

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 18, 1968 AT 8:30 A.M.

* * *

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

The invocation was given by Reverend Merrit Slawson, Travis Park Methodist Church.

68-298 The minutes of the meeting of April 11, 1968 were approved.

68-299 The Mayor announced that Zoning Cases 3274 and 3276 were to be heard, with Case 3274 to rezone Lots 32 thru 35, Blk. 6, NCB 13431 from "A" Single-Family Residence District to "R-2" Two-Family Residence District, located on the west side of Conbes Drive, being heard first.

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

Mr. James W. Kirksey, the applicant, stated that it was his intention to build duplexes on the subject property. He explained that the duplexes would be in keeping with the neighborhood and pointed out to the Council that there were duplexes on the south side of S. Trail Drive. He added that, while this area was developed for single-family residences, more duplexes have been built in this area than single-family residences.

Mr. William VanHorn, attorney for Mr. Kirksey, showed pictures of the type of duplexes that would be built and stated that, since so many duplexes were in the area, it would not be feasible to build single-family dwellings on this lot.

After lengthy discussion by the Council, Mr. Gatti made a motion that the recommendation of the Planning Commission be overruled and the property be rezoned to "R-2" Two-Family Residence District. The motion was seconded by Dr. Parker. The motion,

carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None.

AN ORDINANCE 36,433

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 32 THRU 35, BLK. 6, NCB 13431 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT.

* * *

68-300 The next zoning case heard was Case 3276 to rezone Lots 31 and 32, Blk. 9, NCB 10247 from "B" Residence District to "B-1" Business District, located on the north side of Nebraska.

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

Reverend B. Anthony, the applicant, explained that he was requesting the rezoning in order to operate a barber shop on the subject property. He stated that he had been operating at 813 E. Commerce Street, but, since he was in the HemisFair area, the building had been demolished.

Mr. E. E. Perry, 330 Nebraska Street, opposed the request because this area is generally a residential area.

After discussion, Mr. Torres made a motion to uphold the recommendation of the Planning Commission and deny the request. Seconded by Mr. Gatti, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None.

Mr. Torres asked Mr. George Vann, Housing and Inspections Director, to inspect the area adjacent to the property owned by the previous applicant and see if the property owners wouldn't clear the trash and junk off the various lots.

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68-301 The next case heard was Case 3145 to rezone Lot 17, Blk. 7, NCB from "D" Apartment District to "B-2" Business District, located west of the intersection of Indianola Street and Victoria Street.

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

No one spoke in opposition.

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

AN ORDINANCE 36,434

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 17, BLK. 7, NCB 707 FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT.

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68-302 Next heard was zoning case 3198 to rezone the north 35.28' of Lot 20, NCB 10353, being that portion not presently zoned "J" Commercial from "F" Local Retail District to "B-3" Business District, located on the west side of Blanco Road.

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

No one spoke in opposition.

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

AN ORDINANCE 36,435

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 35.28' OF LOT 20, NCB 10353, BEING THAT PORTION NOT PRESENTLY ZONED "J" COMMERCIAL FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

Next heard was Zoning Case 3215 to rezone the east 286.64' of Lot 72, NCB 11889 from "A" Single-Family Residence District to "R-3" Multiple-Family Residence District, located on the west side of North New Braunfels Avenue.

Mr. Bernard Kost, representing the applicant, Mr. Thomas L. Brundage, explained that the subject property was approximately 300' deep by 100' wide, and there is a Gulf Station at the corner of Terra Alta Drive and a community center directly across the street on North New Braunfels. He added that his client will construct split-level type apartments known as rental studio-type units on the subject property.

Mr. Irby, representing the owners of the property within 200 feet of the subject property, opposed the rezoning. He stated that there were sufficient apartments in the community.

After discussion by the Council, Mr. Jones made a motion to grant the rezoning, subject to the applicant placing a fence on the north line of the property. Mr. Torres seconded the motion. The motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker, Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 36,436

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 OR CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 386.64' OF LOT 72, NCB 11889 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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Next heard was Zoning Case 3250 to rezone the west 145.2' of Lot 73, NCB 11889 from "A" Residence District to "R-3" Multiple-Family Residence District, located north of Terra Alta Drive.

Mr. Bernard Kost explained that this property would be used in conjunction with the property in the previous zoning case, and the same type of apartments would be built (studio rental-type units).

Mr. Irby opposed this request for rezoning for the reason given in the previous zoning case.

After discussion, Mr. Gatti made a motion to approve the recommendation of the Planning Commission, subject to the applicant placing a fence on the south and west sides of the property. Mr. Jones seconded the motion. The motion, carrying with it the passage

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of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: Parker.

AN ORDINANCE 36,437

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 WEST 145.2' OF LOT 73, NCB 11889 FROM "A" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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68-307
Next heard was zoning case 3254 to rezone the west 290.40' of Lot 72, NCB 11889 from "A" Single-Family Residence District to "R-3" Multiple-Family Residence District, located south of Sunset Road and west of North New Braunfels Avenue.

The applicant explained that this property would also be used in conjunction with the property in the previous two zoning cases.

Mr. Irby again opposed the rezoning.

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

AN ORDINANCE 36,438

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 WEST 290.40' OF LOT 72, NCB 11889 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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The last case heard was Zoning Case 3260 to rezone Lot 18, Blk. 4, NCB 11045 from "B" Residence District to "B-3" Business District, located southwest of the intersection of Santa Rita and Roosevelt Avenue.

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

No one spoke in opposition.

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

AN ORDINANCE 36,439

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 18, BLK. 4, NCB 11045 FROM "B" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

* * *

The Mayor declared the hearing open on the petition of Joyce D. Plummer requesting a permit for Temporary Housing during HemisFair, located at 2813 South W. W. White Road.

Mr. Steve Taylor, Planning Director, explained that there had been 11 notices mailed to the surrounding property owners within 200 feet of the subject property. Two were returned in favor, one in opposition. All City Departments have indicated their approval. The Fire Department approved it on condition that more fire extinguishers be provided. The Health Department also had an objection; however, the applicant has consented to comply in all respects with their recommendations.

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

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The Mayor declared the hearing open on the petition of Thelma O. Bosques requesting a permit for Temporary Housing for the construction and operation of temporary housing facilities during HemisFair, located at 3328 Military Drive, Southwest.

Mr. Steve Taylor, Planning Director, explained that this was a request to lease mobile homes on this tract. The plans that were submitted were very incomplete. The Department of Housing and Inspections, on the basis of the plans submitted, preferred to have the request denied, as well as the Health Department. No City department even gave conditional approval. All denials were based on the inadequacy of the information.

Mr. Taylor recommended that it either be denied or approved subject to the submission of proper plans.

After discussion by the Council, Dr. Calderon made a motion to postpone action on this request until the applicant re-submits adequate plans. Seconded by Mr. James, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: Parker.

Mr. George Vann, Director of Housing and Inspections, briefed the Council on the following ordinance, and on motion of Mr. Jones, seconded by Mr. Torres, it was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Trevino, Torres; NAYS: None; ABSENT: James, Gatti, Parker.

AN ORDINANCE 36,440

CHANGING THE NAME OF FIFTH STREET BETWEEN I.H. 37 AND NORTH ST. MARY'S STREET AND SOUTH McCULLOUGH BETWEEN NORTH ST. MARY'S AND EAST CYPRESS TO McCULLOUGH AVENUE AS RECOMMENDED BY THE CITY PLANNING COMMISSION.

* * *

Item 2 on the Agenda was withdrawn at the request of the City Manager.

The Clerk read the following ordinance:

AN ORDINANCE

MANIFESTING AN AGREEMENT WITH TEXAS TRANSPORTATION GRANTING SAID COMPANY THE RIGHT TO USE CERTAIN STREETS FOR A PERIOD OF TEN YEARS FOR THE PURPOSE OF OPERATING A RAILWAY LINE IN CONSIDERATION OF ANNUAL PAYMENTS TO THE CITY OF AN AMOUNT EQUAL TO 2% OF THE GROSS REVENUES OF SAID COMPANY.

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Mr. Stewart Fischer, Director of Traffic and Transportation, explained that this was essentially an extension of an old agreement. The Texas Transportation Company has a railway line that connects from the Pearl Brewery to the Southern Pacific Railroad, running largely down Jones Avenue. He stated that this is a 10 year extension of their franchise for the use of the streets. A new contract includes some very important changes, principally that the City shall have the right to control the type of construction and types of facilities that are there, and if the City determines that changes are needed, the company can be required to make these changes.

The Mayor suggested that the City Manager give consideration to the figuring of some minimum guaranteed annual payment in proportion to the amount of sales.

After discussion, the Mayor, with the consent of the Council, postponed action on this ordinance and directed Mr. Howard Walker, City Attorney, to check into this at his convenience.

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

AN ORDINANCE 36,441

MANIFESTING AN AGREEMENT EXTENDING THE TERMS OF TWO LEASE AGREEMENTS BETWEEN THE CITY AND W. J. LYONS, SR., AUTHORIZING USE OF RIVER-WALK PROPERTY IN CONJUNCTION WITH RESTAURANT OPERATIONS, FOR AN ADDITIONAL ONE-YEAR PERIOD.

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AN ORDINANCE 36,442

MANIFESTING AN AGREEMENT EXTENDING THE TERM OF THE LEASE BETWEEN THE CITY OF SAN ANTONIO AND LOSTON C. AMOS, KNOWN AS LEASE NO. 614 AT STINSON MUNICIPAL AIRPORT, FOR AN ADDITIONAL ONE-YEAR PERIOD.

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AN ORDINANCE 36,443

AUTHORIZING EXECUTION OF AN AMENDMENT TO A CONTRACT WITH GREYHOUND HIGHWAY TOURS, INC., PROVIDING FOR USE OF TOWER COUPON TICKETS FOR ADMISSION TO THE TOWER OF THE AMERICAS.

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AN ORDINANCE 36,444

GRANTING MOBIL OIL CORPORATION PERMISSION
TO DELIVER AVIATION FUEL AND LUBRICANTS TO
LESSEES AT STINSON MUNICIPAL AIRPORT.

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AN ORDINANCE 36,445

GRANTING GULF OIL CORPORATION PERMISSION
TO DELIVER AVIATION FUEL AND LUBRICANTS TO
LESSEES AT STINSON MUNICIPAL AIRPORT.

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At this time, the Mayor recognized Mr. Ellis Shapiro and Mr. Don Garrett, representing San Antonio Fiesta Commission.

Mr. Don Garrett, Vice-President of the San Antonio Fiesta Commission, presented souvenirs to the Council, commemorating the 73rd anniversary of the San Antonio Fiesta Commission.

The Mayor congratulated the San Antonio Fiesta Commission for doing such an outstanding job during Fiesta Week and thanked Mr. Garrett for the souvenirs.

The Clerk read the following ordinance:

AN ORDINANCE

FORFEITING THE BID DEPOSIT OF SAFWAY SCAFFOLDS CO. FOR NON-PERFORMANCE AND ACCEPTING THE BID OF UP-RIGHT SCAFFOLDS TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH CERTAIN PORTABLE STAGE PLATFORMS FOR A TOTAL OF \$22,176 AND APPROPRIATING SAID AMOUNT OUT OF COMMUNITY AND CONVENTION CENTER BONDS FOR PAYMENT THEREOF.

* * *

Mr. Al Tripp, Purchasing Agent, explained that bids were received for scaffolds for the Convention Center on March 14, 1968. The bid was awarded to Safway Scaffolds Company and was accepted before April 1, 1968. Later in March, a letter was received from Safway Scaffolds stating that due to government commitments, they would not be able to deliver the scaffolds on time. At that time, they requested a 30 day extension. Before the extension was granted, Mr. Francis Vickers, Convention Center Director, informed the Purchasing Staff that he had no commitments

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with any lessees during the month of April, but he would need the scaffolds in May.

Mr. Tripp stated that he had granted the 30 day extension; however, yesterday, the firm again requested a 30 day extension. He explained that he now had two recommendations. He had contacted the second low bidder, and they assured him they would be able to ship the scaffolds on time if awarded the contract today. The second recommendation would be to have the City lease the equipment and charge it off to Safway Scaffolds in view of the contract. Mr. Tripp recommended that the City go ahead and cancel out Safway Scaffolds and make the award to Upright Scaffolds, the second lowest bidder and added that we have the deposit from Safway Scaffolds in the amount of \$1,871.69, which he recommended be kept to take care of any damages that the City would suffer.

Mr. Forest Jordan, President of Safway Scaffolds Company, stated that his firm regretted that they could not deliver as promised and presented letters that helped to explain the reason for non-delivery.

In answer to questions from Councilman Parker, Mr. Jordan stated that his firm would be glad to furnish, free to the City, sufficient scaffolding to meet their needs.

After discussion, the Mayor directed that Mr. Jordan, Mr. Tripp and Mr. Vickers get together and see if suitable arrangements could be made with Safway Scaffolds Company to furnish the scaffolds without any charge to the City until they can fulfill their commitment.

Mr. Walker, City Attorney, stated that if the City would eventually use the second low bid, an ordinance would have to be drawn up and adopted by Council action today.

The Mayor then stated that the Council would consider adjourning, subject to call by the City Manager.

Before adjourning, Councilman James requested to be heard.

Councilman James stated that the Council agrees that part of the good image we've had in San Antonio has been our progressive and forthright action in the area of human relations. He added that a few days before, some national legislation on open housing had been passed. There are some weaknesses in it, and there is room for improvement. He wished the Council to go on record to have the City Attorney study the whole situation of a local ordinance to facilitate the open housing legislation and even go beyond facilitating to improve it in some areas.

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The Mayor stated that a motion was not necessary, and, since Councilman James had expressed the sentiment of the entire Council, he should discuss it with Mr. Walker, City Attorney, and have something ready for the next Council meeting.

Mr. Walker stated that his staff has been working on just such an ordinance; however, they had received the complete bill only last Tuesday and would be pleased to discuss this matter with the Council to determine how they would like to strengthen it.

Mr. Gatti then presented a copy of the April 11th Wall Street Journal which contained an article entitled, "Some Ins and Outs of the Open Housing Law for Buyers, Sellers, Brokers, and Lenders" and asked that copies be made and distributed to the Council for their study.

Mr. Jerry Henckel, City Manager, made the following announcement on changes in personnel, effective May 1:

Mr. Al Tripp, who has been the Purchasing Agent, will assume the new position as the Assistant Director of the Convention Bureau. Mr. John Brooks, who has served as Assistant Purchasing Agent, will assume the duties of Purchasing Agent. Mr. Brooks Barker, who was formerly with the City as an Administrative Assistant, but who for the last nine months has been Manager of Sinton, Texas, will come back to work with us as Chief Administrative Assistant. Mr. Richard Gesnago, who has been stationed with the Water Board for 3 years, will come to work with the City as an Administrative Assistant, and Mr. Henry Cisneros, who is graduating from Texas A & M will work with us for the summer months, serving a summer internship in the office of the City Manager.

Since no citizen cared to be heard, the Mayor announced that the meeting would be recessed for a short time.

The meeting re-convened.

Mr. Al Tripp explained that he and Mr. Jordan had conferred with Mr. Vickers, Convention Center Facilities Manager, and an agreement had been reached with Mr. Jordan to have him supply the necessary scaffolding for the Convention Center until his company can meet their commitment to install the scaffolding

for us without any cost to the City. An additional 30 day extension was given to Safway Scaffolds Company.

The Mayor directed Mr. Tripp to proceed in this manner after receiving written commitment from Mr. Jordan. The ordinance originally passed awarding Safway Scaffolds Company the bid would still be effective.

The Clerk read the following letter:

April 16, 1968

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

Gentlemen and Madam:

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

- 4-11-68 Petition of Mr. Ronald C. Williamson on behalf of Mr. Edwin R. Becker, 419 Compton Avenue, requesting the City to close, abandon and deed to Mr. Edwin R. Becker a portion of Quintard Street, being a strip of land approximately 18' x 88'.
- 4-12-68 Petition of Mr. Hayden Grona and Mr. Alcus P. Whitehead requesting permission for petitioners to fence their yards up to the concrete drainage ditch between Sandman and Raindrop Streets for the purpose of beautification and protection from vagrants.
- 4-15-68 Petition of Gulf Oil Corporation requesting the City to grant them a permit to sell aviation gasoline at Stinson Municipal Airport.
- 4-15-68 Petition of Mobil Oil Corporation requesting the City to grant them a permit to sell aviation gasoline at Stinson Municipal Airport.

J. H. INSELMANN
City Clerk

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

A P P R O V E D



M A Y O R

ATTEST:


City Clerk