

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL ON
THURSDAY, AUGUST 28, 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, JAMES, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; Absent: NONE.

69-38 The invocation was given by Reverend Charles Sherman, Hope Lutheran Church.

The addition to the minutes of August 14 and the minutes of the meeting of August 21, 1969 were approved.

69-38 The following ordinances were explained by Mr. John Brooks, Purchasing Agent, 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 37,828

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF THE TURNER SUBSCRIPTION AGENCY, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CERTAIN PERIODICALS AND NEWS-PAPER SUBSCRIPTIONS FOR A NET TOTAL OF \$8,246.30.

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AN ORDINANCE 37,829

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF NATIONAL CASH REGISTER COMPANY TO FURNISH THE CITY OF SAN ANTONIO FINANCE DEPARTMENT WITH ONE VALIDATING MACHINE FOR A NET TOTAL OF \$3,235.00.

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AN ORDINANCE 37,830

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF MOORE BUSINESS FORMS, INC. TO FURNISH THE CITY OF SAN ANTONIO FINANCE DEPARTMENT WITH CERTAIN CURRENT REAL AND PERSONAL PROPERTY STATEMENT FOR A NET TOTAL OF \$2,426.76.

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69-38 Mr. Thomas Raffety, Director of Aviation, explained the following ordinances 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 37,831

MANIFESTING AN AGREEMENT WITH GULF OIL CORPORATION TO EXTEND SAN ANTONIO INTERNATIONAL AIRPORT LEASE NUMBER 84 FOR ONE YEAR.

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AN ORDINANCE 37,832

MANIFESTING AN AGREEMENT WITH TRADEWINDS AVIATION, INC., LESSEE UNDER SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 10 WHEREBY THE CITY CONSENTS TO THE SUBLEASE OF A PORTION OF SAID FACILITIES.

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69-38 The Clerk read the following ordinance.

AN ORDINANCE 37,833

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT NO. SW-113 WITH THE FEDERAL AVIATION ADMINISTRATION FOR SERVICES AND REIMBURSEMENT IN RAISING ALS THRESHOLD BAR RUNWAY 12/30.

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Aviation Director Thomas Raffety explained that the agreement provides that the City will reimburse the FAA for engineering and inspection services in connection with the adjustment of the approach lighting system threshold bar on Runway 12/30. Since this is a federal aid project, the cost of all work connected with it is shared by the City and the FAA. The City will pay \$1355.00 and this sum will be put back into the project cost and the City will receive 50% in the project participation.

After consideration, 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, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-38 The Clerk read an ordinance 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.

Airport Director Thomas Raffety explained the ordinance which provided for the assignment and consenting to the right of reassignment of the lease at Stinson Airport. He stated that this was necessary in order to comply with the Small Business Administration requirements who is providing a loan of \$15,200.00 for the erection of a 45 ft. by 242 ft. eleven unit T-hangar and one four unit aircraft parking cover on the leased premises.

After consideration of the ordinance, action was postponed for one week to September 4.

69-38 The Clerk read the following ordinances which were explained by Aviation Director Thomas Raffety 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 37,834

CONSENTING TO PLEDGE OF SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 337 BY WILLIAM B. MATTHEWS, LESSEE, TO NATIONAL BANK OF COMMERCE AND AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENT STIPULATING CONDITIONS OF CONSENT.

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AN ORDINANCE 37,835

MANIFESTING AN AGREEMENT WITH THE DEE HOWARD COMPANY, MOBIL OIL COMPANY AND TRANSAMERICA INSURANCE COMPANY TO AMEND SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 301 BY ADDING GROUND SPACE.

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AN ORDINANCE 37,836

AUTHORIZING A CONTRACT WITH ROBERTS, ALLEN & HELMKE FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE 1969 TERMINAL MODIFICATION PROGRAM AT INTERNATIONAL AIRPORT; AUTHORIZING PAYMENT OF \$16,000.00 TO SAID ARCHITECTS AND ALSO AUTHORIZING \$800.00 TO BE USED AS A MISCELLANEOUS CONTINGENCY FUND.

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ITEM NO. 11 - Action on an ordinance regarding a Federal Grant of \$30,000 for the Youth Opportunity Program was postponed at the request of the City Manager.

69-38 The Clerk read the following ordinances which were explained by Mr. W. S. Clark, Land Division Chief, 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 37,837

APPROPRIATING FROM VARIOUS FUNDS CERTAIN SUMS IN THE TOTAL SUM OF \$1,073.19 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR U. S. 281 NORTH EXPRESSWAY PROJECT; SALADO CREEK OUTFALL SEWER LINE; STEVES AVENUE PAVING PROJECT; SAN PEDRO AVENUE IMPROVEMENT PROJECT; U.S. 90 WEST EXPRESSWAY PROJECT; AND U. S. 281 NORTH EXPRESSWAY SANITARY SEWER RELOCATION PROJECT.

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AN ORDINANCE 37,838

CLOSING AND ABANDONING PORTIONS OF AVERY, AGARITA AND PARKMOOR STREETS TOGETHER WITH AN ALLEY LOCATED IN N.C.B. 3245 AND AUTHORIZING A QUITCLAIM DEED OF SAID PROPERTY TO KNOWLTON'S CREAMERY FOR A CONSIDERATION OF \$1,950.00.

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69-38 The following ordinance was explained by Land Division Chief W. S. Clark and after consideration, on motion of Dr. Calderon, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,839

APPROPRIATING \$40,110.00 OUT OF NORTH EXPRESSWAY BONDS FOR ACQUISITION OF RIGHT OF WAY; APPROPRIATING \$25.00 OUT OF SEWER REVENUE BONDS TO SECURE A PIPE LINE EASEMENT FOR THE SALADO CREEK SEWER LINE; ACCEPTING A CORRECTION DEED AND RELEASING AN EASEMENT IN CONNECTION WITH PACIFIC AVENUE PAVING PROJECT ALSO ACCEPTING A DEDICATION OF A 23 FOOT STRIP OF LAND IN N.C.B. 10777 AND AUTHORIZING PAYMENT OF \$450.10 FOR AN EASEMENT PERTAINING TO HARMONY HILLS OUTFALL SANITARY SEWER LINE.

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In connection with the dedication of a 23 ft. strip of land in NCB 10777 in the foregoing ordinance, Mr. W. S. Clark introduced to the City Council, Mr. Herman Schmidt who made the dedication. Mr. Clark explained that he had wanted to dedicate this property for the widening of Sinclair Road.

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Mr. Schmidt hired his own engineer and made the field notes and submitted them to the City. Mr. Clark stated this was highly unusual and had asked Mr. Schmidt to be present at the meeting when the Council accepted the dedication.

Mayor McAllister, speaking for the Council, expressed appreciation for his foresight and generosity to the City. He said it was not often that people make such contributions on their own.

69-38

The Clerk read the following ordinance.

AN ORDINANCE 37,840

AMENDING VARIOUS SECTIONS OF THE CITY CODE
PERTAINING TO TRAFFIC REGULATIONS AND PROVID-
ING FOR A FINE OF NOT LESS THAN \$1.00 NOR MORE
THAN \$200.00 FOR VIOLATIONS.

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Mr. John Miller of the Traffic Department explained that this ordinance revises Section 38-111, Schedule "E" which sets out the speed limits, location and extent expressed in miles per hour. The speeds are set in accordance with a traffic and engineering survey made as defined in Section 38-107 of the Code.

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, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-38

The Clerk read the following ordinance.

AN ORDINANCE 37,841

AMENDING VARIOUS SECTIONS OF THE CITY CODE
PERTAINING TO TRAFFIC REGULATIONS AND PROVID-
ING FOR A FINE OF NOT LESS THAN \$1.00 NOR MORE
THAN \$200.00 FOR VIOLATIONS.

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Mr. John Miller, Traffic & Transportation Department, explained that the various schedules of the City Code pertaining to full signal operation of traffic lights, one way street locations, full stop locations, yield right of way locations, parking meter locations, parking prohibited at all times locations, stopping, standing prohibited during certain hours locations, and prohibited left turn locations are revised and updated by this ordinance.

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, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-38 The following ordinances were explained by Mr. Leonard Baker, Tax Assessor-Collector, and after consideration, on motion of Dr. Calderon, seconded by Mr. Trevino, 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 37,842

AUTHORIZING THE DIRECTOR OF FINANCE TO REFUND TAXES BECAUSE OF DUPLICATION OF PAYMENT. (ALAMO SAVINGS & LOAN ASSOCIATION - \$2,748.82)

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AN ORDINANCE 37,843

AUTHORIZING THE DIRECTOR OF FINANCE TO REFUND TAXES BECAUSE OF DUPLICATION OF PAYMENT. (SAUNDERS & TRIESCHMANN DEV. CORP. - \$3,347.00; LINCOLN PROPERTY CO. - \$5,131.73; G.A. PETERS - \$1,187.20; AND CUDAHY CO. - \$3,838.80.)

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69-38 The Clerk read the following ordinance which was explained by Assistant City Manager Ancil Douthit and after consideration, on motion of Mr. Trevino, seconded by Mr. James, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,844

AUTHORIZING THE CITY MANAGER, IN CONJUNCTION WITH THE COUNTY JUDGE, TO ENTER INTO A CONTRACT WITH THE TEXAS STATE DEPARTMENT OF PUBLIC WELFARE TO CONTINUE THE FOOD STAMP PROGRAM WITHIN THE CITY OF SAN ANTONIO AND BEXAR COUNTY EFFECTIVE SEPTEMBER 1, 1969.

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69-38 The Clerk read the following ordinance.

AN ORDINANCE 37,845

AMENDING THE 1969-70 BUDGET ORDINANCE NO. 37722 BY ADDING ONE GARAGE ATTENDANT POSITION FOR THE AUTOMOTIVE REPAIR DIVISION.

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Mr. Ancil Douthit, Assistant City Manager, explained that this was a Court Appointed Employee who has voluntarily become a regular classified City employee. It is necessary to amend the budget ordinance to provide for this position. This employee will benefit by the change.

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

69-38

The Clerk read the following ordinances.

AN ORDINANCE 37,846

CANCELLING A LEASE AGREEMENT WITH V. K. HANDA D/B/A EXOTICA INTERNATIONAL FOR LEASE OF SPACE AT HEMISFAIR PLAZA EFFECTIVE AUGUST 31, 1969.

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AN ORDINANCE 37,847

CANCELLING A LEASE AGREEMENT WITH JOHN LIONS D/B/A JOHN LIONS' SOUVENIR INTERNATIONAL, FOR LEASE OF SPACE AT HEMISFAIR PLAZA EFFECTIVE AUGUST 31, 1969.

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Mr. Bill Lindquist, Assistant Director of Municipal Facilities, explained that both of these lessees have requested cancellation of their lease.

After consideration, on motion made and duly seconded, the ordinances were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-38

The Clerk read the following Ordinance:

AN ORDINANCE 37,848

AMENDING THE LEASE AGREEMENT WITH THE SYMPHONY SOCIETY OF SAN ANTONIO FOR CERTAIN SPACE IN THE HEMISFAIR AREA BY ELIMINATING THEREFROM MAINTENANCE AND JANITORIAL SERVICES EFFECTIVE SEPTEMBER 1, 1969.

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Mr. Bill Lindquist, Assistant Director of Municipal Facilities, advised the Council that the lease agreement with the Symphony Society has a provision that the Symphony Society could elect to do its own maintenance work in the premises. They have requested this and the maintenance service is being eliminated from the lease.

Mr. Lindquist advised the Council this is the only lease which had such a provision concerning maintenance and janitorial services.

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

69-38

The Clerk read the following Ordinances:

AN ORDINANCE 37,849

PROVIDING FOR THE SALE AND CONVEYANCE
OF CERTAIN PROPERTY IN BEXAR COUNTY,
TEXAS.

(SALE OF 3.345 ACRES OF LAND OWNED BY
CITY PUBLIC SERVICE BOARD TO MR. E. W.
DORSETT, JR. AND WIFE KATHLEEN DORSETT
FOR A CASH CONSIDERATION OF \$1,000.00)

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AN ORDINANCE 37,850

PROVIDING FOR THE SALE AND CONVEYANCE
OF CERTAIN PROPERTY IN BEXAR COUNTY,
TEXAS.

SALE OF CITY PUBLIC SERVICE BOARD
PROPERTY TO HUBERT LUMPKIN AND WIFE,
VERNA LUMPKIN, OF 2.278 ACRES OF LAND
IN COUNTY BLOCK 5165.

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Mr. Craig Austin, Attorney for the City Public Service Board, explained that these are two transactions in connection with the Calaveras-Chupaderas Lake Project. The first transaction came about as a result of the purchase of land from Mr. Dorsett. This was an exchange of property and for the relocation of Farm to Market Road 1518. The roadway went through the remaining property which is a triangle between Chupaderas Creek and the road. The City Public Service Board is exchanging triangles with Mr. Dorsett.

The second ordinance is the settlement of a Condemnation Case instituted in 1967 for the same project. In negotiations with Mr. Lumpkin and his attorney, they have agreed to pay them a sum of money in addition to the award of the special

commissioners, together with an exchange of land. This is a package settlement of the matter.

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

69-38 The Clerk read an ordinance requesting that the Project Budget of the Park Development Project listed in the City of San Antonio comprehensive city demonstration program be altered from the project cost approved in the Grant Budget of the Grant Agreement. (Project Budget reduced from \$450,000.00 to \$448,921.20)

Mr. Don Maddox, Assistant Superintendent of Recreation and Chairman of the Citizen Review Committee of the Recreation and Cultural Component explained that the project is sponsored by the City Parks and Recreation Department. The change in the program is that funds will be used for park improvements only instead of for improvements and land acquisition as originally proposed.

There are approximately 50 acres of park land within the Model Cities area and 100 acres adjacent to the area which are scheduled for improvements.

Mr. Maddox stated the project was approved by the CRC. However, at CPPC Meeting on August 21st, a quorum was not present to act so the CPPC was by passed and the project presented to the Council.

After consideration, Dr. Calderon made a motion that the park development project be sent back to CPPC for consideration and approval. Seconded by Mr. Torres, the motion prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-38

The Clerk read the following Ordinance:

AN ORDINANCE 37,851

REQUESTING THAT THE PROJECT DESCRIPTION AND PROJECT BUDGET OF THE PLANNING AND EVALUATION PROJECT BE INCLUDED IN THE GRANT BUDGET OF THE GRANT AGREEMENT UNDER WHICH THE CITY OF SAN ANTONIO COMPREHENSIVE CITY DEMONSTRATION PROGRAM WILL BE CARRIED OUT.

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Mr. Paul McRaven of the Model Cities Staff explained the project which is recommended by the Staff and has the unanimous approval of the CPPC. The Planning and Evaluation Project, which is in the amount of \$200,000.00 is a requirement of HUD.

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

69-38

The following Ordinances were explained by Assistant City Manager Ancil Douthit and after consideration on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke.

AN ORDINANCE 37,852

APPROPRIATING THE SUM OF \$22,000 OUT OF #806, INTERNATIONAL AIRPORT REVENUE BOND FUND - 1966 SERIES, PAYABLE TO MEADER CONSTRUCTION CO., INC.

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AN ORDINANCE 37,853

APPROPRIATING THE SUM OF \$12,500 OUT OF #806, INTERNATIONAL AIRPORT REVENUE BOND FUND - 1966 SERIES, PAYABLE TO C. A. LOGEMAN CO., INC.

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69-38 The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 37,725

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 57.7922 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Planning Director, explained the proposed annexation. The property is known as El Dorado Sub-division Unit 2 and is requested by Shepherd and Burris Properties.

No one spoke in opposition.

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

69-38 The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 37,726

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 5.991 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Planning Director, explained the proposed annexation. The property is known as Oakdell Clinic No. 1 Subdivision and is requested by the owner, Oakdell, Inc.

No one spoke in opposition.

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

69-38 The Clerk read the following ordinance for the second and final time.

AN ORDINANCE 37,727

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 5.1317 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Planning Director, explained the proposed annexation. The property is known as Whispering Oaks Subdivision, Unit No. 5 and is requested by the owner, Denton Development Company.

No one spoke in opposition.

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, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-38 Colonel George Brackenridge Statue

MAYOR McALLISTER: There was an article in a recent paper with reference to the Brackenridge Statue. I want to make a statement to the Council that this is a matter that I feel would be very beneficial to the City and something that is right and proper for us to recognize the generosity of San Antonio's first and largest philanthropist. We felt funds would be provided, raised privately, sufficient to cover the cost of the statue but due to the circumstances over which I had no particular control, we haven't finished raising the money. Most of it has been raised and the cost of the statue will be provided by individual donors.

The City has provided in the Park Budget a sum adequate to take care of the preparation of the base for the statue. I just want to make that statement due to the fact that there was an article in the paper about it. When we discussed the cost of the thing we simply talked about \$30,000.00 and then someone got that figure and, of course, we just said that would be the overall cost. It will probably be substantially less than that as far as the base is concerned. You can spend as much or as little on the base as you want to. But I would say probably about \$15,000.00 would be the cost covered on the base. Mr. Frazer, have I stated that amount correctly?

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MR. ROBERT FRAZER, DIRECTOR OF PARKS AND RECREATION: Mr. Mayor, just as you say, we can spend various amounts as far as the cost of the ultimate design will be for the materials used, etc. We just received from the sculptor a suggested layout. We have not got specifications or completed the total cost.

COUNCILMAN TORRES: Is there a bill or invoice with that statue?

MR. FRAZER: No sir.

COUNCILMAN TORRES: Did we receive a bill of any kind?

MR. FRAZER: Not to my knowledge.

COUNCILMAN CALDERON: I think that this is a very fine gesture on the part of the citizens to be willing to offer this statue to the City. It is proper that we do proceed upon receipt of the statue free and clear to build an appropriated base for it at a suitable location.

COUNCILMAN TORRES: Mr. Henckel requested the preparation of an ordinance which I don't think contemplated the statue being obtained free of charge. Are you familiar with that request for the ordinance?

ASST. CITY MANAGER DOUTHIT: No, I am not.

COUNCILMAN TORRES: Did you, Ancil, request that an ordinance be prepared in this matter.

ASST. CITY MANAGER DOUTHIT: I did not. No.

COUNCILMAN TORRES: Well, Mr. Mayor, of course I was a little bit dumbfounded in reading the story. I looked in some of the minutes of the Fine Arts Commission since back in July 1968 and I couldn't see where anyone would authorize the statue being sent over here and the figure I've heard for the base is something. When we had lunch with Mr. Henckel, what was the figure he gave us?

COUNCILMAN NIELSEN: Five thousand dollars.

COUNCILMAN TORRES: Incidental expenses ran the cost up to \$5,000.00 and then it does not contemplate the payment to the sculptor, Mr. Mayor. Now who is going to pay him? I understand that the fund had been established some years ago but then that the matter had been dropped and the Fine Arts Commission Meeting of July 1, 1969, at which Dr. Tauch, who was then a member of the FAC, says in Item 7 that: "Dr. Tauch points out the City wants to cast in bronze a bust of Colonel Brackenridge." I think that it would be wonderful if we could afford ten bronze statues of Colonel Brackenridge. I am sure he was a wonderful man but I pointed out before that we have many, many other needs in the City and apparently authorization was given either by you, Mr. Mayor or somebody else. I know that there have been discussions of this matter among some of the members of the Council. I certainly have not participated in any of these discussions. No ordinance has ever been presented here. No authorization was ever given for the preparation of the statue and as I understand it, the City has received a bill. I am sorry Mr. Henckel isn't here this morning. But I understand that a bill has been received and that the cost of this thing that we are talking about is \$30,000.00; that the plans to amend to pay merely for the base on which to put this object; the amendments have been made since we received the statue and does not contemplate paying the man who prepared this item.

Councilman Torres---continued---

Also, the newspaper article, of course I can't verify this part of the information and I don't know anything about this, says the City will pay Dr. Tauch \$30,000.00 when she was a member of the Fine Arts Commission. Of course, again I am merely pointing out in that respect a comment made in the newspaper article and which certainly seemed like an impropriety on the part of the City if a payment is going to be made to Dr. Tauch.

MAYOR McALLISTER: Let me just clear this matter up. The matter has been under discussion for a long time and we set the overall cost, the maximum cost at \$30,000.00. The statue does not have to cost that much and probably will not cost anywhere near that amount. The cost of the bronze and form is being taken care of by private individuals and the City will pay for the base and cost of the base has been included in the budget for this year.

MAYOR PRO-TEM COCKRELL: I did want to clarify a couple of points that Mr. Torres made. I just happen to be familiar with some aspects of this. It is my understanding that back in the 1950's Mr. Frank Huntress, one of our outstanding local citizens, felt that it was very fitting that a fund be established to be a memorial fund for Colonel Brackenridge in consideration of the Colonel's very wonderful philanthropies to our City, particularly Brackenridge Park which came as a gift. Through the efforts of Mr. Huntress, and others working with him, some \$6,000.00, I believe, was raised in private donations for this fund. At that time the noted sculptor Coppini was commissioned to do the sculpting for this work and it is my understanding that he was paid out of this fund two thousand dollars for his work which left a balance of some \$4,000.00. It is now my understanding that a group of private citizens are completing this fund using the balance that is there and completing it so the statue will come to the City free and clear as a gift. Therefore, the only responsibility of the City in connection with it will be whatever the design or layout the City may choose as a base suitable for the statue's placement. I think this is a very wonderful thing for citizens to have taken up this project that was started back in the 1950's. At that time I know there were many school groups, PTA groups, many private citizens who felt that they had enjoyed the park and wanted to be a part of this memorial to Colonel Brackenridge. So when the gift is completed and the ordinances are ready for us to accept the gift, I know we will all want to express our appreciation to those who have completed this project.

COUNCILMAN TORRES: Well of course this doesn't explain why this has got as far as having a statue delivered to the City of San Antonio, Mr. Mayor. This is the kind of problem that you get into when you go off outside these Council Chambers and part of the Council acquiesces in doing a particular act. I think there has been a gross injustice to the citizens of this community in the manner in which this thing is transpiring because we haven't complied with the ordinances of the City of San Antonio and the City Charter and we haven't complied with our responsibility. I am saying you haven't complied with your responsibility as an elected official of this community.

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MAYOR McALLISTER: Let me just say this to you young man. The City Council will pass the ordinances or not pass the ordinances as the Council elects.

COUNCILMAN TORRES: Well, of course, Mr. Mayor, I want to point out right now that I'm not going to vote for an ordinance of this nature. I know that the ordinances have been under preparation for some time. If what Mr. Henckel has told me is correct, you say that the cost of the base has been included in the budget for this year, I do not recall discussion of the cost for a base of this nature being included in the budget. I certainly don't think that there has ever been a discussion of including, or a discussion concerning the delivery of this statue to the City of San Antonio. Mr. Douthit, are you familiar with what or at whose request this matter was included in the budget for this year, for the cost of that base and how much did that amount to?

MR. DOUTHIT: Well, Mr. Torres, I am not familiar with it.

COUNCILMAN TORRES: You are not familiar with that either, I see. Mr. Walker, let me ask you this sir. Do you have any kind of an opinion? From what I understand from Mr. Henckel, some papers had been referred to you for an opinion on this matter. Is that correct?

CITY ATTORNEY WALKER: No sir. We have not been requested to prepare an ordinance of any kind. In fact, this is the first I have heard of it, that an ordinance was going to be requested. If the request comes in, of course, we will prepare an ordinance. We have not been asked for an opinion on it. We have not given an opinion on it so far.

COUNCILMAN NIELSEN: It strikes me that over a long period of time there may have been some forgotten circumstances and let us just make the best of this situation we can. I think it is a noble gesture on the part of the citizens to want to pick up the tariff, but let's not repeat this kind of mistake again. Our memories are very, very short.

COUNCILMAN TORRES: I think you are very, very naive, Dr. Nielsen.

MAYOR McALLISTER: Any other items to bring before the Council?

COUNCILMAN TORRES: Yes. I want to ask when this ordinance is going to come before the Council?

MAYOR McALLISTER: I can't say. I don't know.

COUNCILMAN CALDERON: What ordinance, Pete?

COUNCILMAN TORRES: We are talking about the ordinance pertaining to the base. You know, you sound like you are kind of ignorant about all of this and I am really impressed with your ignorance.

MAYOR McALLISTER: You are entirely out of order in your personal comments.

COUNCILMAN TORRES: I have another item I'd like to discuss.

MAYOR McALLISTER: You may proceed if you want.

COUNCILMAN TORRES: This matter on the statute is not closed. The City of San Antonio already has the statue. Is that correct?

MR. DOUTHIT: It is at Brackenridge Park. Yes sir.

COUNCILMAN TORRES: It is at Brackenridge Park? I see. Has it been accepted from the people who delivered it?

MR. DOUTHIT: There has been no formal acceptance other than it has been delivered and set there. But in that term, yes.

COUNCILMAN TORRES: I see. Let me ask Mr. Frazer. Mr. Frazer, when did you first hear of this. I mean you don't usually get eight-foot bronze statues that are delivered to you. When did you receive this item, sir?

MR. FRAZER: I received notice that the statue would be delivered approximately two weeks ago.

COUNCILMAN TORRES: I see. When did you receive the statue itself?

MR. FRAZER: I would have to check the actual date. About two weeks ago.

COUNCILMAN TORRES: I see. Upon receipt, from whom did you receive notice that you were going to get this statue?

MR. FRAZER: We received it from the shipping company, sir. A truck line.

COUNCILMAN TORRES: What did you do with that notice, Mr. Frazer?

MR. FRAZER: It was a telephone notice.

COUNCILMAN TORRES: Did you contact Mr. Henckel concerning the matter at the time?

MR. FRAZER: Yes sir, I did. I told him the statue had arrived.

COUNCILMAN TORRES: Did you know what statue you were talking about?

MR. FRAZER: Yes.

COUNCILMAN TORRES: Had you discussed the statue with him prior to that?

MR. FRAZER: Very briefly, sir. I didn't know what all the details were that have been brought out this morning.

COUNCILMAN TORRES: What were the details?

MR. FRAZER: It was before I arrived in San Antonio that the idea of the statue was conceived.

COUNCILMAN TORRES: Okay. Thank you.

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COUNCILMAN TORRES: Another item I have, Mr. Mayor pertains to the matter of the North Expressway. Of course, I didn't participate in your conference with the Federal highway people. I would just like, as a member of the Council, to inquire what the status is of the Federal highway funds concerning the North Expressway.

MAYOR McALLISTER: I am sorry I am not in a position to tell you. I don't know what the status is. All I know is that several groups came down here and made a personal inspection of the route and they seemed to have a pretty fair understanding of why this route was selected by the State Highway Department. Since you brought the matter up, let me just say for the benefit of the press and citizens that this highway was a part of the highway system of San Antonio and has been under study since 1956. In June of 1960, a bond issue was submitted to the citizens for 9 million dollars which included funds for the acquisition for the right of way for the so called north expressway. That bond issue was defeated by 330 odd votes. In October of that year, I was on the Council since September of that year having filled the vacancy, and General Hudnell appeared before us here at the Council Meeting and made a statement to the effect that there were nine equalivants of Kelly Field throughout the United States. He felt sure that the Department of Defense was going to reduce the number of some such amount. He didn't say what, probably three, or four, and that in all probability the reductions would be made on the basis of efficiency. In other words the least efficient operation would be the one that would be reduced or eliminated. At that time Kelly Field meant a cash flow to the City of San Antonio of some 200 million dollars. The largest single source of income for our community. When Gen. Hudnell pointed out that their efficiency was adversely affected by the fact that their employees had to waste 45 minutes to an hour getting into Kelly Field and a like amount of time to get out of Kelly Field, he hoped that the City would provide a high speed access road to Kelly Field so that the employees could get in and out. He felt that would markedly increase their efficiency and increase our chance of having Kelly Field maintained in San Antonio.

As a result of that, we started to study the question of again resubmitting a bond issue. In January of 1961 a bond issue for 10.5 million dollars, a million and a half more than had been rejected by the citizens in June, seven months before, was submitted to the citizens. This time, because the issues were clearly presented to them, the citizens recognized the need of passing the bond issue. The bond issue, each item was being specified as to the amount of money to vote for each one of them, passed by approximately a vote of two to one in favor of the bond issue. Then I might say, that the State Highway Department has made at least five careful studies of possible routes from San Antonio to the north part of the City to this area where it connects into San Pedro Avenue. After all of the routes were considered, they came up with the present proposed route. This in turn was submitted to the Bureau of Public Roads in Washington, D.C. who gave their approval of it in 1964. From that moment on the City of San Antonio and the State of Texas started buying property.

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Mayor McAllister---continued---

We have approximately six million dollars tied up in the acquisition of property. The property has cost more because of the suits and the delays by the opponents of the expressway. As a result, virtually all the property has been acquired as Mr. Clark told you this morning. Certainly all of it up to Loop 410. We find that Congress in 1966 passed an amendment to one of their laws to the effect that the government would not participate in the cost of a highway in the event that it went through park land unless, and I don't recall exactly what the specific phraseology was, but words to this effect: Unless there was no other practical, feasible route. So the Department of Transportation has held up the okay on the funds, allocation of funds for this highway as a result of an act that was passed in 1966 against a proposal that had the Department's approval in 1964. We said that they couldn't do that, but nonetheless that's the case and I'm relating the facts to you.

Now then, the Department of Transportation is determining for itself whether or not this selected route is the most practical and feasible under the circumstances. As a result, Mr. Mazan and two other men from the Department came to San Antonio to make a personal inspection. I took them over the route with Mr. Bob Lytton, the division engineer of the Highway Department last Tuesday and I think Mr. Mazan has a understanding of the handicaps and the difficulties and the expense that would be involved if any other route were to be taken. Now what the department is going to do, I am not prepared to say. I don't know. The funds are available, there is no question about that. I am hopeful that the Department will give their approval, but that is their decision, not ours.

COUNCILMAN TORRES: Well, of course, Mr. Mayor, I want to share in that hope because I know that this matter has taken a long time, and as I have said in the Council meeting before, we need a north expressway, but I think that it is the stubborn refusal to look at alternative routes that has caused the delay for five to six years and has caused lawsuits that have transpired and it has caused the controversy now before the Secretary of Transportation, Mr. Volpe's office. The only thing that I would like to point out to the Council this morning is that I should hope that we could plan for the contingency of an alternate route as proposed in the event that the monies do not come through. I merely want to make my feelings known and it was with reference to a comment that was reported in the LIGHT on August 27 and I want to compliment Mr. Larrabee and Mr. Rust for writing a very, very excellent article that I think specifically points out the problem, that the problem is not with the entire north expressway route, but is merely within a small tract that goes through Brackenridge Park; and that an alternative has been proposed, taking in parts of Devine Road. It is reading from that newspaper article, Mr. Mayor, you are quoted as saying: 'The alternate route is out. It just can't be. We cannot condemn land which is in Olmos Park. We haven't the right of eminent domain in any municipality other than San Antonio.'

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Councilman Torres---continued---

I'd like to point out my feelings to the Council that I think that the present route, the one the City and State has been hoping to acquire approval of federal funds for if that is denied, that we should plan for the contingency of taking that alternate route that has been proposed. The one in the newspaper articles of August 27 of which I am sure you are familiar with. We cannot stubbornly say it is good enough to condemn homes in the City of San Antonio but it is not good enough to condemn expensive homes in Olmos Park. I think this is where the controversy is.

The interest of the citizens of San Antonio is being subjugated to protect some of the affluent neighbors to the north and I certainly think that that community is going to benefit from this and I have no hang-up over seeking the condemnation of a few homes in Olmos Park. I think that we ought to consider that.

MAYOR McALLISTER: Mr. Walker, will you inform the Council as to whether or not the City of San Antonio has the right of eminent domain in any incorporated city.

COUNCILMAN TORRES: If I may, Mr. Mayor, before Mr. Walker answers. Mr. Walker, I am not implying we have the right of eminent domain, but the State Highway Department has the right of eminent domain as I understand it.

CITY ATTORNEY WALKER: Yes, that is substantially true. The City does not have the right. The State does have the right. The State has been unwilling so far to exercise that right. I believe that it is a matter of policy with them. But whether the State could be prevailed upon, I just don't know. They would have the right to do it.

COUNCILMAN TORRES: We have sought to prevail upon them?

CITY ATTORNEY WALKER: I don't know.

COUNCILMAN CALDERON: Of course one of the reasons, Mr. Mayor, that was not included in the article is the fact that a parkway would be totally inadequate to handle the traffic. Not only the current traffic, but the projected traffic needs of the future. I think that the question of the capacity of the parkway versus the capacity of an expressway is, in my own mind anyway, justification for rejecting that offer or proposal.

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69-38 Economic Opportunity Development Corporation

Mrs. Cockrell discussed with the Council her memo regarding a meeting with the City-County representatives to the E.O.D.C. Board.

A meeting was approved and a tentative date is set for Thursday, September 4, 1969 at 7:30 P.M. in the Council Chamber.

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69-38

Retiring Members of Boards, Commissions and Committees

Mrs. Cockrell stated most board members served the City without compensation, some for as much as six years. She suggested the Council consider an annual dinner meeting at which the City would honor the retiring board members, similar to the way City employees are honored.

While Certificates of Appreciation are given to retiring board members, she felt the City should do a little more to recognize their service.

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The suggestion was received favorably by the Council and Mrs. Cockrell was asked to work out the details with the City Manager.

69-38 Retiring City Employees

Councilman Hill, also a member of the Fire and Police Pension Fund Board, stated a similar situation exists with City employees. At its last meeting it was brought out that regardless of number of years an employee has served, there is no recognition of any kind given. He stated he has prepared a memo to the City Manager recommending that an appropriate retirement certificate showing the number of years of service be presented to the employee by the Mayor at one of the regular Council meetings. Also that the City Manager consider that within the work area some recognition be given with his fellow employees, such as coffee and cake.

The suggestion was favorably received by the Council and Mr. Hill was asked to discuss the matter with the City Manager.

69-38 CITIZENS TO BE HEARD

Mr. R. Gonzalez, 211 Rose Lane, stated he was a private individual with an idea to promote safety among school children.

He presented signs advising children not to run crossing the street. He has obtained the cooperation of schools and the signs will be posted in the school rooms and children reminded each day before school lets out that they should not run.

69-38 Petition RE: Median on South W. W. White Road

Mr. Thomas Young, 214 South W. W. White Road, businessman at E. Houston St. and South W. W. White Rd., protested the construction of the median. He felt it would increase traffic congestion and make it more dangerous.

He asked that the City Manager and Traffic Director be instructed to contact the State Highway Department and ask that it restudy the project, consult with property owners and consider the difficulties the median has created.

Assistant City Manager Douthit advised that the road was built by the State and is maintained by it. The City approved the plans for the median. After it was built, he did write the Highway Department asking that it be restudied. The Highway Department advised it has not changed its position in the matter. Neither has the City Traffic Department.

Mr. John Miller of the Traffic and Transportation Department advised the State Highway Department has the authority to install medians under the maintenance agreements it has with the City and it is difficult to get the State to make cuts in medians. The Traffic Department is familiar with the situation and has met with some of the citizens affected.

Mr. Elwood Zunker, 515 South W. W. White Road also objected to the median. While it is a standard median every situation has a different problem. In this case the street is not as wide as most places. They have diverted traffic. They have to make a U-Turn in the face of traffic.

Mr. John Moore, 512 South W. W. White Road, stated he had the same problem.

Mr. H. L. Sisk, 514 South W. W. White Road stated he has a street that is completely blocked off by the median. He too has to make a U-Turn to get to his home. He has seven houses with children and they have the same problem.

The City Manager was instructed to investigate the problems brought out by the citizens and make a complete report on the matter of the median to the City Council.

69-38

The Clerk read the following letter:

August 25, 1969

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

Madam and Gentlemen:

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

8-22-69

Petition of Mr. H. L. Sisk, et al,
protesting construction of a block long
median, without an opening, beginning
at East Houston Street and extending
south on South W. W. White Road to
Kenmar Street and requesting an investi-
gation of same.

J. H. INSELMANN
City Clerk

August 28, 1969

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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:



C I T Y C L E R K

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