

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 6, 1969, AT 8:30 A.M.

* * * * *

The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; Absent: None.

69-7 The invocation was given by Councilman Edward H. Hill.

The minutes of the January 30, 1969 City Council Meeting were approved.

69-7 Mayor McAllister recognized a group of fourteen students from St. Benedict's High School, accompanied by Mr. and Mrs. Garrett.

69-7 ZONING HEARING:

a. First heard was Zoning Case 3365 to rezone Lot 21, NCB 11624 (6.503 acres) from "A" Single-Family Residence District, to "R-3" Apartment District, located on the southwest side of Pleasure Hill Drive, 535' southeast of Chambers Road; being irregular in shape & having 280.02' on Pleasure Hill Drive & 82.81' on Chambers Road.

Lot 22, NCB 11624 (9.544 acres) from "A" Single-Family Residence District to "B-2" Business District located east of the intersection of Chambers Road & Fredericksburg Road; having 486.30' on Chambers Road & 811.22' on Fredericksburg Road.

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

In answer to questions from the Council, Mr. Lawrence stated that the drainage problem that exists on this property would be corrected.

No one spoke in opposition.

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

AN ORDINANCE 37214

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 21, NCB 11624 (6.503 ACRES) FROM "A" SINGLE FAMILY RESIDENCE TO "R-3" APARTMENT DISTRICT AND LOT 22, NCB 11624 (9.544 acres) FROM "A" SINGLE-FAMILY RESIDENCE TO "B-2" BUSINESS DISTRICT.

* * * *

b. Next heard was Zoning Case 3436 to rezone the west 170' of Lot 45, Blk. 3, NCB 9470 from "B" Residence District to "B-2" Business District; Lot 45, Blk. 3, NCB 9470, save & except the west 160' from "B" Residence District to "B-3" Business District, located on the west side of Pleasanton Road, 261' north of Petaluma Blvd.; having 134' on Pleasanton Road & a depth of 365'; the "B-2" being on the west 160' of subject property and the remaining portion for "B-3".

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

No one spoke in opposition.

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

AN ORDINANCE 37215

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 160' OF LOT 45, BLK. 3, NCB 9470 FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND LOT 45, BLK. 3, NCB 9470, SAVE & EXCEPT THE WEST 160' FROM "B" RESIDENCE TO "B-3" BUSINESS DISTRICT.

* * * *

February 6, 1969

-2-

Councilman Jones requested the City Manager to have the Staff check into the house trailer and the junk cars that are stored within 200 feet of the subject property.

c. Next heard was Zoning Case 3506 to rezone the east 70' of Lot 5, Blk. 4, NCB 11894 from "A" Single-Family Residence District to "R-2" Duplex District and Lot 5, Blk. 4, NCB 11894, save & except the east 70' from "A" Single-Family Residence District to "O-1" Office District located on the east side of Broadway St., 375.8' south of Terra Alta Road; having 160.3' on Broadway St. & a maximum depth of 520.9'; the "R-2" being on the east 70' of subject property and the remaining portion for "O-1".

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

The applicant was not present.

Mr. David Spoor, 7603 Vinewood Court objected to the rezoning in that the proposed use allows parking for 200 cars and they would be parked along the East property line which would be immediately adjacent to his property. Since the western portion of this tract would contain office buildings, there would be commercial trucks and cars parking in this area which would certainly cause a great deal of noise and actually would cause his property to depreciate. He felt that on the east 70 feet of this lot, "R-2" Duplex zoning would be a good use for this land and he would have no objection to zoning the rest of this property to "O-1" Office District.

In answer to questions from the Council, Mr. Spoor stated that he would be agreeable to a ten-foot landscape easement along the east property line and still retain the six-foot fence along this line.

After consideration by the Council Mr. Torres made a motion to approve the recommendation of the Planning Commission subject to a ten-foot landscape easement along the east and north property line and retain the six-foot fence. Seconded by Mr. Jones, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Trevino, Hill, Torres; NAYS: Cockrell, Gatti; ABSENT: None.

AN ORDINANCE 37216

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 70' OF LOT 5, BLK. 4, NCB 11894, FROM "A" SINGLE-FAMILY RESIDENCE TO "R-2" DUPLEX DISTRICT; AND LOT 5, BLK. 4, NCB 11894, SAVE & EXCEPT

THE EAST 70' FROM "A" SINGLE-FAMILY
RESIDENCE TO "O-1" OFFICE DISTRICT,
SUBJECT TO A TEN-FOOT EASEMENT ALONG
THE EAST AND NORTH PROPERTY LINE AND
RETAIN THE SIX-FOOT FENCE.

* * * *

d. Next heard was Zoning Case 3507 to rezone Lot 32 & the west 12.5' of Lot 31, Blk. 31, NCB 3514 from "B" Residence District to "B-1" Business District, located southeast of the intersection of Phyllis St. & Thompson Place; having 37.5' on Thompson Place and 130.07' on Phyllis St.

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

Mr. Jose Santos Villarreal, the applicant, explained he intended to operate a beauty shop on the subject property. His wife would be the only operator at the present time, however, there is room for five chairs. He felt that the beauty shop operation would be an asset to the neighborhood.

No one spoke in opposition.

In answer to questions from the Council, Mr. Villarreal stated that he was going to demolish the existing two-car garage in the rear so there will be sufficient parking available for his business.

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

AN ORDINANCE 37217

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 32 & THE WEST 12.5' OF LOT 31, BLK. 31, NCB 3514, FROM "B" RESIDENCE TO "B-1" BUSINESS DISTRICT.

* * * *

February 6, 1969

-4-

e. Next heard was Zoning Case 3513 to rezone the north 100' of Lot 3, Blk. 1, NCB 8790, being that portion not presently zoned "F" Local Retail District from "D" Apartment District to "B-3" Business District, located on the east side of Pine St., 350.75' north of I. H. 37 Expressway; having 100' on Pine St. & a depth of 931.52'.

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

No one spoke in opposition.

Dr. Calderon stated he favored the rezoning if the applicant would build a solid screen fence along the east property line which abutted the property line of a residence at 703 Chicago.

Mr. Ralph Langley, Attorney representing the applicant, stated that the School Board which had objected to the rezoning of this subject property have withdrawn their objection since the applicant has agreed to erect an eight-foot solid screen fence along the entire length of the North property line and requested that the permission to build this fence be included in this ordinance.

The Mayor then asked Mr. Walker, City Attorney, if this could be done.

Mr. Walker stated that Mr. Langley should submit a written request for the permit to erect the eight-foot fence and it would require a separate ordinance.

Mr. Langley stated that there was no opposition nor request from the people living at 703 Chicago for a screen fence.

Dr. Calderon said he would favor the rezoning if the applicant would be willing to erect the fence on the East property line if the owner of the residence at 703 Chicago would request him to do so.

No one spoke in opposition.

After further consideration Mr. Gatti made a motion to approve the recommendation of the Planning Commission. Seconded by Dr. Calderon, the motion carrying with it the passage of the following ordinance prevailed by the following vote: **AYES:** McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill; **NAYS:** None; **ABSENT:** Torres.

February 6, 1969

-5-

AN ORDINANCE 37218

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 100' OF LOT 3, BLK. 1, NCB 8790, BEING THAT PORTION NOT PRESENTLY ZONED "F" LOCAL RETAIL DISTRICT, FROM "D" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

f. Next heard was Zoning Case 3515 to rezone Lot 12, Blk. 12101 from "B" Residence District to "B-1" Business District, located west of the intersection of Nacogdoches Road & Woodbury Lane; having 209.2' on Nacogdoches Road & 215.1' on Woodbury Lane.

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

Councilwoman Cockrell stated that she felt that this would certainly be a case of spot zoning and she pointed out that the Planning Staff had recommended against rezoning of this particular property.

Mrs. Robert T. Burns, the applicant, explained the purpose for the request to rezone this property is to use it for a day care center for infants and nursery age children (ages 1 to 3). At the time she purchased the property they knew the property would have to be rezoned in order to convert it into a day care nursery. She believed that there was a definite need for this type of child care in this particular area.

Mr. Lawrence stated that there was a petition signed by a number of people in this area opposing the rezoning.

Mr. Walker, City Attorney, explained while the petition had been filed in opposition to the rezoning, the State Statutes only made provision for considering opposition to a request for a rezoning from property owners immediately in front and in the rear of the property and did not take into consideration the property on either side. As a result in this case, it would take only five votes of the Council to rezone this property.

Mrs. Burns stated that she is already placing a deed restriction on this property which limits the use of her property for the next twenty years to a preschool day care nursery.

February 6, 1969

-6-

No one spoke in opposition.

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

AN ORDINANCE 37219

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 12, BLK. 12101, FROM "B" RESIDENCE TO "B-1" BUSINESS DISTRICT.

* * * *

g. Next heard was Zoning Case 3516 to rezone the north 75' of Lot 81, NCB 11887, being that portion not presently zoned "O-1" Office District, from "A" Single-Family Residence District to "O-1" Office District located on the west side of Broadway St., 225' north of Sunset Road; having 75' on Broadway St. & a depth of 164.40'.

Mr. Burt Lawrence, Assistant Planning Director, 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. Jones, seconded by Mr. Torres, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 37220

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 75' OF LOT 81, NCB 11887, BEING THAT PORTION NOT PRESENTLY ZONED "O-1" OFFICE DISTRICT FROM "A" SINGLE-FAMILY RESIDENCE TO "O-1" OFFICE DISTRICT.

* * * *

h. Next heard was Zoning Case 3525 to rezone Lot M, NCB 12171 from "B" Residence District to "B-3" Business District located between Corinne Drive & Harry Wurzbach Road, 128.5' north of the cutback of Corinne Drive & Harry Wurzbach Road; having 126' on Harry Wurzbach Road, 139.73' on Corinne Drive, and 153.4' along the north line of this property.

Mr. Burt Lawrence, Assistant Planning Director, 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. Jones, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 37221

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 M, NCB 12171, FROM "B" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

i. Next heard was Zoning Case 3531 to rezone Lot 21, Blk. 2-A, NCB 11952 from "A" Single-Family Residence District to "I-1" Light Industry District located on the north side of Chulie Drive, 300.4' west of Western Avenue; having 150.2' on Chulie Drive & a depth of 290'.

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

Mr. Dan C. Crow, the applicant, explained that he needed the "I-1" Light Industry zoning for this property since he was constructing a building on the subject property for two air-conditioning contractors. There will be a very small amount of outside storage and their trucks will be parked under a concrete carport. He could not use a more-restrictive zoning classification because these contractors install central heating and air-conditioning units.

Dr. Calderon felt that "I-1" Light Industry District was not the proper zoning for this property. He stated that the Zoning Code should be revised and the classifications be expanded

in order that it could accomodate this type of business within a more restrictive classification rather than the one that has been requested.

No one spoke in opposition.

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

AN ORDINANCE 37222

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 21, BLK. 2-A, NCB 11952 FROM "A" SINGLE-FAMILY RESIDENCE TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

j. Next heard was Zoning Case 3532 to rezone Lot 19, Blk. 5-B, NCB 11958 from "A" Single-Family Residence District to "I-1" Light Industry District located on the north side of Hallmark Drive, 150.2' west of Eastern Avenue; having 150.2' on Hallmark Drive & a depth of 290'.

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

Mr. Dan C. Crow, the applicant, explained that there was a building on this property and has been recently remodeled, although unoccupied. He stated that he would lease the building to a heating and air-conditioning contractor who would have some outside storage. He pointed out that the property is within 200 feet of four large tracts of land that are zoned "JJ".

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

February 6, 1969

-9-

AN ORDINANCE 37223

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 DE-
SCRIBED HEREIN AS LOT 19, BLK. 5-B,
NCB 11958 FROM "A" SINGLE-FAMILY RESI-
DENCE TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

k. Next heard was Zoning Case 3537 to rezone Lot 20, Blk. 4, NCB 10108 from "B" Residence District to "R-3" Apartment District located on the east side of Pleasanton Road, 150' south of Formosa Blvd.; having 153.7' on Pleasanton Road & a depth of 135'.

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

No one spoke in opposition.

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

AN ORDINANCE 37224

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 DE-
SCRIBED HEREIN AS LOT 20, BLK. 4, NCB
10108 FROM "B" RESIDENCE TO "R-3"
APARTMENT DISTRICT.

* * * *

l. Next heard was Zoning Case 3538 to rezone the remaining portion of Lot 21, Blk. 11, NCB 8891 from "B-1" Business District to "B-2" Business District located on the north side of Rivas St., 243.3' east of N. W. 28th St; having 50' on Rivas St. & a maximum depth of 157.6'.

February 6, 1969

-10-

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

Mr. Abraham Riback, Attorney representing the applicant, explained that his client operated a barber shop on the property at this time and desires "B-2" Business District zoning in order to allow him to convert a portion of this subject property into an ice house--convenience center, for the good of the neighborhood. Mr. Riback had presented to the Planning Commission a petition containing 36 signatures in favor of the rezoning.

No one spoke in opposition.

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

AN ORDINANCE 37225

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE REMAINING PORTION OF LOT 21, BLK. 11, NCB 8891, FROM "B-1" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

m. Last heard was Zoning Case 3520 to rezone Lots 21 & 22, Blk. 2, NCB 11845 from "A" Single-Family Residence District, to "R-3" Multiple-Family Residence District, located northeast of the intersection of Pike Road & Eisenhower Road; having approximately 124' on Eisenhower Road & approximately 264' on Pike Road.

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

Mr. Chesley Swann, representing the applicant, stated that his client now wished to request "R-2" zoning rather than the "R-3". He intends to build town house type duplexes that would sell for approximately \$30,000.00. He intended to construct four duplexes on the subject property which would face Burkeside Lane. He presented a map showing the various duplex and apartment house uses on property along Eisenhower Road which is South of his property line.

He stated that actual traffic count on Eisenhower Road sometime ago amounted to 4300 cars per day which ruled out using the subject property for residential use if the single-family residence would have to face Eisenhower Road.

Mr. John Smollen, 3102 Knight Robin opposed the rezoning and stated that the homes in this area range from \$40,000.00 to \$50,000.00 in price and a change in zoning would certainly depreciate the properties. If the rezoning is granted, traffic on Eisenhower and Burkeside Lane would be increased. He felt certain that these lots could be developed as single-family residences. He pointed out that a new single-family residence is being constructed on Eisenhower Road on the other end of this particular block. Mr. Smollen explained he has owned his home in this area for six years and he has been before the Council opposing rezoning of various lots in this area for other than residential use.

Mrs. Ruth E. Smollen and Col. Benhamin Taylor also opposed the rezoning for the same reason.

Mr. Chesley Swann showed colored photos to the Council of duplexes backing up to residences within the immediate area. In answer to questions from Dr. Calderon, he explained that he did not wish to have only lot 22 and leave lot 21 as "R-1" Residence lot as this would defeat his purpose.

Councilwoman Cockrell stated she concurred with the Planning Commission as well as Councilman James and would oppose the rezoning.

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

69-7 Mr. Carl White, Assistant Finance Director, briefed the Council on the following ordinance and on motion of Mr. Torres, seconded by Mr. Jones, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37226

AMENDING THE CURRENT BUDGET BY AUTH-
ORIZING FOUR ADDITIONAL COURT OFFICER
POSITIONS IN CORPORATION COURT.

* * * *

February 6, 1969

-12-

The Clerk read the following ordinance:

AN ORDINANCE 37227

LEVYING AN AD VALOREM TAX FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF SAN ANTONIO; LEVYING A TAX TO SUPPORT THE CITY-COUNTY T. B. CONTROL BOARD; LEVYING A TAX TO PAY THE INTEREST ON THE FUNDED DEBT OF SAID CITY, AND TO CREATE A SINKING FUND THEREFOR; AND FIXING THE TAX RATE AT \$1.89 PER \$100.00 OF VALUATION, ALL SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JUNE 1, 1968 AND ENDING MAY 31, 1969.

* * * *

Mr. Jerry Henckel, City Manager, made the following report concerning the above ordinance:

SCHEDULE OF EXCESS FUNDS RECEIVED AND UTILIZATION OF SAME AS OF FEBRUARY 1, 1969

A. Sales Tax - September 13, 1968	\$ 1,757,589.97
- December 20, 1968	<u>2,266,247.31</u>
Total Funds Received	\$ 4,023,837.28
Less - Budget Estimate for Same Period	<u>2,625,000.00</u>
Excess Sales Tax Funds Received Thus Far	\$ 1,398,837.28
<u>Other Sources</u>	
Income Expected from HemisFair Plaza for year (not included in Budget)	<u>212,000.00</u>
Total Available Funds	<u>\$ 1,610,837.28</u>
B. Amendments to Budget Utilizing Above Excess	
1. Trucks - 35 Garbage - 5 Dump Trucks	\$ 420,640.00
2. Municipal Facilities Department	568,130.00
3. Hospitalization Insurance*	187,320.00
4. School Sidewalks	50,000.00
5. Additional Police (65)**	221,820.00

6. SARA - Espada Dam Repairs	50,000.00
7. S. A. River Wall Repairs	<u>12,000.00</u>
Total Appropriations	<u>\$1,509,910.00</u>

* \$320,00 required next year.
 ** Requirements in Fiscal Year 1969-70 approximately \$540,000.

HIGH PRIORITY ITEMS FOR WHICH FUNDS ARE NOT
 AVAILABLE AT THIS TIME

1A. HemisFair Land - Alternate #1

Additional Land for State Pavilion	\$ 173,706
Land Committed to City Water Board	<u>425,576</u>
	\$ 599,282
Plus 1/5 of Balance Owed	<u>300,000</u>
	<u>\$ 899,282</u>

1B. HemisFair Land - Alternate #2

Pay Entire Balance Due Over Five-Year Period	<u>\$ 474,406</u>
2. HemisFair Plaza Improvements	\$ 100,000
3. Additional Signal Equipment Inventory	50,000
4. Parking Meter Replacements (might consider three-year program to reduce impact)	150,000
5. HemisFair Plaza Kiddie "Zoo"	60,000
6. Food Stamp Additional Sub-Stations (if County shared in cost, our share would be 1/2)	88,560
7. HemisFair Personal Property (Reimburse Tower Bond Sinking Fund for Tower Tickets sold by Fair)	256,177
8. Additional Summer Recreation Programs	58,300

February 6, 1969

9. Estimated Shortage in North Expressway Bond Fund to complete R-O-W Purchases	750,000
10. Uniform for Work Crews	124,800
11. Health Clinic - East Side	60,000
12. Additional Brush Collection Equipment and Personnel	200,000
13. Personnel for River Maintenance	100,000
14. Rebuild Tire and Brake Shop	20,000
15. Purchase Building for Centralization of Traffic Department	175,000
16. Realign McCollough at Ashby	35,000
17. Additional Equipment for Convention Center	315,400
18. Initial Outlay for Motor Pool	200,000
19. Convention Center Marquee	<u>100,000</u>

Total (Includes Alternative #1) \$ 3,742,519

Total (Includes Alternative #2) \$ 3,317,643

NOTES:

1. In addition to these needs, it would be advantageous for the City to increase the surplus balance (beginning balance) by approximately \$1,000,000. This should be accomplished for the following reasons:

- A. Sound financial management and to help improve Bond credit rating of City. For example, an improved Bond rating would save approximately \$2,000,000 in interest costs on a \$50,000,000 Bond authorization.
- B. Reduce borrowing on a day-to-day basis, thereby saving interest costs on currently borrowed funds.

2. Operational needs of various departments - Included in last years budget requests from the departments were \$1,777,566 of valid supplemental needs which could not be funded. These needs are even greater today.

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

10:30 A.M. CITIZENS TO BE HEARD:

69-7 Mayor McAllister presented to Mr. James Kazen a citation in recognition of his fine service to the community as President and member of the Board of Directors of the Economic Opportunity Development Corporation of San Antonio and Bexar County, Texas. The Mayor commented that Mr. Kazen has resigned as President, but he is remaining on the Board. He thanked him for doing an outstanding job under very trying circumstances.

Mr. Kazen expressed thanks on behalf of himself and other members of the community who have served on the Corporation. He said that many accomplishments have been made over the past few years but still have a long way to go. He thanked the City Council for starting the program in the community without fanfare and stated the City is still the only political subdivision to contribute any money to the program without which there would not be any money to administer the war on poverty.

He also thanked Mr. Gatti who has served on the Corporation even longer than he and whose contributions have been outstanding.

Mr. Gatti responded by stating that he wanted to also extend public thanks to Mr. Kazen and really enjoyed working with him. He added that there is not anyone he knew in the community who has been more dedicated and done a finer job than Mr. Kazen. There are a lot of problems and they still have many miles to go, however, the organization and the Board of Directors have become much more mature each day and if everyone continues to work together they will ultimately solve their problems.

— — —
69-7 Mr. George Garcia, speaking on behalf of the Senior Citizens from Mirasol Homes, complained of the procedure in buying Food Stamps. The ladies feel that they can go to the Food Stamp Office, but there is no need for the elderly ladies to stand in line for three hours. He also complained of rudeness on the part of the Welfare employees.

Discussion brought out that the Food Stamp Program is administered by the State Welfare Department, however, arrangements should be made so that people would not be required to stand in line for such long periods of time.

The City Manager was instructed to get in touch with Mr. Raymond Cheeves about this complaint and then make a report to the City Council.

— — —
February 6, 1969

-16-

69-7 Mr. John Zimmerman, speaking for the Support Your Local Police Committee, stated a great deal of controversy has been generated by certain forces in the community over the shooting of Eloy Vidal during a recent burglary. He felt the matter should be dropped and no further unofficial action should be taken to put Officer Teel in an embarrassing situation. Officer Teel should not be investigated and no group should have the right to investigate him after having been duly cleared by the proper channels. He spoke about the newspaper article on Sunday, January 5, 1969 in the EXPRESS/NEWS which stated that there are paid organizers being bankrolled by the Ford Foundation. There are too main threats facing the community. One is the civilian review board. This is ill advised and usurps the authority of the Police Commander. Such a board was tried out in Philadelphia and New York and they had the biggest riots in the Country. New York voted out the civilian review board by a vote of better than 2 to 1. Secondly the federal subsidy to re-educate the policemen to enforce the laws along guidelines other than the regular law enforcement procedure.

He concluded by stating the Support Your Local Police Committee feels the policemen know what the law is and should be left alone. If more police enforcement is needed, the answer is to hire more policemen.

69-7 Mr. William L. Burns, Editor of the SOUTHEAST FREE PRESS and Member of the Town East Action Committee, spoke in support of the local Police Department and urged the community to stand behind the police in their efforts to combat crime. He pointed out that the Southeast section of the City has a very low crime rate and felt that the interest of the citizens in that community in law enforcement has helped maintain the low crime rate. He also spoke against the establishment of a civilian review board.

69-7 Mr. Raul Rodriguez, 319 Delgado, compared taxes as they were 25 years ago to the present and felt they are too high.

He then spoke concerning the concrete failure on the West Commerce Street overpass. He presented pieces of the concrete for inspection by the Council. He then picked up a piece of concrete and broke it with a hammer to demonstrate the weakness of it. He alleged that fraud was involved and that if the proper inspections had been made the failure would not have occurred. The broken pieces of concrete littered the podium and the floor.

The City Manager ordered Mr. Rodriguez to cease the demonstration as it was marring City property.

Mr. Rodriguez attempted to break another piece of concrete. He was then ordered removed from the Council Chamber.

Mr. Henckel then recommended that the City Council not hear Mr. Rodriguez any more in the future and that if he has any questions that he present them in writing to the City Manager and the answers will be furnished him.

69-7

The Clerk read the following ordinance.

AN ORDINANCE 37,228

DETERMINING THAT THE PREMISES LOCATED AT 1939 LYONS STREET CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

* * * * *

Mr. George Vann, Director of Housing and Inspections, stated that the property is owned by Mr. J. Anthony Guajardo and Merejildo Alverado who have been notified by certified mail of the hearing this morning.

He stated this is a vacant one story wooden residence structure in a rundown, decayed and damaged condition. He presented pictures of the structure for the Council's consideration. He then reviewed the efforts to have the hazard alleviated and recommended that the Council find the property to be a nuisance, a fire hazard and a hazard to the public health and safety in accordance with the Dangerous Premises ordinance.

Neither the owners or their representatives were present.

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

69-7

The Clerk read the following ordinance.

AN ORDINANCE 37,229

DETERMINING THAT THE PREMISES LOCATED AT 109 LINDELL PLACE CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

* * * * *

February 6, 1969

-18-

Mr. George Vann, Director of Housing and Inspections, stated that the property is owned by Mrs. Momerva Trader who was notified by certified mail of the hearing this morning.

He stated this is a vacant one story wooden residence structure in a rundown, decayed and damaged condition. He presented pictures of the structure for the Council's consideration. He then reviewed the efforts to have the hazard alleviated and recommended that the Council find the property to be a nuisance, a fire hazard and a hazard to the public health and safety in accordance with the Dangerous Premises Ordinance.

Mr. Alfred W. Offer, attorney representing the Standard Fire Insurance Company, advised the Council that the Insurance Company had received a notice of the hearing and wanted to advise the City Attorney that if he filed suit in this matter that the Company has no interest in the property and should not be a party in the suit.

Neither the owner or a representative was present.

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

- - -

69-7 The Clerk read the following ordinance.

AN ORDINANCE 37,230

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH JOHN LIONS D/B/A JOHN LIONS' SOUVENIR INTERNATIONAL, FOR LEASE OF BUILDING SPACE AT HEMISFAIR PLAZA TO BE USED FOR SALE OF SOUVENIRS AND OTHER MERCHANDISE FOR A TERM ENDING SEPTEMBER 30, 1969.

* * * * *

Mr. Bill Lindquist, Assistant Director of Municipal Facilities, explained that this lease is for 600 square feet and is a short term lease. The area involved is located in the proposed university site. He added they will sell Hummel figurines; authentic German steins; Blue Delft gift ware; church and religious gift ware-medals, plaques, etc; international gifts and jewelry; Bohemian garnet jewelery; German watches; Belgian products. The sale of these items are subject to approval in writing by the City.

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

- - -

February 6, 1969

-19-

69-7

The Clerk read the following ordinance.

AN ORDINANCE 37,231

DECLARING ETHERIDGE PROPERTY SUBDIVISION TO BE DELINQUENT IN THE COMPLETION OF SITE IMPROVEMENTS AS REQUIRED BY APPLICABLE SUBDIVISION REGULATIONS AND DIRECTING THE CITY ATTORNEY TO TAKE SUCH APPROPRIATE AND NECESSARY ACTION TO PROTECT THE PUBLIC INTERESTS.

* * * *

City Attorney Howard Walker explained that this action is required by our zoning ordinance when a subdivider does not complete site improvements as required. He recommended that the Council pass the ordinance in order to protect the City's interest before the statute of limitations period expires.

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

69-7

The Council then considered an appointment to fill a vacancy on the City Planning Commission.

Mr. Jones recommended that Mr. Jimmy T. Rice who is a member of the Real Estate Board and the Home Builder's Association and very competent be appointed to fill the vacancy.

Mr. Jones then moved for this appointment. Seconded by Dr. Calderon, the motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Hill; NAYS: None; ABSTAINING: Torres; ABSENT: Gatti.

AN ORDINANCE 37,232

APPOINTING MR. JIMMY T. RICE TO FILL A VACANCY ON THE CITY PLANNING COMMISSION CREATED BY THE RESIGNATION OF JOHN W. CARY.

* * * *

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

February 6, 1969

-20-