

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JANUARY 27, 1972.

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The meeting was called to order at 9:30 A. M. by the presiding officer, Mayor John Gatti, with the following members present: HABERMAN, HILL, BECKER, HILLIARD, MENDOZA, GARZA, NAYLOR, TREVINO, GATTI; Absent: NONE.

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72-4 The invocation was given by Mr. Roy Osborne, Sunset Ridge Church of Christ.

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72-4 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

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72-4 The minutes of the meeting of January 20, 1972, were approved.

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72-4 Mrs. Winfield S. Hamlin, President of the San Antonio Conservation Society, was recognized by Mayor Gatti. She, in turn, introduced Mr. Luis Sifuentes, a restoration architect from San Juan, Puerto Rico, and Mr. Roger Holt, Assistant for Legal Services for the National Trust for Historic Preservation.

Mr. Sifuentes addressed the Council bringing greetings from the Mayor of Puerto Rico, Carlos Romero Barcelo. Mr. Sifuentes presented Mayor Gatti with a token of esteem from Puerto Rico.

Mr. Holt also spoke to the Council and commended the Council and the Conservation Society on their efforts to preserve the historic areas of San Antonio.

Mayor Gatti responded and welcomed them to San Antonio and expressed appreciation for their attendance at the Seminar for Historic Preservation now underway in San Antonio.

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72-4 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Mr. Hill, seconded by Dr. Hilliard, was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSENT: Becker, Mendoza.

AN ORDINANCE 40,299

ACCEPTING THE LOW BID OF COMMERCIAL BODY CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH UTILITY BODIES AND ACCESSORIES FOR A TOTAL OF \$2,580.00.

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January 27, 1972  
nsr

72-4 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Mr. Hill, seconded by Dr. Hilliard, was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Mendoza, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSENT: Becker.

AN ORDINANCE 40,300

ACCEPTING THE LOW BID OF COMMERCIAL BODY CORPORATION TO FURNISH THE CITY WITH A WRECKER CRANE AND BODY FOR A TOTAL AMOUNT OF \$2,150.00.

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72-4 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Mr. Hill, seconded by Dr. Hilliard, was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Mendoza, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSTAIN: Becker; ABSENT: None.

AN ORDINANCE 40,301

ACCEPTING THE LOW BID OF COMMERCIAL BODY CORPORATION TO FURNISH THE CITY WITH DUMP BODIES AND ACCESSORIES FOR A TOTAL SUM OF \$10,880.00.

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72-4 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Assistant Director of Public Works, and after consideration, on motion of Mr. Trevino, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,302

ACCEPTING THE LOW BID OF J. M. LERMA CONSTRUCTION COMPANY TO CONSTRUCT A FLOOR SLAB FOR THE MAINTENANCE GARAGE AT VICTORIA YARDS; AUTHORIZING EXECUTION OF A CONTRACT COVERING SAID WORK; AUTHORIZING \$56,664.10 TO BE PAID SAID CONTRACTOR OUT OF A SPECIAL PROJECT ACCOUNT 99-46-01 AND \$1,133.28 OUT OF THE SAME FUND TO BE USED AS A CONTINGENCY ACCOUNT; ALSO APPROVING A TRANSFER OF FUNDS.

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72-4 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Assistant Director of Public Works, and after consideration, on motion of Mr. Hill, seconded by Dr. Hilliard, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSTAIN: Mendoza; ABSENT: None.

AN ORDINANCE 40,303

AUTHORIZING A TWO YEAR LEASE WITH A. J. BARKHAUSEN FOR CERTAIN PROPERTY TO BE USED FOR SANITARY LANDFILL PURPOSES.

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72-4 The following Ordinance was read by the Clerk and explained by Mr. W. S. Clark, Land Division Chief, and after consideration, on motion of Mr. Becker, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,304

GRANTING A LICENSE TO MERCHANTS TRANSFER & STORAGE COMPANY TO CROSS McMANUS STREET BETWEEN LOTS 19 AND 31 IN NEW CITY BLOCK 985, WITH TWO EACH 3/4" ELECTRICAL CONDUITS CONTAINING ELECTRIC LINES TO CONNECT A SCALE PLATFORM WITH THE LECTRODIAL; SUCH AREA BEING UNDER CITY-OWNED PROPERTY AND BEING MORE SPECIFICALLY DESCRIBED BELOW; AND MANIFESTING AN AGREEMENT IN CONNECTION THEREWITH.

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72-4 Mr. Jim Gaines, Director of HemisFair Plaza, spoke to the Council. He stated that the next eight ordinances, being Items 7 through 15 on the agenda, all involve the boutique area adjacent to the International Theater in the International area of the grounds. They are standard boutiques being 400 square feet in area. The boutiques are being converted for use beginning February 1, 1972.

After consideration, on motion made and duly seconded, the following Ordinances were passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,305

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WILLIAM H. STOREY, AN INDIVIDUAL DOING BUSINESS AS STOREYSPUN, PROVIDING FOR THE LEASE OF A CERTAIN PORTION OF BUILDING NO. 214 AT HEMISFAIR PLAZA, TO COMMENCE ON FEBRUARY 1, 1972, AND TERMINATE ON JANUARY 31, 1973.

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AN ORDINANCE 40,306

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH W. ANDREW JOHNSON, AN INDIVIDUAL DOING BUSINESS AS "JOHNSON'S STUDIO," PROVIDING FOR THE LEASE OF A CERTAIN PORTION OF BUILDING NO. 213 AT HEMISFAIR PLAZA, TO COMMENCE FEBRUARY 1, 1972, AND TERMINATING JANUARY 31, 1973.

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AN ORDINANCE 40,307

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARION DANIEL WINANS, AN INDIVIDUAL DOING BUSINESS AS "BOOGIE AND BILLS," FOR THE LEASE OF A CERTAIN PORTION OF SPACE IN BUILDING NOS. 210 AND 211 AT HEMISFAIR PLAZA, TO COMMENCE ON FEBRUARY 1, 1972, AND TERMINATE JANUARY 31, 1973.

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AN ORDINANCE 40,308

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARTHA DAVENPORT, AN INDIVIDUAL DOING BUSINESS AS "DAVENPORT'S CERAMICS," PROVIDING FOR THE LEASE OF A CERTAIN PORTION OF BUILDING NO. 208 AT HEMISFAIR PLAZA TO COMMENCE FEBRUARY 1, 1972 AND TERMINATE JANUARY 31, 1973.

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AN ORDINANCE 40,309

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GRETCHEN EAGAN, AN INDIVIDUAL DOING BUSINESS AS "MINI-STUDIO," PROVIDING FOR THE LEASE OF A CERTAIN PORTION OF BUILDING NO. 212 AT HEMISFAIR PLAZA, TO COMMENCE ON FEBRUARY 1, 1972, AND END ON JANUARY 31, 1973.

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AN ORDINANCE 40,310

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RICKEY A. BROCK, AN INDIVIDUAL DOING BUSINESS AS "BROCK," PROVIDING FOR THE LEASE OF A CERTAIN PORTION OF BUILDING NO. 206 AT HEMISFAIR PLAZA, COMMENCING FEBRUARY 1, 1972, AND TERMINATING JANUARY 31, 1973.

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AN ORDINANCE 40,311

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RICHARD S. RODNEY, AN INDIVIDUAL DOING BUSINESS AS "RENAISSANCE," PROVIDING FOR THE LEASE OF A CERTAIN PORTION OF BUILDING NO. 207 AT HEMISFAIR PLAZA, TO COMMENCE ON FEBRUARY 1, 1972 AND TERMINATE ON JANUARY 31, 1973.

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AN ORDINANCE 40,312

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AVERY'S ART STUDIO, INC., A CORPORATION, PROVIDING FOR THE LEASE OF A CERTAIN PORTION OF BUILDING NO. 215 AT HEMISFAIR PLAZA, TO COMMENCE ON FEBRUARY 1, 1972 AND TERMINATE ON JANUARY 1, 1973.

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72-4 The following Ordinances were read by the Clerk and explained by Mr. Jim Gaines, Director of HemisFair Plaza, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Garza, Trevino, Gatti; NAYS: None; ABSENT: Becker, Mendoza, Naylor.

AN ORDINANCE 40,313

MANIFESTING AN AGREEMENT WITH BERTA ALICIA RODRIGUEZ, D/B/A BERTIES GIFT SHOP, TO TERMINATE THE PRESENT LEASE OF A PORTION OF BUILDING NO. 221 AT HEMISFAIR PLAZA, EFFECTIVE DECEMBER 1, 1971.

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AN ORDINANCE 40,314

MANIFESTING AN AGREEMENT WITH FORREST M. WOLVERTON TO TERMINATE THE PRESENT LEASE OF BUILDING NO. 220 AT HEMISFAIR PLAZA, EFFECTIVE DECEMBER 1, 1971.

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72-4 The following Ordinance was read by the Clerk and explained by Mr. Bob Frazer, Director of Parks and Recreation, and after consideration on motion of Dr. Hilliard, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Garza, Trevino, Gatti; NAYS: None; ABSENT: Becker, Mendoza, Naylor.

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AN ORDINANCE 40,315

APPROPRIATING \$15,000.00 OUT OF PARK BONDS TO ESTABLISH A FUND FOR PURCHASING VARIOUS ITEMS REQUIRED IN THE PARKS IMPROVEMENT PROGRAM.

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72-4

LITTLE LEAGUE INSURANCE

Mr. Felix Trevino inquired of Mr. Bob Frazer regarding the responsibility for maintenance of the lighting facilities at the various Little League ball diamonds.

Mr. Frazer stated that all maintenance is the responsibility of the Little League organizations and is spelled out in the contracts. Little League organizations are also required to name the City as co-insured on their liability insurance policy.

72-4 The following Ordinance was read by the Clerk and explained by Mr. Bob Frazer, Director of Parks and Recreation, and after consideration, on motion of Mr. Hill, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Garza, Trevino, Gatti; NAYS: None; ABSENT: Becker, Mendoza, Naylor.

AN ORDINANCE 40,316

MANIFESTING A FIVE-YEAR EXTENSION OF THE AGREEMENT WITH JOHNSON W. SMITH AND ALFRED F. BEYER, A PARTNERSHIP, FOR OPERATION OF THE PASEO DEL RIO BOATS AND BARGES CONCESSION CONTRACT AND AMENDING THE BOATS AND BARGES CONCESSION CONTRACT TO INCREASE PERCENTAGES OF GROSS RECEIPT PAYMENTS TO THE CITY, INCREASE THE NUMBER OF BARGES FROM 14 TO 17 AND REPLACE OUTBOARD GASOLINE MOTORS WITH ELECTRIC POWER UNITS.

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72-4

The Clerk read the following Ordinance:

AN ORDINANCE 40,317

AMENDING THE ESTABLISHED CLASSIFICATIONS IN THE SAN ANTONIO FIRE DEPARTMENT BY ABOLISHING THE CLASSIFICATION AND POSITION OF FIRST ASSISTANT CHIEF; REDESIGNATING THE CLASSIFICATION OF SECOND ASSISTANT CHIEF AS ASSISTANT CHIEF AND AUTHORIZING AN INCREASE OF POSITIONS IN SUCH CLASSIFICATION FROM FIVE (5) TO SIX (6); AND PRESCRIBING THE CLASSIFICATIONS AND THE NUMBER OF AUTHORIZED POSITIONS IN EACH CLASSIFICATION EFFECTIVE FROM FEBRUARY 1, 1972.

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The Ordinance was explained by Mr. Bart Mulhern, Fire Chief, who stated that the changes being made will simplify the organizational structure of the Fire Department and will eliminate an administrative bottleneck.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Garza, Trevino, Gatti; NAYS: None; ABSENT: Becker, Hilliard, Mendoza, Naylor.

72-4 The Clerk read the following Ordinance:

AN ORDINANCE 40,318

PROVIDING FOR THE SALE AND CONVEYANCE OF CERTAIN REAL ESTATE AND PERSONAL PROPERTY IN COMAL AND OTHER COUNTIES BEING A PART OF THE ELECTRIC SYSTEM PROPERTIES OF THE CITY.

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The Ordinance was explained by Mr. Wilbur Matthews, Attorney for the City Public Service Board. (A copy of Mr. Matthews' memorandum explaining the sale is attached to the Ordinance.)

After consideration, on motion of Mr. Hill, seconded by Mrs. Haberman, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Garza, Trevino, Gatti; NAYS: None; ABSTAIN: Mendoza, Naylor; ABSENT: Becker.

72-4 The Clerk read the following Ordinance:

AN ORDINANCE 40,319

SUPPLEMENTING THE PROVISIONS OF ORDINANCE NO. 39767 RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTES.

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The Ordinance was explained by City Manager Henckel, who stated that this is the agreement between the City and the City Public Service Board for collection of the garbage fee. Mr. Henckel paid particular tribute to Mr. Tom Deeley, recently appointed General Manager, and stated that he is really responsible for working out the agreement.

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Trevino, Gatti; NAYS: None; ABSENT: None.

72-4 The following Ordinance was read by the Clerk and explained by City Manager Henckel, and after consideration on motion of Mr. Hill, seconded by Mr. Becker, was passed and approved by the following vote:  
 AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Trevino, Gatti;  
 NAYS: None; ABSTAIN: Naylor; ABSENT: None.

AN ORDINANCE 40,319 A

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE UNIVERSITY OF TEXAS AT SAN ANTONIO TO PROVIDE CERTAIN CITY SERVICES TO THE UNIVERSITY OF TEXAS AT SAN ANTONIO; ACCEPTING THE DEDICATION OF RIGHTS-OF-WAY CONTAINED WITHIN THOSE INSTRUMENTS OF DEDICATION BY MARY ANN SMOTHERS BRUNI AS RECORDED IN BEXAR COUNTY DEED RECORDS, VOLUME 6435 AT PAGES 77-80 AND PAGES 81-86; PROVIDING FOR THE CONSTRUCTION OF ROADS EXTENDING FROM BABCOCK ROAD ON THE WEST TO THE I.H. 10 ACCESS ROAD ON THE EAST WITHIN THE DEDICATED RIGHT-OF-WAY WITH NO EXPENSE TO THE UNIVERSITY OF TEXAS.

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72-4 Item No. 24 on the agenda being an ordinance authorizing the City Manager to enter into a cooperation agreement with San Antonio Ranch, LTD., a partnership, to provide certain municipal services in the development of the area known and designated as "New Town," was withdrawn from consideration at the request of the City Manager.

## AN ORDINANCE 40,320

MANIFESTING AN AGREEMENT BETWEEN THE CITY  
AND SHERIDAN CONCESSIONS, INC., TERMINATING  
A CONTRACT FOR CERTAIN CONCESSION OPERATIONS  
AT THE CONVENTION CENTER.

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(The following discussion ensued.)

MAYOR GATTI: Do you want to explain this, Mr. Henckel?

CITY MANAGER HENCKEL: Here we are talking about a series of three ordinances pertaining to Sheridan Concessions. I wish to point out that these ordinances today are a result of many meetings between the concessionaire, the Council committee, and the Staff. The first ordinance cancels the existing contract with Sheridan Concessions which has one year to run from January 31st. This cancels the remaining year of that contract. The next ordinance authorizes the Manager to enter into a new contract with Sheridan Concessions which has these basic conditions: A new five year contract for the concession operation in the arena, exhibit hall and theater. This contract does not give Sheridan Concessions any rights in regards to catering. This is the service of sit down meals and liquor accompanying sit down meals, and it does not give him any privileges in the Convention Center meeting rooms, Banquet Hall. It strictly gives Sheridan Concessions a concession operation - not a catering operation.

MAYOR GATTI: But not in the Convention Center?

CITY MANAGER HENCKEL: Not in the Convention Center. In the exhibit hall which is a concession operation, he has that privilege. Now, I want to point out, so that there's no misunderstanding, that when a function is held in the exhibit hall that is not a concession operation, because there are times when we have banquets in the exhibit hall, this would be a catering operation and the contract specifically points out that he does not have the authority to serve catering sit down meals or liquor accompanying those, alright.

MAYOR GATTI: How about liquor by itself?

CITY MANAGER HENCKEL: Liquor by itself. Only in the facilities that he is granted under this contract, the three facilities: the exhibit hall, the arena, and theater. The liquor in the other facilities will be by the caterer. So, we will not have an overlap of caterer-concessionaire. This is a five year contract with very explicit terms and particulars in respect to the number of ounces in drinks, the number of patties in meat, the number of hot dogs per pound. The ice limitation, of course, will be something that staff will have to watch. It's our responsibility, and I'm not saying this to be detrimental to the concessionaire, it's our responsibility to see that the public and the visitors get a fair deal on everything that they buy because the City's reputation is at stake. This contract also provides that the City will purchase (I'm going to make this change in the contract from the draft that you have, Jake) for cash the kitchen equipment that is owned by Sheridan Concessions upon an agreed list between Sheridan Concessions and the City at 50 percent of the purchase price, basing this on his figures of a ten year amortization of his equipment. I want to point out that we have had a restaurant

supply company inspect this equipment. All of it is in good shape. Some of it is new and never has been used. In their opinion, it is a fair deal both for the City and the Concessionaire. Bearing in mind that the way this type of equipment is usually disposed of is by auction and when it's done that way, of course you don't get as much for it because you have to have a ready buyer and many times people will bid at an auction even if they don't need the equipment. We think this is a fair price both to Sheridan and it's half of what we would have to pay if we went out and purchased the equipment, and it's all in excellent shape. Some of it, as I said, has never been used.

The next contract pertains to Sheridan Concessions which is a contract for a five year operation of his concessions at Brackenridge Park, the ball diamonds, Koehler Park, and the Sunken Gardens, and the sports centers. This, again, is strictly a concession contract - it has all provisions pertaining to the sizes and amounts. It has a very strict cancellation clause of immediate termination for any violation. Mr. Sheridan has been advised that the City will adhere to this very strictly. It enables the concessionaire to make the permanent improvements of these facilities with approval by the City. It also gives in the new contract the right to serve liquor at certain facilities.

DR. ROBERT HILLIARD: Just as a matter of procedure, we appointed a Council committee to study this problem and make recommendations, and I have never, ever heard a report from that committee as to what their recommendations were.

MR. CHARLES BECKER: You are about to hear one as soon as he is finished.

CITY MANAGER HENCKEL: The last item would be a contract between the City and Rosemary for the catering services at the Convention Center. This, again, would be an exclusive contract. She would serve all catering functions in the Convention Center facilities including the liquor at these functions and including the sale of mixed drinks in the exhibit hall, the Convention Center, the meeting rooms, the banquet hall and et cetera. She has no authority in the theater; no authority in the arena, no authority to be in the concession's business. These are two separate and distinct operations. She would operate the kitchen, pay the City 15 percent of her gross for this privilege.

Now, this is a complete deviation from management thinking in regard to concessionaires and caterers. I want to explain this to the City Council. It has always been the policy to go to bid for concessions on City owned properties - competitive bids. The difference when you buy equipment, we award a low price on competitive bids, if they are paying us, we give it to whoever pays us the most. Management's change in thinking is this: that it is our responsibility to give the citizens and visitors of all our facilities the best service they can get. In many cases, and this is true by past experiences, competitive bidding does not always give us the best or even a good concessionaire, and I'm not making any reflection on any person at this time. Our responsibility is to get the best, and the only way that you can get the best is by negotiating with parties that you know can do, not just an adequate job, but the best job. So in coming to you, we are recommending contracts on these concessions and other concessions, The concessionaires that we know are capable of performing, that we know will uphold a good reputation for the City, and this is on all concessions I'm talking about. Not just the two over there for the Convention Center. We can go way back when we had previous Councils, and I'll just give you an example.

When you put it out for bid, many times someone who has never been in that business and has had no experience whatsoever feels it might be a money maker for him so they will submit a bid and under the competitive bidding, it's the most money for the City on paper. We had an experience at the Olmos Basin Driving Range many years ago. We had a competent operator and put it out for bid. Another party, who had never been in the business, submitted a higher bid. The City accepted the bid. The party stayed in the business just a few months, and we ended up without any facility at all. The previous operator went somewhere else and that facility has not been used since. So the concessionaire lost, the City lost, the people who used the facility lost.

DR. HILLIARD: Is the contract with Rosemary an exclusive contract?

CITY MANAGER HENCKEL: Yes, sir, it has a provision, however, different from our previous contract, that other caterers may use the facility with the consent of the caterer who has the contract.

DR. HILLIARD: If I want to serve Soul food, I can as long as I get her permission?

CITY MANAGER HENCKEL: That's correct.

MR. FELIX B. TREVINO: Jerry, you just made a statement here, but in the other ordinance you said something about the one that has the concession at this point cannot cater. Now is he also one of the others that, with the consent or the one that holds it now, can cater if she accepts.

CITY MANAGER HENCKEL: Yes.

MR. TREVINO: Well, the way it's worded, it means that he doesn't have it.

CITY MANAGER HENCKEL: We are talking about two things again.....

(EVERYONE SPEAKING AT ONCE)

MR. LEO MENDOZA: Where is the paragraph that states this, Jerry? Do you have the paragraph?

CITY MANAGER HENCKEL: I don't have it here in front of me, but the staff will dig it out for you. The difference, Felix, is this, under his contract he has no catering rights. However, under the caterer's contract, with her permission, anybody can come in. We wouldn't exclude anyone. He just has no right to come in under his contract and cater food. Of course, if he stays in the food business or goes back into it, this is something that they have to work out between themselves. Her responsibility will be to insure good service, and I'm sure she wouldn't approve another caterer coming in under her contract if, in her opinion, the service wasn't going to be tops regardless of who it is. Now, there are instances, as Dr. Hilliard pointed out, where private parties where you want to bring in your own food, your own dips, this is just arrangements you make with the caterer. For functions, for public functions, for functions for conventions, I think we have to be reasonable in saying that the caterer is certainly not going to allow competition to come in and cater against an exclusive contract. We must be realistic about it. The whole purpose why we are recommending her is because we want her to serve these functions because we know the service will be good.

335 MR. BECKER: May I speak on this subject for a moment here, please. There is no objection on the part of the City to include a proviso in this contract that specifically will permit the thing that Dr. Hilliard, Leo Mendoza, and Felix Trevino are vitally concerned with and this is the right of a person to do these things and such permission will not be unreasonably withheld by Rosemary. Now, then there are certain other minor items in the contract, Mr. Mayor, that I would like to suggest that we, with the permission of the City Council and the concurrence of the City Manager and Mr. Walker, that you permit this committee to go ahead and recommend the passage of these three contracts here this morning and amend these minor items as they need to be amended. Is that permissible?

MAYOR GATTI: Well, you can do anything that you want, so we pass this, and then if you still have some adjustments to make we can always bring them in.

MR. BECKER: All right.

MR. MENDOZA: At the present time, the contract that we have before us, does not permit any caterer to come into the Convention Center except for the exclusive caterer that we are going to award the contract to. Now, when you have an exclusive caterer then she has the responsibility and the authority. This will exclude any caterer or anyone whether it's a private party or anyone else to bring in food to a private party. Now, if we can include this in the contract, then I think this is, basically, what we are concerned with at this time.

CITY MANAGER HENCKEL: Leo, I thought it was in there.

MR. MENDOZA: Well, I can't find it.

CITY MANAGER HENCKEL: It was the intention that that would be in there. For instance, this contract still retains the right for public functions such as a dance of bringing your own bottle into the facility. You do not have to buy a mixed drink from the concessionaire. The caterer would merely give the bar service of the mixes, ice, et cetera to go with that. The same thing we were talking about dips, for instance. Somebody was giving a function and somebody donates the dips. They certainly would not have any objections from the caterer, but the caterer, naturally, would not allow them to go out and get competitive prices for someone to serve dips.

MR. MENDOZA: Well, how can you control this though, Jerry? This is what worries me, because there is no way that you can control it.

CITY MANAGER HENCKEL: Well, this is the way it will be controlled. The contract provides that all services by the caterer with any party shall be in writing and should be submitted to and approved by the Director of the Convention Facility. So then we would have knowledge of every deal that the caterer has made with any person. If we see something out of kilter, we wouldn't approve it. This also gives any party who feels they are getting an unjust treatment the right to come to the Director and so inform him. He can come to the Manager or any member of the Council.

MAYOR GATTI: Can somebody bootleg a bag of Fritos in there?

CITY MANAGER HENCKEL: Well, you might be able to.

MR. BECKER: You are subject to five years in prison.

MR. PLEAS NAYLOR: Mr. Mayor, I'd like to make a motion that ..... are you going to read ..... okay?

CITY MANAGER HENCKEL: Page 2, Section 1b, food may be brought in by patrons only as authorized by the concessionaire upon approval of the Director.

MR. BECKER: You are talking about Rosemary's contract?

CITY MANAGER HENCKEL: Rosemary contracts.

MR. BECKER: Yes, okay.

CITY MANAGER HENCKEL: Charles, we said downstairs, we have been changing and working on these.....if we omitted something it's not our intention.

MR. BECKER: Page 2, paragraph b?

CITY MANAGER HENCKEL: Yes, sir.

MR. NAYLOR: Mr. Mayor, I'd like to, I think we are in accord, but I'd like to make a motion that we adopt these ordinances with the modification that was requested and with some technical changes as to the size of certain cups and buns and different things that were brought out by the committee, and if this is in this is not a major change of any kind, and we go ahead and pass, give this to the City Manager, the committee will, and finish this up.

MR. MENDOZA: I'll second the motion if I can see the wording, in other words, that pertains to this because I think it's a very important clause that we should include and make it very specifically known to these people that we do permit or is permissible to allow people to bring in their own or whatever arrangements they can make with the official caterer.

MRS. HABERMAN: Wait a minute, that's a conditional second, and I suggest that the three of you get together while we take on some other business and then come up with what you need.

MAYOR GATTI: That's what they just did.

MR. BECKER: Let me make something public right now. I suggest that with the concurrence of Mr. Naylor and Mr. Mendoza, that Rosemary Kowalski be made the official caterer. One of our subsidiary companies is a company known as Tappan-King Richter. We sell wholesale institutional merchandise to restaurants, cafes, et cetera. Rosemary Kowalski happens to be one of the smallest customers in dollar volume that we have. Some of the other concessionaires in this town buy considerably more than she does. If anybody has any hangups about whether I have any connections with Rosemary or not, you can put in the contract that Rosemary Kowalski shall be specifically forbidden to buy from Tappan-King Richter Wholesale Institutional Food Company, if anybody cares to have that written into it.

CITY MANAGER HENCKEL: I wouldn't recommend it.

MR. BECKER: Well, I just want it out on top of the table. So, you know, somebody can't say that - well, he had somebody in his pocket. We need the business, but we don't need it that bad.

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(EVERYONE SPEAKING AT ONCE)

MR. MENDOZA: I'll second that motion subject to the modifications suggested by the committee.

CITY MANAGER HENCKEL: Let me point out, the Council today is authorizing the Manager to enter into a contract. You've gone on record instructing me what changes you want in the contract so everthing is strictly legal insofar as passing the motion.

MR. MENDOZA: The thing that concerns me, Jerry, was that it was not included in the contract, and I think it's important.....

(EVERYONE SPEAKING AT ONCE)

CITY MANAGER HENCKEL: Maybe what I'll do is further clarify that Section lb.

MR. ED HILL: Are we going to vote contract by contract or all three at one time?

CITY MANAGER HENCKEL: We only have one read.

MAYOR GATTI: Let's take the first one. Item 25.

CLERK: Item 25 is for the contract termination. I have read that one.

MAYOR GATTI: Who made the motion?

MR. NAYLOR: I did.

MAYOR GATTI: Call the roll.

AYES: GARZA, NAYLOR, TREVINO, GATTI, HABERMAN, HILL, BECKER, HILLIARD, MENDOZA; NAYS: NONE; ABSENT: NONE.

MAYOR GATTI: Okay, the next one is the agreements for the Arena, Exhibit Hall, and so on.

72-4 The Clerk read the following Ordinance:

AN ORDINANCE 40,321

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CATERING BY ROSEMARY, INC., A TEXAS CORPORATION, FOR THE OPERATION OF A FOOD AND BEVERAGE CONCESSION AT THE SAN ANTONIO CONVENTION CENTER.

\* \* \* \*

MR. NAYLOR: I had made the motion subject to these modifications, and I will make it again.

MR. MENDOZA: I second.

MAYOR GATTI: Call the roll.

AYES: NAYLOR, TREVINO, GATTI, HABERMAN, HILL, BECKER, HILLIARD, MENDOZA, GARZA; NAYS: NONE; ABSENT: NONE.

72-4

The Clerk read the following Ordinance:

AN ORDINANCE 40,322

AUTHORIZING EXECUTION OF A CONTRACT WITH  
THE SHERIDAN CONCESSIONS FOR CERTAIN  
CONCESSION OPERATIONS AT THE CONVENTION  
CENTER.

\* \* \* \*

MR. NAYLOR: I make that motion subject to the modifications.

MR. MENDOZA: Second.

MAYOR GATTI: Call the roll.

AYES: NAYLOR, TREVINO, GATTI, HABERMAN, HILL, BECKER, HILLIARD,  
MENDOZA, GARZA; NAYS: NONE; ABSENT: NONE.

72-4

The Clerk read the following Ordinance:

AN ORDINANCE 40,323

MANIFESTING AN AGREEMENT WITH PHILIP J.  
SHERIDAN d/b/a/ SHERIDAN CONCESSIONS, INC.,  
FOR THE FOOD AND BEVERAGE CONCESSION CONTRACT  
FOR MUNICIPAL BALL DIAMONDS, SPORTS CENTERS,  
BRACKENRIDGE PARK, KOEHLER PARK, AND SUNKEN  
GARDENS, FOR THE PERIOD BEGINNING FEBRUARY 1,  
1972 AND TERMINATING JANUARY 31, 1977.

\* \* \* \*

MR. NAYLOR: I move subject to modifications.

MR. MENDOZA: Second

MAYOR GATTI: Call the roll

AYES: TREVINO, GATTI, HABERMAN, HILL, BECKER, HILLIARD, MENDOZA,  
GARZA, NAYLOR; NAYS: NONE; ABSENT: NONE.

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72-4 The Clerk read an ordinance authorizing the City Manager to enter into an agreement with Monorail of San Antonio for operation of the Mini-Monorail at HemisFair Plaza.

MR. JIM GAINES: A new group has been formed known as Monorail of San Antonio, a limited partnership, of which Texas Monorail, Inc. is the general partner to operate the mini-monorail. We have negotiated a contract with them to put it back into operation by April 3rd of this year. The term of the agreement is for 15 years with options to renew for two successive five year periods. The rental will be based on a sliding scale of gross receipts beginning a 5% on the first \$60,000.

MAYOR GATTI: What was that now? Run that by again.

MR. JIM GAINES: The sliding scale of gross receipts beginning at 5% up to \$60,000; 10% to \$120,000; 15% to \$240,000; 25% to \$500,000 and 50% thereafter.

MAYOR GATTI: Jim, that is annual - right?

MR. JIM GAINES: That's annual.

MAYOR GATTI: What was the annualized receipts of the monorail during HemisFair? Do you have any idea?

MR. JIM GAINES: Well over \$1.5 million?

MAYOR GATTI: That is annualized or just for six months.

MR. JIM GAINES: Just six months. We couldn't annualize it really.

MAYOR GATTI: What is the skyride?

MR. JIM GAINES: I don't have those figures?

MAYOR GATTI: Jerry, what's the Brackenridge Eagle's annual receipts?

MR. HENCKEL: I'd have to get that. We have an accelerated scale in the contract. Bob, do you have the figures of approximately what the Brackenridge Eagle receipts are?

MR. BOB FRAZER: I'm really afraid to say - \$125,000 or something like that.

MR. HENCKEL: We'll get that information for you.

MR. CHARLES BECKER: Now we are talking about the mini-monorail only on this, aren't we?

MR. HENCKEL: Correct.

MR. CHARLES BECKER: May I ask you this, please? How much does it cost to ride this thing?

MR. JIM GAINES: The new prices have been established as 50 cents and 25 cents.

MAYOR GATTI: Jim, who are the partners?

MR. JIM GAINES: The group has been formed out of a creditor group to the old bankrupt corporation consisting of Philadelphia banders. The registered representative is Judge Casseb in San Antonio.

MR. CHARLES BECKER: May I ask a question? Are these people personally liable on this contract? Or is it a straw corporation or what kind of a deal is it?

MR. JIM GAINES: This is a corporation formed to operate the mono-rail here.

MR. CHARLES BECKER: Is there any personal liability involved?

MR. JIM GAINES: No, sir.

MR. CHARLES BECKER: In the obligation with respect to leasehold obligations - payment of rent, etc.?

MR. JIM GAINES: No, sir.

MAYOR GATTI: What is the balance sheet of this corporation?

MR. JIM GAINES: We don't have one, sir.

MAYOR GATTI: I think we ought to get a little more information on this.

MR. NAYLOR: Let's bring this for a briefing next week at B session.

MAYOR GATTI: Let's get a balance sheet of this outfit.

MR. CHARLES BECKER: And while we are on it, let's include the insurance policies that must be presented to the City for public liability and property damage.

MR. JIM GAINES: \$100,000/\$1 million and \$100,000 Property Damage.

MAYOR GATTI: Jerry, let's put this on the C session next week. We want a balance sheet and what Mr. Becker says about the insurance carrier - a little more detail on this.

MRS. HABERMAN: The one question I have is on the terms of the lease. Generally, we have not considered leases beyond twenty years. This is for fifteen years but with two options for five years. So I would like a little discussion on that next week.

MAYOR GATTI: Let's bring the whole thing to B session next week.

MR. HENCKEL: Let me mention this. We will have it on the B session and also have it on the A session next week. The reason for it is this - the City wants this in operation by Fiesta. Of course, all the tracks have to be put back up. rerouted, etc.

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72-4

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CITY MANAGER REPORTS  
-

City Manager Henckel reported, in answer to Mrs. Haberman's request, that out of some 5,000 employees, the City employs 1,018 women. Over 700 women were employed last year.

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72-4 At this point, the Mayor recessed the meeting for a short time, and reconvened after a ten minute recess.  
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f. CASE 4364 - to rezone Lot 80, NCB 11173, 9202 Espada Road, from "B" Two Family Residential District to "B-3" Business District, located on the east side of Espada Road, 874' north of Rilling Road and a maximum depth of 151.36'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: Haberman, Hill, Hilliard, Mendoza, Garza, Trevino, Gatti; NAYS: None; ABSENT: Becker, Naylor.

AN ORDINANCE 40,324

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 80, NCB 11173,  
9202 ESPADA ROAD, FROM "B" TWO FAMILY  
RESIDENTIAL DISTRICT TO "B-3" BUSINESS  
DISTRICT.

\* \* \* \*

g. CASE 4398 - to rezone Lot 25, Block 47, NCB 7961, 1902 Fitch Avenue and 907 Milvid Avenue, from "B" Two Family Residential District to "B-2" Business District, located on the west side of South Zarzamora between Fitch and Milvid Avenue; having 240' on South Zarzamora, 75' on Milvid Avenue and 50' on Fitch Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Robert Diaz De Leon, a land planner representing the applicant, spoke to the Council in favor of the proposed rezoning. He stated that Mr. Oscar Villa intends to open a record shop at this location.

Mrs. Socorro Alvarado, 1908 Fitch, spoke in opposition to the request. She felt that this would increase traffic and cause dangerous crossing areas for children. She would also prefer to keep the area strictly residential.

Speaking in rebuttal, Mr. De Leon stated that his client would be quite willing to state that no outside speakers would be installed. He also would work with the Traffic Department.

After consideration, on motion of Mr. Trevino, seconded by Mr. Becker, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Trevino, Gatti; NAYS: Haberman; ABSENT: None.

AN ORDINANCE 40,325

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 25, BLOCK 47, NCB 7961, 1902 FITCH AVENUE AND 907 MILVID AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

\* \* \* \*

a. CASE 4394 - to rezone Lots 16 and 17, NCB 10245, 275 and 279 Corliss Street, from "B" Two Family Residential District to "B-3" Business District, located on the northwest intersection of Corliss Street and Bellinger Street; having 125' on Bellinger Street and 100' on Corliss Street.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council.

Mr. Sergio Villarreal, representing the applicant, stated that Mr. Claborn Jones has had an auto repair shop on the property since 1945. Now he would like to build a roof over his facility and install gasoline pumps. Mr. Villarreal filed a petition in favor of the rezoning with the City Clerk. The petition is signed by 28 property owners in the area.

No one spoke in opposition.

After consideration, Mrs. Haberman moved that the recommendation of the Planning Commission be overruled and that the request for rezoning be granted. The motion was seconded by Dr. Hilliard. On roll call the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Becker, Hilliard, Mendoza, Garza, Trevino, Gatti; NAYS: Hill, Naylor; ABSENT: None.

AN ORDINANCE 40,326

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 16 AND 17, NCB 10245, 275 AND 279 CORLISS STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

\* \* \* \*

b. CASE 4421 - to rezone Lot 9, Block 2, NCB 9202, 102 Westminster Avenue, from "B" Two Family Residential District to "B-2" Business District, located south of the intersection of Westminster Avenue and Bandera Road; having 50' on Westminster Avenue and 124.17' on Bandera Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council.

Mr. Joe Dalmolin, the applicant, spoke to the Council and described the way that the character of this neighborhood is changing. At the present time, he has a retail business across Bandera Road from his home and wishes to move it onto his property where the home is. He urged the Council to consider the request favorably.

Mayor Gatti stated that he is very familiar with the area and would object to this rezoning to business in this nice residential area.

Mr. Trevino and Mr. Hill spoke in favor of the request.

No one in the audience spoke in opposition.

After consideration, Mr. Hill moved that the recommendation of the Planning Commission be overruled and the property be rezoned. The motion was seconded by Mr. Becker. On roll call, the motion, which required seven (7) affirmative votes to carry, failed, and the rezoning was denied, by the following vote: AYES: Hill, Becker, Hilliard, Mendoza, Garza, Trevino; NAYS: Haberman, Naylor, Gatti; ABSENT: None.

c. CASE 4426 - to rezone the northwest 155' of Arb. Tract A, NCB 12060, 200 Block of Heimer Road, from Temporary "A" Single Family Residential District to "R-2" Two Family Residential District, and Arb. Tract A, save and except the northwest 155', NCB 12060, 200 Block of Heimer Road, from Temporary "A" Single Family Residential District to "I-1" Light Industry District, located on the southeast side of Heimer Road, being 682.93' northeast of Bitters Road; having 316' on Heimer Road and a maximum depth of 796'. The "R-2" zoning being the northwest 155' fronting on Heimer Road and the "I-1" zoning being the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council.

Mr. Tom Stolhandske, representing the applicant, spoke in favor of the rezoning. He stated that the Northeast Independent School District has withdrawn its opposition in this case because the applicant has assured the District that they will not use Heimer Road. The Redondo Manufacturing Company needs additional space for outside storage of pre-fabricated concrete forms. Using a plat of the area, he described the various uses of property in the area and asked the Council for its favorable consideration.

Mr. Sam Dibbrell, an attorney representing property owners in the area, spoke in opposition to the proposed rezoning. He distributed color snapshots of the present operation to show how the property is being used. He objected to the rezoning because of the noise, heavy truck traffic and sand blasting which is done on the property.

Others speaking in opposition were Mrs. Edward Reeves, 114 Coulter, and Mr. Bill McKinley, 102 Coulter. They complained of trucks blocking the road, heavy dust, noise and the fact that there is noise at all hours of the night.

Speaking in rebuttal, Mr. Stolhandske stated that the company is trying to eliminate the use of Heimer Road by its trucks and would be willing to install a fence along the east line of the "R-2" zoning which would provide some buffer for the adjoining areas.

After consideration, Mr. Becker moved that the recommendation of the Planning Commission be upheld and that the rezoning be denied. The motion was seconded by Mr. Garza, and carried by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor; NAYS: Trevino, Gatti; ABSENT: None.

d. CASE 4427 - to rezone the north 188.7' of Lot 20, NCB 11715, 9800 Block of Lorene Lane, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the east side of Lorene Lane, being 423.24' south of the intersection of North Valley Drive and Lorene Lane; having 188.7' on Lorene Lane and a maximum depth of 518.4'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council.

Mr. Doug Newton, representing the applicant, described the growth of the area concerned. He had photographs showing homes adjacent to the property being considered and stated that he felt that the construction of apartments would not have any effect on the neighbors. He stated that the owners would be willing to erect a screen fence. The Northeast Independent School District does not object to the rezoning.

Mr. David Rodriguez, 9902 Lorene, spoke in opposition to the rezoning. He resides next door to the property in question and objected to "R-3" zoning because of added traffic and increased congestion. He also felt that it would cause values to decrease.

After consideration, Mr. Becker moved that the recommendation of the Planning Commission be overruled and the request for rezoning be granted. The motion was seconded by Dr. Hilliard. On roll call, the motion, which required seven (7) affirmative votes to carry, failed, and the rezoning was denied, by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Gatti; NAYS: Mendoza, Garza, Naylor, Trevino; ABSENT: None.

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e. CASE 4445 - to rezone Lots 1 through 5, Block 10, NCB 2803, 200 Block of Holland Avenue, from "B" Two Family Residential District to "B-3" Business District for a Radio Transmitter Tower, located south-east of the intersection of Judson Avenue and Holland Avenue; having 125' on Holland Avenue and 125' on Judson Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council.

Mr. Kerry Albaugh, an architect, spoke for Dr. John W. Helton, owner of the property. He had a drawing of the proposed structure which would house a transmitting tower. The lot in question is in a proposed Urban Renewal project area but the Urban Renewal Agency has not objected to the proposed change in zoning. He asked for favorable consideration of the proposed change.

Mrs. Martha Casares, 220 Annie Street, spoke in opposition. She fears that business rezoning will open the area to further rezoning and she prefers that the residential nature of the neighborhood be retained.

Mr. Gene Smith, an electronic specialist, stated that this transmitting tower would not interfere with television reception in any way.

After consideration, Mr. Becker moved that the recommendation of the Planning Commission be overruled and that the property be rezoned. The motion was seconded by Mr. Hill. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Trevino, Gatti; NAYS: None; ABSTAIN: Naylor; ABSENT: None.

AN ORDINANCE 40,327

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 1 THROUGH 5,  
BLOCK 10, NCB 2803, 200 BLOCK OF HOLLAND  
AVENUE, FROM "B" TWO FAMILY RESIDENTIAL  
DISTRICT TO "B-3" BUSINESS DISTRICT FOR  
A RADIO TRANSMITTER TOWER.

\* \* \* \*

h. CASE 4325 - to rezone 5.948 acres out of NCB 11645, 11646, 11647 and 11648, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "R-2" Two Family Residential District; and 11.382 acres out of NCB 11631, 11646, 11647 and 11648, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "R-3" Multiple Family Residential District.

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The 5.948 acres for "R-2" and the 11.382 acres for "R-3" are located 120.52' northeast of the intersection of Castledale Drive and Northmoor Lane, 260' east of the intersection of Northmoor Lane and Powhatan Drive; having a maximum width of 1199.53' and a maximum depth of 1215.24'.

The "R-2" being on the east 157.04' and the north 157.26' of the subject property and the "R-3" on the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Naylor, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: Hill, Becker, Mendoza, Naylor, Trevino; NAYS: None; ABSENT: Haberman, Hilliard, Garza, Gatti.

AN ORDINANCE 40,328

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 5.948 ACRES OUT OF NCB 11645, 11646, 11647 AND 11648, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT; AND 11.382 ACRES OUT OF NCB 11631, 11646, 11647 AND 11648, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

\* \* \* \*

i. CASE 4413 - to rezone 5.983 acres out of NCB 13919 and NCB 11631, being further described by field notes filed in the office of the City Clerk, 9300 and 9400 Block of Powhatan Drive, from "R-A" Residence-Agriculture and "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the southwest and southeast side of Powhatan Drive; having a total frontage of 1858.59' on Powhatan Drive and a maximum depth of 175'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved, provided that a six foot (6') solid screen fence is erected along the southwest property line and that a one foot non-access easement be provided along the southwest property line. The motion was seconded by Mr. Naylor. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Hill, Becker, Mendoza, Naylor, Trevino; NAYS: None; ABSENT: Haberman, Hilliard, Garza, Gatti.

AN ORDINANCE 40,329

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 5.983 ACRES OUT OF NCB 13919 AND NCB 11631, 9300 AND 9400 BLOCK OF POWHATAN DRIVE, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK), FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT AND "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT A SIX FOOT (6') SOLID SCREEN FENCE IS ERECTED ALONG THE SOUTHWEST PROPERTY LINE AND THAT A ONE FOOT NON-ACCESS EASEMENT BE PROVIDED ALONG THE SOUTHWEST PROPERTY LINE.

\* \* \* \*

j. CASE 4356 - to rezone a 3.849 acre tract out of NCB 14347, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the southwest side of Evers Road between Patterson Road and I.H. 410; having 438.13' on Evers Road, 1197.20' on Patterson Road and 894.30' on I.H. 410.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Hill made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting be accomplished. Mr. Mendoza seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Hill, Becker, Mendoza, Naylor, Trevino; NAYS: None; ABSENT: Haberman, Hilliard, Garza, Gatti.

AN ORDINANCE 40,330

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 A 3.849 ACRE TRACT  
OUT OF NCB 14347, (BEING FURTHER DESCRIBED  
BY FIELD NOTES FILED IN THE OFFICE OF THE  
CITY CLERK), FROM TEMPORARY "R-1" SINGLE  
FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT  
INDUSTRY DISTRICT, PROVIDED THAT PROPER  
REPLATTING IS ACCOMPLISHED.

\* \* \* \*

k. CASE 4412 - to rezone 4.864 acres out of Tract A, NCB 11493, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "R-2" Two Family Residential District; 10.340 and 7.281 acres out of Tract A, NCB 11493, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "R-3" Multiple Family Residential District; 1.864 and 2.712 acre tract of land out of Tract A, NCB 11493, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-2" Business District; and 5.426 acres out of Tract A, NCB 11493, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-3" Business District. (5800 Block of Culebra Road and 1200 Block of Callaghan Road.)

The "R-2" zoning being irregular in shape and located 562.39' south of Culebra Road, 325' east of Callaghan Road; having a maximum length 1242.02' and a maximum width of approximately 210'.

The "R-3" zoning having the 10.340 acres located on the south side of Culebra Road 508.33' east of Callaghan Road; having 772.03' on Culebra Road and a maximum depth of 586.26'. The 7.281 acres are located 867.91' south of Culebra Road 75' east of Callaghan Road; having a maximum width of 330' and a maximum length of 978.8'.

The "B-2" zoning having the 1.864 acre tract of land located 215.27' south of Culebra Road 330.01' east of Callaghan Road; being 230' by 353.11' in size. The 2.712 acre tract of land is located on the east of Callaghan Road 512.51' south of Culebra Road; having a width of 330.01' and a maximum length of 419.65'.

The "B-3" zoning being located southeast of the intersection of Callaghan Road and Culebra Road; having 512.51' on Callaghan Road 470.36' on Culebra Road and 69.85' on the cutback between these two roads.

All located at 5800 Block of Culebra Road and 1200 Block of Callaghan Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council. He pointed out to the Council that a portion of this property is in the Northwest Transportation Facility.

Mrs. Kathleen Schultz, owner of vacant property adjoining the property under consideration, spoke in opposition to the proposed rezoning. She stated that there are enough apartments in the area already and more apartments would encourage an influx of low income families.

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After consideration, Mr. Mendoza made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Becker seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Hill, Becker, Mendoza, Trevino, Gatti; NAYS: None; ABSTAIN: Hilliard; ABSENT: Haberman, Garza, Naylor.

AN ORDINANCE 40,331

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 4.864 ACRES OUT OF TRACT A, NCB 11493, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK), FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT; 10.340 AND 7.281 ACRES OUT OF TRACT A, NCB 11493, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK), FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; 1.864 AND 2.712 ACRE TRACT OF LAND OUT OF TRACT A, NCB 11493, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK), FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND 5.436 ACRES OUT OF TRACT A, NCB 11493, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK), FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; BEING LOCATED AT 5800 BLOCK OF CULEBRA ROAD AND 1200 BLOCK OF CALLAGHAN ROAD, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

1. CASE 4414 - to rezone a 9.876 acre tract out of NCB 14446, 9400 Block of Wurzbach Road, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, subject property has frontage on I.H. 10 and Wurzbach Road; located 200' southeast and 109.66' southwest of the cutback between I.H. 10 and Wurzbach Road; having 586.31' on I.H. 10 and 350.0' on Wurzbach Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: Hill, Becker, Hilliard, Mendoza, Trevino, Gatti; NAYS: None; ABSTAIN: Naylor; ABSENT: Haberman, Garza.

AN ORDINANCE 40,332

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 A 9.876 ACRE TRACT OUT OF NCB 14446, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK), 9400 BLOCK OF WURZBACH ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

\* \* \* \*

72-4

REPORT OF THE CHARTER REVISION COMMITTEE

Mr. Charles Becker, Chairman of the Charter Revision Committee, formally submitted the final report of the Charter Revision Committee to the Council. Included were four (4) minority reports.

Mr. Becker read the names of the members of the Committee and expressed appreciation for their great efforts in this endeavor.

He particularly called the Council's attention to the memorandum dated January 18, 1972, from the City Clerk relating to deadlines for the calling of a Charter election.

Mayor Gatti commended the Committee for its work and announced that consideration of the Committee's report will be at the Council's "C" Session on February 10, 1972.

72-4

CITIZENS TO BE HEARD

Dr. James L. MacKay, spoke to the Council regarding the need for elderly persons to have a means of travel. He urged the Council to help get reduced bus fares for the elderly. He suggested that the 10¢ fare such as charged school children would be equitable.

Mayor Gatti advised Dr. MacKay that there is a committee working with the Transit System to modify the first proposal made by the Transit Board. He suggested that Dr. MacKay contact Mrs. Joe Kenny and work with her on the project.

January 27, 1972  
nsr

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DRAG STRIP

Mr. Jacob Casanova, 20 Burwood, spoke to the Council about the need for a drag strip. He presented a petition to the City Clerk requesting that the City make a site available for drag racing.

Mayor Gatti advised Mr. Casanova that a committee composed of Mrs. Haberman, Mr. Garza, and Mr. Trevino is studying this project at this time.

Mrs. Helen Dutmer, 739 McKinley Avenue, commended Mr. Charles Becker, as Chairman of the Charter Revision Committee, for the splendid job he did. She urged Council members to read and carefully consider the committee's report. She also suggested that the Council's agenda be rearranged so that persons wishing to speak would not have so long to wait.

Mr. Raul Rodriguez spoke to the Council about the budget of \$131,777 of the Midwest Community Corporation. In all of this, he stated, there is nothing for direct aid to the poor. He also mentioned fear that the CPPC is being taken over.

The matter of membership in the CPPC Board was discussed between members of the Council following which, Mayor Gatti instructed that an ordinance be prepared for next week's meeting appointing Mr. Raul Rodriguez to the Citizens Participation Policy Committee.

Mr. Bill Wallace stated that he is the Chairman of a recently formed Black Ad-Hoc Committee. The purpose of the Committee is to fight discrimination against the Blacks. He stated that his Committee will ask for discontinuation of all Federal funds in the San Antonio area until a Federal investigation can be made into local discrimination against Blacks.

72-4 The Clerk read the following letter:

January 21, 1972

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.

1/17/72

Petition of Baptist Memorial Hospital  
requesting permission to purchase air  
rights over a portion of Kerr Alley  
between Lexington and Richmond Avenues.

January 27, 1972  
nsr

1/17/72

Petition of Baptist Memorial Hospital  
for the closing of Headway Alley  
between Lexington and Richmond Avenues.

1/17/72

Addendum to the petition of Mrs. Frances  
Levenson, regarding a drainage problem  
in the vicinity of Dahlgreen, Barney  
and Bay Streets.

/s/ J. H. INSELMANN  
City Clerk

\* \* \* \*

There being no further business to come before the Council,  
the meeting adjourned at 1:50 P. M.

A P P R O V E D

*John Matts*  
M A Y O R

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

January 27, 1972  
nsr

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