTITUTES
A CONDITION WHICH IS DEEMED A NUISANCE,
A FIRE, HEALTH AND SAFETY HAZARD, AND
DIRECTING THE CITY ATTORNEY TO FILE
SUIT IN A COURT OF COMPETENT JURISDICTION
TO HAVE THE NUISANCE ON SAID PREMISES
ABATED AND TO HAVE THE COST OF SUCH
PROCEEDINGS AND ABATEMENT ASSESSED
AGAINST THE OWNER OF SAID PREMISES.

* * * *

Mr. George D. Vann, Jr., Director of Housing and Inspections, stated that the owner, Mr. Joe Dzierzanski, had been notified of the hearing to be held this morning. The property is located at 123 Parsons and is known as Lot 22, New City Block 2736. There is a vacant one-story wooden residence structure, which is in a run-down, damaged condition.

He reviewed the efforts to have the owner bring the property up to standard. He presented a picture of the premises showing the building had been severely damaged by a recent fire. He recommended that the premises be found to be a nuisance, a fire, health and safety hazard under the Dangerous Premises Ordinance.

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

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

70-19 ENFORCEMENT OF MINIMUM HOUSING ORDINANCE

Mr. Hill stated that in the April 1 Report it showed cases closed to be 1,448 for the eight-month period of the current year. For the fiscal year 1968-1969, it shows there were over 3,500 cases closed. He inquired why there is such a large difference.

Mr. George Vann stated that they are now working in an area where it is more difficult to close a case. He felt that this will continue and the final report for the year will show a decrease in the total cases closed.

70-19 The Clerk read the following Ordinance:

AN ORDINANCE 38,497

MANIFESTING A CONTRACT WITH THE CITY
OF ALAMO HEIGHTS FOR CITY OF SAN ANTONIO
MAINTENANCE OF THE TRAFFIC LIGHT SYSTEM
WITHIN ALAMO HEIGHTS AND PROVIDING FOR
A 30 DAY CANCELLATION CLAUSE.

* * * *

Mr. Stewart Fischer, Director of Traffic and Transportation, explained this is a renewal of a contract, which the City has had with the City of Alamo Heights for the past four years. There is a change in the rates to be charged for labor and maintenance. The City will only maintain the signals, but does not regulate them for the purpose of controlling traffic. The City will charge \$3.00 per hour for labor, plus \$12.00 per vehicle hour, plus cost of parts.

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

70-19 The Clerk read the following Ordinance:

AN ORDINANCE 38,498

MANIFESTING AN AGREEMENT WITH BRANIFF
AIRWAYS, INC. TO AMEND THE PRESENT
AGREEMENT PROVIDING FOR LEASE OF SPACE
IN THE INTERNATIONAL AIRPORT TERMINAL
BUILDING, BY DELETING 430 SQUARE FEET
FROM THE PRESENT LEASED PREMISES, AND
ADDING TO THE LEASED PREMISES A NEW
AREA CONSISTING OF 221.87 SQUARE FEET,
THE RENTAL RATE FOR THE NEW AREA TO BE
\$6.00 PER SQUARE FOOT PER ANNUM.

* * * *

Mr. Tom Raffety, Director of Aviation, explained that the purpose of the amendment is for rearrangement of space for a more efficient operation of handling lost baggage. Cost of improvements is to be borne by the airlines. There will be a reduction in the total rental of \$603.00 per year, because of the reduction of space.

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

70-19 The Clerk read the following Ordinance:

AN ORDINANCE 38,499

AUTHORIZING PAYMENT OF \$16,250.00
TO THE SYMPHONY SOCIETY OF SAN
ANTONIO FOR THE 1970 SPRING SERIES
OF PARK CONCERTS.

* * * *

City Manager Henckel stated that this is payment for the second half of the contract with the Symphony Society to hold concerts in parks in residential areas and the concert at HemisFair Plaza. This is in accordance with the change in policy made last year where the City dealt directly with the Symphony Society rather than making a payment through the Chamber of Commerce for which the City received nothing in return. This payment is for three concerts.

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

70-19

GRAND JURY REPORT
RE: WITTE MUSEUM PAYMENTS

Mrs. Cockrell inquired if the City Manager had received a copy of the Grand Jury Report concerning payments to Witte Museum and other agencies, so that it can be reviewed and appropriate action taken.

City Manager Henckel stated that he has received a copy and that he appeared before the Grand Jury. The Grand Jury statement was general. It said the City should have more restrictive financial requirements of any City Agencies using City money. He will make a definite recommendation to the Council. The Finance Director already has been instructed to prepare all the necessary forms and papers to implement the recommendation. He recommended that any agency that uses City money be required to account for the money in the same manner as any City Department. The Finance Director will work with the various agencies and it will mean there will need to be an amendment to the present operating contract. A requirement will be made that the outside auditors employed by the City will also be hired by these firms to audit the expenditure of City money.

April 30, 1970
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70-19 The Clerk read the following Ordinance:

AN ORDINANCE 38,501

ACCEPTING A GRANT IN THE AMOUNT OF \$19,680.00 FROM THE TEXAS CRIMINAL JUSTICE COUNCIL TO BE USED FOR A POLICE DEPARTMENT COMMUNITY RELATIONS TRAINING PROGRAM; ACCEPTING THE PROPOSAL OF OUR LADY OF THE LAKE COLLEGE TO ESTABLISH A POLICE HUMAN RELATIONS LABORATORY TO CONDUCT FOURTEEN FOUR-HOUR SESSIONS IN HUMAN RELATIONS STUDIES FOR FIFTY POLICEMEN PER SESSION FOR A TOTAL COST OF \$1,348.95; ESTABLISHING TRUST FUND NO. 796-03 (COMMUNITY RELATIONS TRAINING PROJECT) FOR ACCOUNTING PURPOSES IN CONNECTION WITH SAID GRANT; APPROPRIATING THE SUM OF \$1,348.95 OUT OF SAID TRUST FUND PAYABLE TO OUR LADY OF THE LAKE COLLEGE FOR CONTRACTUAL SERVICES TO BE RENDERED; AND ALLOCATING \$8,491.05 FROM SAID TRUST FUND TO CODE 1-10 FOR PAYMENT OF OVERTIME TO POLICEMEN WHILE ATTENDING THE HUMAN RELATIONS CLASSES.

* * * *

Police Chief George Bichsel explained that the City had approval of this grant toward the end of 1969. They have had difficulty with the colleges to handle this course, as it will involve 700 students. Our Lady of the Lake College has worked out a way to handle this. The classes will be divided into two courses. The first will be given on May 1. It will consist of four hours of instruction for each of the 700 Police Officers. The second course will be held in September in the same manner. The reason the courses were separated is because of the availability of the Sociology Staff during the summer months. The City is applying for one half of the grant at this time. They will apply for the other half in August, prior to completion of the contract with Our Lady of the Lake College.

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

70-19 The Clerk read the following Ordinance:

AN ORDINANCE 38,502

AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC WORKS PROFESSIONAL SERVICES CONTRACT WITH K. M. NG

AND ASSOCIATES FOR PREPARATION OF
PLANS AND SPECIFICATIONS FOR URBAN
BEAUTIFICATION PROJECT NO. TEX. B-24
AND RELATED PARK WORK IN THE MODEL
NEIGHBORHOOD AREA.

* * * *

Mr. Cliff Edgar, Assistant Director of Parks and Recreation, said the Parks Staff has been working on this program for some time. The City Manager has received notice giving a deadline for all contracts in this connection of July 31. The Staff has 50% of the work prepared. The rest will require assistance. He recommended that the City make a contract with K. M. NG and Associates in order that the deadline be met.

The City Manager stated that this work was to be done by the City Staff, but because of other critical projects to which the Staff has been assigned, HemisFair Plaza being one, and because of the deadline imposed, he recommended that this firm be hired as a consultant.

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

70-19

BRACKENRIDGE STATUE

There were two types of bases considered. One, which the Fine Arts Commission liked, and one that the City Council preferred. The City will ask for bids for each type of base about June 1. When the bids come in, they will be presented to the City Council for consideration.

70-19

CITY MANAGER REPORTS

ALAMO AREA COUNCIL OF GOVERNMENTS

City Manager Henckel stated that at the informal session last week, he had recommended that the City's representatives to AACOG be Members of the City Council or some citizen who they may decide to appoint. However, Staff Members will still attend the meetings. At the present time, Assistant City Manager Douthit is a City Representative to AACOG. Mr. Douthit should be replaced. This has been discussed with Mr. Bob Jamison, Executive Director of AACOG, and he concurs with this.

He also recommended that AACOG consider having two more members on the Executive Board, one to represent the County and one to represent the City. He also recommended that the City approve their method of appeal based on population. Also, that all future projects to be presented to the AACOG Board, that before presentation, the City Staff be advised of the project and given an opportunity to review it with the AACOG Staff. He felt this will be of benefit not only to AACOG, but will give the Staff an opportunity to present projects which will be beneficial to the City.

April 30, 1970
ky

Mr. Jamison and the City Manager are in agreement that wherever possible, when an outside consultant is to be hired, if the City Staff is capable of doing the work, then they will contract with the City for the work rather than with an outside consultant. Finally, he recommended that the City go ahead and make the payment to AACOG for the City's dues based on population, which has been pending for some time.

Mrs. Cockrell stated that she approved and concurred with the City Manager's recommendation. She said that at yesterday's AACOG Meeting of the Executive Committee, she brought up the matter of increased representation. She reported that they agreed to recommend to the General Meeting in June that the By-Laws be amended to permit one additional representative for the City and the County.

70-19

MINI-MONORAIL

The City Manager reported that some Members of the Council have contacted him on bringing to a head the matter of the Mini-Monorail Contract. He has been negotiating on this for approximately eight months. Because of financial difficulties and refinancing, there was a question as to whether the Mini-Monorail would remain. The owners and officers were to meet with the Manager during Fiesta Week, but did not show up. Word has been received that they will be in the City on May 6 and at that time they will bring the Mini-Monorail problem, one way or another, to a conclusion. Relocation is necessary, because of the part which is on a part of the State right-of-way and the extension of Market Street.

70-19

TUESDAY MUSICAL CLUB

The City Manager reported they have been negotiating on a lease. The Tuesday Musical Club has submitted a proposal and the City has submitted a counter-proposal. The City's proposal calls for \$100.00 per month rent for a five-year lease with a five-year option.

70-19

MEAT ORDINANCE

The City Manager advised the Council that the Staff will be prepared to discuss this Ordinance with the Council next week.

70-19

EISENHAUER ROAD CROSSING NEAR KINGSTON DRIVE

The City Manager reported that the citizens requesting this crossing had been asked to appear before the Council at the informal session today to discuss it.

70-19

QUARTERLY FINANCIAL REPORTS

Mr. Hill asked that where there are peaks and valleys in the Report, that someone from the Finance Department give a brief, oral dissertation on why it is that way. There are some items which are up \$500,000.00 and others down \$500,000.00. He felt that it will be a good way to better understand the Report and give the Council an opportunity to ask questions concerning it.

The City Manager was in accord and stated that one week before the Quarterly Report is sent out, it will be placed on the Agenda for the informal meeting of the Council.

70-19 Councilman Torres introduced an Ordinance prohibiting the sale, offer of sale, delivery or gift to any person under 21 years of age of that certain chemical Orthochlorobenzalmalonitrile, known as CS, and providing for a penalty not exceeding \$200.00.

Mr. Torres explained the background of the Ordinance and recommended its adoption.

Mr. Hill felt that the age should be reduced to 19 years of age, as there are many young ladies, 19 years of age, who are working and who carry the chemical as protection. He stated that he would go along with the Ordinance if the age was reduced to 19 years.

Mr. Trevino stated that he felt that the age limit should remain at 21, as there are many high school students who are 19 and 20 years of age.

After correcting the Ordinance, it was read by the Clerk, as follows:

AN ORDINANCE 38,500

PROHIBITING THE SALE, OFFER OF SALE,
DELIVERY OR GIFT TO ANY PERSON UNDER
19 YEARS OF AGE OF THAT CERTAIN CHEMICAL
ORTHOCHLOROBENZALMALONITRILE, KNOWN
AS CS, AND PROVIDING FOR A PENALTY NOT
EXCEEDING \$200.00 FOR VIOLATION.

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On motion of Mr. Torres, seconded by Mr. Hill, the Ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Hill, Torres; NAYS: Trevino; ABSENT: Nielsen.

70-19 The Clerk read an Ordinance prohibiting the sale, offer of sale, delivery or gift to any person under 21 years of age of certain types of glue and chemicals and providing other restrictions.

Mr. Remigio Valdez, President of the Mexican American Betterment Organization, thanked the Council for amending the current Glue Sniffing Ordinance and adding additional restrictions. The Ordinance, however, did not provide for making it illegal to sell glue without an additive deterrent (mustard oil). He asked the Council to consider this and pass an Ordinance, effective January 1, 1971, which would give manufacturers ample time to make the necessary changes in the product.

He then read a letter, from the Lulac Council No. 2, advising that 500 independent retail grocers support this legislation.

Mr. Richard Moreno, Chief Juvenile Officer for the County, reviewed the problem of glue sniffing among children.

April 30, 1970
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Mr. John Perez, Principal at Krueger Junior School, also thanked the Council for adoption of this Ordinance and also asked the Council to consider the matter of an additive deterrent in glue.

The City Manager thanked Mr. Valdez and his associates for their help in trying to curb the glue sniffing problem. He was in concurrence that an additive deterrent should be required. However, this should be done at the State level, as there are many of the manufacturers who are out of State. He recommended that the Council do pass a Resolution urging the Legislature to pass such a law.

After discussion, the Council agreed that the age limit should be reduced to under 19 years of age.

After correcting the Ordinance, it was read by the Clerk, as follows:

AN ORDINANCE 38,503

PROHIBITING THE SALE, OFFER OF SALE, DELIVERY OR GIFT TO ANY PERSON UNDER 19 YEARS OF AGE OF CERTAIN TYPES OF GLUE AND CEMENTS; AND PROVIDING OTHER RESTRICTIONS; MAKING IT UNLAWFUL FOR ANY PERSON TO INHALE SUCH GLUES AND CEMENTS: PROVIDING FOR A PENALTY NOT EXCEEDING \$200.00 FOR VIOLATION AND REPEALING ORDINANCE NO. 33050 PERTAINING TO THIS SAME SUBJECT.

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

70-19 The Clerk read the following Resolution:

A RESOLUTION

WHEREAS, the reports of increasing use of glue and other volatile toxic products by the youth of San Antonio during the past year continue to mount, and

WHEREAS, the damaging effects and pathology of such inhalants are medical knowledge, and contribute to juvenile and school problems, and

WHEREAS, City ordinances to regulate sale and use of such products have met with some success in eliminating this problem, but certain legal limitations prohibit municipalities from enacting and enforcing legislation at the local level,

THEREFORE, BE IT RESOLVED THAT THE

City Council of the City of San Antonio urges the Governor and elected State officials to work for prompt passage of appropriate legislation requiring addition of oil of mustard

April 30, 1970
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-11-

or similar chemical (lacrimators) to glue or other solvents having property of releasing toxic vapors or fumes.

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Mrs. Cockrell made a motion that the Resolution be adopted. Seconded by Mr. Hill, the motion prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Nielsen.

In connection with enforcement of the Glue Sniffing Ordinance, Dr. Calderon recommended that there be one or two Police Officers assigned to the task of overseeing compliance of the Ordinance and to work with and cooperate with the Juvenile Officers and School Officials. He strongly urged that this be done, so that the Ordinance can be effectively enforced.

Mayor McAllister asked that the City Manager discuss the matter with the Chief of Police and then give a report to the Council on how they plan to enforce the provisions of the Ordinance.

70-19 The Clerk read an Ordinance amending Ordinance No. 36768 and adding thereto provisions making certain employment practices unlawful and expanding the functions of the City's Community Relations Commission providing that said commission shall perform the functions as the City's Equal Employment Opportunity Commission, providing for enforcement and investigations and providing penalties for the violation of this ordinance.

Mr. Torres stated that by Memorandum of April 10, he had transmitted copies of the Ordinance to Council Members. The Ordinance will establish unlawful employment practices by making it unlawful to discriminate in employment on account of race, color, religion, sex, age or National Origin. It covers unlawful employment practices on the part of employers, labor unions, employment agencies, as well as in the case of training programs. It provides that the existing Community Relations Commission shall act as the City's Equal Employment Opportunity Commission, in addition to its existing function. It also provides for filing of complaints in the Corporation Court and penalties for violation of the Ordinance.

He felt there are mechanics in the Ordinance to give it force and effect. A precedence for this type of legislation has been set, as in the case of the Minimum Wage Ordinance and the Open Housing Ordinance. In the case of the Minimum Wage Ordinance, there was an opinion from the City Attorney that perhaps the Ordinance was illegal. It was subsequently ruled by the Courts to be legal.

He asked that the Council adopt the Ordinance.

The Council discussed with Mr. Torres the scope and intent and authority of the Ordinance and the duties of the Community Relations Commission, as well as the matter of discrimination by labor unions in hiring practices and training programs.

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To a question, the City Attorney stated that the Legal Department has recommended against passage of the Ordinance.

April 30, 1970
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-12-

*See Page -12A-.

ADDITION TO MINUTES OF APRIL 30, 1970, COUNCIL MEETING

RE: EQUAL EMPLOYMENT ORDINANCE

Inserted as next to last paragraph on Page 12.

Rev. James discussed with Mr. Torres whether the ordinance covered labor unions and their practices concerning apprentices, training and retraining. He then said the statement on page one of the ordinance was a good one and unless the unions were really bent on continuing their practices, it should stop them.

April 30, 1970
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The Mayor, speaking for himself, questioned the advisability of such an Ordinance, because it will place every employer in a very difficult situation, if he is subject to investigation and legal action because he exercises his right to limit certain jobs to individuals of certain ages.

Mr. Torres stated there are Supreme Court rulings upholding legislation in this field.

Mr. Trevino stated that he knew of one case, which he felt was a flagrant discrimination case that the Federal Government did not feel it was strong enough to try the case in Court. If this was the case, then the City may not have authority to judge whether a person had been discriminated against or not.

Mr. Torres stated that he felt this was a good Ordinance and you cannot really tell until you pass it and enforce it. He then moved adoption of the Ordinance.

The Mayor declared the motion to have failed for lack of a second.

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70-19

COUGH SYRUP ORDINANCE

Consideration of an Ordinance regulating the sale of cough syrup containing an excess amount of codeine was postponed pending a report from the Health Director.

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70-19

REPORT OF MAYOR'S ADVISORY COMMITTEE ON HOUSING

Mr. Hill stated that a special meeting of the Committee was held yesterday. A presentation was made by Mr. H. B. Zachry and his people on a concept of low-cost housing. The Members of the Housing Committee felt that the concept was a good one and merits consideration. After study of the concept, the Committee will make a report to the Council.

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70-19

POULTRY ORDINANCE

Mrs. Cockrell stated that the Council recently received a Memorandum from her regarding a problem which Mr. M. C. Vargas was having regarding enforcement of the City Ordinance on keeping of chickens in the City. The report shows the number of complaints and investigations made and it appears that there cannot be any enforcement of the present Ordinance. She felt the Council should consider the Poultry Ordinance and discuss it with the Judge, as to why the City is unable to get convictions. The most recent action is that Mr. Vargas' case was thrown out of Court and the neighbor has now again been issued a Poultry Permit.

The City Manager stated that the Staff has been working on it and there does not appear to be any way that this Ordinance can be enforced and needs to be revised.

Mayor McAllister asked the City Manager to have the City Attorney study the problem to see if he can come up with an Ordinance that is practical.

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April 30, 1970
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-13-

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70-19COUNTY JAIL

Councilman Torres presented each Member of the Council a Memorandum under the subject of Overcrowded Conditions at the Jail; Commissioner's Court, Jail Committee Report and Proposal for Consolidation of the City Police and Sheriff's Department. He said that he was asking that the City Council give the Police Department express authority to take or send a drunk home instead of to jail. A summons to appear in Court at a later date can be issued under Article 15.03 of the Code of Criminal Procedure. Also, he was asking that long-range plans be made to consolidate the Sheriff's Department and the City Police Department into a single local Department of Public Safety to manage and operate under the City of San Antonio, the many vital functions of law enforcement, including the operation of the jail.

He added that the Council may wish to reactivate the City-County Cooperative Committee to study the consolidation.

He asked that these two items be placed on the Council Agenda for May 7, 1970.

In this connection, Councilman Hill stated that the St. Louis Detoxification Center has a very good program and the Council should give it serious consideration.

After discussion, the Mayor asked that the two items be placed on next week's Agenda. A copy of the Memorandum should be forwarded to the City Attorney for study and report to the Council.

(A copy of Mr. Torres' Memorandum is on file with papers of this meeting.)

70-19MAYOR'S COMMITTEE ON EQUAL STATUS OF WOMEN

Mrs. Cockrell asked that the matter of the Committee on the Status of Women be placed on the Agenda for next week.

70-19CITIZENS TO BE HEARD

Reverend R. A. Callies, President of the Youth Leadership Conference for Community Progress, spoke concerning their request to name a street in memory of Dr. Martin Luther King, Jr. He presented petitions in which a majority of the signers favor renaming New Braunfels Avenue to Martin Luther King Drive. Others favor changing the name of Gevers, Nebraska or Moore Streets. He also presented clippings and pictures showing what other Cities have done in memory of Dr. King.

Mr. Torres stated he was ready to vote on changing the street name as requested.

Mayor McAllister questioned action being taken at this time, as the people on the street should be contacted to see how they feel.

Mr. James commented that one possibility for a memorial to Dr. King is the proposed Eastside Health Center for which plans are being drawn.

April 30, 1970
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Dr. Calderon stated he had received some phone calls making serious charges against Dr. King, which he felt should be cleared up.

Reverend Louis Duncan felt the Council has the power to rename the street, as requested, and should act on the request.

The Mayor stated many factors need to be considered, especially the business houses and residents in the area. He has received many violent protests, because the City has changed the numbering on Commerce Street. He added he would not vote on such a change unless there is complete approval from every person on the street in question.

Mrs. Corinne Duncan, 110 Ferris Street, stated the name of her street has been changed three times.

Mr. Dario Chapa, a Member of the Model Cities CPPC, asked if action was taken on the Manpower Guidelines.

He was advised that some changes had been made and the Guidelines were referred back to the CPPC for approval before the Council will act on them.

70-19

INDUSTRIAL SAFETY ORDINANCE

Dr. Nielsen stated action should be taken on such an Ordinance, at least in the heavy construction field, as another accident has occurred, this time at Pearl Brewery, where a wall fell and seriously injured a worker.

Clayton Russell, 122 San Rafael, spoke concerning the bond election and the sale of City of Tulsa bonds at 6% interest.

70-19 The Clerk read the following letter:

April 27, 1970

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

Gentlemen and Madam:

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

4/20/70

Petition of Major G. A. Johnson, 4114 Hillswind requesting the City install street lights in Village North #2 Subdivision.

4/21/70

Petition of Raymond Brewer Elementary School PTA requesting that a Mama Patrol be placed at the intersection of Merida and Hamilton Streets.

/s/ J. H. INSELMANN,
City Clerk

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April 30, 1970

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

A P P R O V E D

Mr. McAllister
MAYOR

ATTEST: *J. H. Invelman*
C i t y C l e r k