

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
NOVEMBER 17, 1966 AT 8:30 A.M.

* * *

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

66-1232 The invocation was given by Reverend C. Don Baugh, San Antonio Council of Churches.

The minutes of the meeting of November 10, 1966 were approved.

66-1175 Councilman Dr. Parker made the following report on the Minimum Wage Law proposal.

PRELIMINARY REPORT OF THE MINIMUM WAGE COMMITTEE - NOVEMBER 17, 1966

COMMITTEE MEMBERS: Messrs. Gerald Parker, Felix Trevino, Sam James

Because of the interest in the matter of a proposed minimum wage ordinance for the City, the Council Committee studying the minimum wage ordinance and other matters is hereby making a preliminary report. The full report will be made at a later date.

On advise of legal counsel, the proposed minimum wage ordinance is in an area of activity which is outside the scope of this City Council.

We are further advised that the matter will be considered by the State Legislature in the near future.

Councilman James, member of the Minimum Wage Committee, stated the Committee had spent long hours considering the Minimum Wage Law because of their concern. The Committee, as well as the whole Council, are in sympathy with those requesting the ordinance.

Councilman Trevino, also a member of the Committee, explained that the Committee is convinced that the City does not have the legal authority to pass such an ordinance. The authority lies with the State Legislature.

Councilman Gatti made a motion that the Council give no further consideration to the Minimum Wage Law as far as the City Council is concerned. Seconded by Mr. Bremer, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

66-1233 First zoning case heard was case number 2833 to rezone the north 150' of Lot 11, NCB 12894 from "A" Residence District to "B-3" Business District and the south 193.37' of Lot 11, NCB 12894 from "A" Residence District to "I-1" Light Industry District located on the south side of U. S. Hwy. 87 (Rigsby) Ave.), 148.6' west of Tillie Drive; having 208.6' on Hwy. 87 and a depth of 343.37'. The "B-3" zoning being on the north 150' of this lot and the "I-1" zoning on the remainder.

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.

On motion of Dr. Calderon, seconded by Mr. Jones, 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, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 34,959

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 150' OF LOT 11, NCB 12894 FROM "A" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, AND THE SOUTH 193.37' OF LOT 11, NCB 12894 FROM "A" RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * *

66-1234 Next heard was zoning case 2836 to rezone Lot 76, Blk. 9, NCB 8297 from "F" Local Retail District to "B-3" Business District located on the southside of Culebra Road 45.8' east of N. San Eduardo; having 45.8' on Culebra and a depth of 130.9'.

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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.

On motion of Dr. Calderon, seconded by Mr. Bremer 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, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34,960

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 76, BLK. 9, NCB 8297 FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

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66-1235 Next heard was zoning case 2857 to rezone Lot 1, Block 9, NCB 13960 from "R-A" Residence-Agriculture District to "B-2" Business District located northeast of the intersection of Zupan Street and Callaghan Road; having 125' on Zupan and 41.7' on Callaghan Road.

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.

On motion of Mr. Trevino, 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, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34,961

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 1, BLK. 9, NCB 13960 FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "B-2" BUSINESS DISTRICT.

* * *

66-1236 Next heard was zoning case 2861 to rezone that portion of Lot 41, Blk. 30, NCB 8111 not presently zoned "D" Apartment from "B" Residence District to "R-3" Multiple-family Residence District located southeast of the intersection of Sunshine Drive and Evelyn Drive; having 67.86' on Evelyn and 75' on Sunshine Drive.

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.

On motion of Dr. Calderon, 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, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34,962

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 THAT PORTION OF LOT 41, BLK. 30, NCB 8111 NOT PRESENTLY ZONED "D" APARTMENT FROM "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

* * *

66-1237 Next heard was zoning case 2865 to rezone all of Block 4, NCB 12814, from "A" Residence District to "B-1" Business District for a hospital, being bounded by Louis Pasteur Dr., William Mayo Drive, Medical Dr. and Floyd Curl Drive.

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.

On motion of Mr. Jones, seconded by Mr. 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, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 34,963

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 DES-
CRIBED HEREIN AS ALL OF BLOCK 4, NCB
12814 FROM "A" RESIDENCE DISTRICT TO
"B-1" BUSINESS DISTRICT FOR A HOSPITAL.

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66-1238 Next heard was zoning case 2821 to rezone Lots 56 & 57, Block 2, NCB 8417 from "A" Residence District to "O-1" Office District located south of the intersection of Sherwood Drive and I. H. 10 Expressway having 147.33' on Sherwood and 358.64' on I. H. 10.

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

Mr. Richard H. Keoughan, representing the Richard Gill Companies and the applicant, explained that they had a contract of sale for this property to the Triune Lodge, subject to rezoning. He stated that the Lodge would build a new building as a meeting place and there would be no liquor served or sold on the premises. It would be strictly for Lodge business. He assured the Council that the Lodge will not disturb the neighborhood in any way since the access road from the expressway can be utilized to have egress to the subject property. He felt that a Masonic Lodge on the property would be the least offensive use for this property and was not conducive for residential use because of its frontage on the expressway.

Col. Leland Kuhre, 203 Greenlawn Drive, stated he represented 35 property owners in the general area who oppose any change in zone. He explained that they were not opposed to the sale of the property for Lodge purposes and would not object if the Council decided to leave the zone "A" Residential and permit the Masonic Lodge to operate in this zone. He further stated that any change in zone would definitely tend to degrade the neighborhood and violate the rural nature of the area. It would break the barrier for transients by giving them rear and side access to their homes and they would lose their freedom of fear from prowlers.

Councilwoman Cockrell asked Col. Kuhre if they would reconsider the opposition if a covenant was filed by the Masonic Lodge.

Mr. George McNeil, a member of the Masonic Committee that chose this particular location stated that the Lodge is having to seek new quarters since their present building was in the way of the new expressway.

Mr. M. Hester, 157 Greenlawn Drive, spoke in favor of the change of zone.

Mrs. John Fitzhugh, owner of the property stated that she had moved from this location after the death of her husband and because the expressway has changed the complexion of the entire neighborhood.

After further discussion by the Council, Mr. Bremer made a motion to approve the recommendation of the Planning Commission and rezone the property, seconded by Mr. Jones the motion failed by the following vote: AYES: Jones, Gatti, Parker and Bremer; NAYS: McAllister, Calderon, James, Cockrell and Trevino.

After more discussion by the Council, Councilwoman Cockrell made a motion to reconsider the subject zoning case and postpone it for two weeks in order to see if the parties concerned could work out some agreement. Seconded by Mr. Calderon the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

66-1239 Next heard was zoning case 2867 to rezone Lot 20, NCB 7657 from "B" Residence District to "B-3" Business District located northwest of the intersection of S. E. Military Drive and the San Antonio River R.O.W.; having 451.13' on S. E. Military Dr. and 394.85' on the River R.O.W.

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

The Mayor stated that since the City has an interest in acquiring a portion of the subject property for the Mission Parkway, it is the Council's policy not to act until the City has acquired the property.

Dr. Calderon made a motion to postpone the case until such a time that the City had no further interest in the property. Seconded by Mr. Parker, the motion was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Jones and Gatti.

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Mayor McAllister was obliged to leave the meeting and Councilman Bremer was appointed to preside.

66-1240

The Clerk read the following Resolution .

A RESOLUTION

CHANGING DATE OF THE MEETING OF THE CITY COUNCIL REGULARLY SCHEDULED FOR THURSDAY, NOVEMBER 24, 1966, TO WEDNESDAY, NOVEMBER 23, 1966.

* * *

On motion of Dr. Calderon, seconded by Mr. James the Resolution was passed and approved by the following vote: AYES: Calderon, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: McAllister, Jones, Gatti.

66-1215

Mr. Al Tripp, Purchasing Agent, briefed the Council on the following ordinance and on motion of Mrs. Cockrell, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: Calderon, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: McAllister, Jones, Gatti.

AN ORDINANCE 34,964

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF DON WITTIG OFFICE FURNITURE TO FURNISH THE CITY OF SAN ANTONIO COMMUNITY AND CONVENTION CENTER WITH CERTAUB STACK CHAIRS AND DOLLIES FOR A TOTAL OF \$52,384.00.

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66-1241

Mr. Jack Shelley, City Manager, briefed the Council on the following ordinance and on motion of Dr. Calderon, seconded by Mr. Jones was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Trevino and Bremer; NAYS: None; ABSENT: McAllister, Gatti, Parker.

AN ORDINANCE 34,965

ACCEPTING THE LOW BID OF SACC, INC. FOR THE CONSTRUCTION OF WALZEM CREEK INTERCEPTOR SEWER; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK; APPROPRIATING THE SUM OF \$95,822.17 OUT OF SEWER REVENUE FUND NO. 204, PAYABLE TO SAID CONTRACTOR; APPROPRIATING THE SUM OF \$4,000.00 OUT OF SAME FUND TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT; AND THE SUM OF \$500.00 AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT.

* * *

At this time Mr. Gatti returned to the meeting and presided as Mayor Pro-Tem.

The following ordinances were explained by Members of the Administrative Staff and on motion made and duly seconded, were each passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: McAllister.

66-1242

AN ORDINANCE 34,966

APPROVING PAYMENT OF \$34,197.40 OUT OF THE GENERAL FUND TO THE URBAN RENEWAL AGENCY AND APPROPRIATING \$124.89 OUT OF SEWER REVENUE FUND NO. 204-02 PAYABLE TO SAID AGENCY AS THE CITY'S PRO RATA SHARE OF COSTS INVOLVED IN CONNECTION WITH PROJECT 1, TEX R-39 AND AUTHORIZING A TRANSFER OF FUNDS.

* * *

66-1243

AN ORDINANCE 34,967

AUTHORIZING THE EXECUTION OF CONTRACTS WITH CERTAIN INDEPENDENT APPRAISERS IN CONNECTION WITH PROPERTY TO BE ACQUIRED FOR THE NORTH EXPRESSWAY AND APPROPRIATING THE SUM OF \$6,600.00 FOR SUCH SERVICES.

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66-1244

AN ORDINANCE 34,968

MAKING AND MANIFESTING A CONTRACT WITH SYLVESTER LOUGHLIN FOR PROFESSIONAL SERVICES AS A RIGHT-OF-WAY NEGOTIATOR IN CONNECTION WITH VARIOUS CITY STREET, DRAINAGE, AND AIRPORT PROJECTS FOR A FEE OF \$650.00 PER MONTH PLUS A \$50.00 CAR ALLOWANCE.

* * *

66-1245 Mr. Jack Shelley, City Manager, briefed the Council on the following ordinance and on motion of Mr. Jones, seconded by Dr. Parker was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 34,969

PROVIDING THAT CITY PARKING METER REGULATIONS SHALL NOT BE IN EFFECT ON FRIDAY, NOVEMBER 25, 1966.

* * *

66-1176 Next zoning case heard was case no. 2834 to rezone Lot 88, Blk. E, NCB 11544 from "A" Residence District to "B-3" Business District located west of the intersection of Bandera Rd. and Wildflower Drive; having 290.3' on Bandera, 269' on Wildflower and 40.8' on the cutback between these streets.

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

Mr. James Gillespie, Attorney for Raymond Krumm, the applicant, showed pictures taken from every angle of the subject property and stated that he had hired an investigator to contact not only the property owners within 200' of the property, but within 400' and 600' of the property. All of the property owners contacted approved the request for change of zone.

Mayor McAllister returned to the meeting

Mr. Gillespie read statements from Reverend Taylor, minister of the church directly across from the property on Bandera Rd. Reverend Taylor was agreeable to the request for change of zone. Mr. Gillespie also read statements from others in the immediate vicinity.

He then explained that his client, Mr. Krumm, had started his business as a hobby several years ago and now it has expanded to its present state requiring a "B-3" Business District zone. Mr. Krumm has actually been operating his business illegally for four years due strictly to his lack of knowledge of the City zoning regulations.

Mr. Marvin Lebmann, 4802 View Drive opposed the change in zone because the entire area is residential.

After further discussion by the Council, Dr. Parker made a motion to approve the Planning Commission's recommendation and deny the request for change of zone. Seconded by Mr. Bremer, the motion failed by the following vote: AYES: McAllister, James, Parker and Bremer; NAYS: Calderon, Jones, Cockrell, Gatti and Trevino. ABSENT: None.

The Mayor explained that in an appeal case seven aye votes are needed for passage.

After more consideration by the Council, Dr. Calderon made a motion to overrule the Planning Commission's recommendation and grant the rezoning. Seconded by Mr. Jones the motion failed by the following vote: AYES: Calderon, Jones, Cockrell and Trevino; NAYS: McAllister, James, Gatti, Parker and Bremer; ABSENT: None.

66-1246 Next heard was zoning case 2847 to rezone the northwest 3068' of Arb. Tract C, NCB 13833; Arb. Tract Q, NCB 13832 and the southeast 200' of Arb. Tract C, NCB 13833 from "R-A" Residence-Agriculture District to "R-4" Mobile Home District located between Jones Maltsberger Road and Heimer Road approximately 1202.5' north of Blue Ridge Lane; having 161.66' on Heimer Road and 1117.25' on Jones Maltsberger Road. The requested "B-3" zoning being on the southeast 200' of this tract.

Mr. Crawford Reeder, attorney for the applicant showed pictures to the Council and stated his client wished to operate a mobile home park and there would be 640 lots each approximately 50' X 80' for individual mobile homes. He requested the Council to disregard their original application which requested the southeast 200' of Arb. Tract C, NCB 13833 to be rezoned from "R-A" Residence-Agriculture District to "B-3" Business District. He said that it was his clients wish to have the entire tract rezoned from "R-A" Residence-Agriculture District to "R-4" Mobile Home District.

Mr. Don McKelvey, the applicant read a letter from Mrs. Archer who had originally opposed rezoning, but now withdrew her opposition due to an agreement made with him not to have retail business on the portion of the property facing Jones-Maltsberger Rd.

Mr. McKelvey stated that there is a definite need for this type of mobile home park. He then explained a display of a number of exhibits to the Council and read a list of restrictions which the tenants would have to sign and abide by.

Mr. Ted Balter, President of the Texas Mobile Home Association, stated that the subject property developed as planned would upgrade all Mobile Parks in the City.

Mr. W. Altgelt, Jr. stated he had known Mr. W. E. Dean who is part owner of the proposed Mobile Home Park for 12 years and knew he would operate strictly within all the City's regulations.

Mr. Raul Rodriguez objected to the rezoning.

After further discussion by the Council, Dr. Parker made a motion to rezone the entire tract to "R-4" Mobile Home District. Seconded by Mr. Gatti the following ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 34,970

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 NORTHWEST 3068' OF ARB. TRACT C, NCB 13833; ARB. TRACT Q, NCB 13832 AND THE SOUTHEAST 200' OF ARB. TRACT C, NCB.13833 FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "R-4" MOBILE HOME DISTRICT.

* * *

66-1247 Last zoning case to be heard was case number 2859 to rezone Lot 1, NCB 10102 from "B" Residence to "B-2" Business District located northwest of the intersection of Veda Mae Drive and San Pedro Ave.; having 198.25' on Veda Mae Drive and 184.47' on San Pedro Ave.

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

Mr. Roy E. Johnston, attorney for Mrs. Bessie Harrell, the applicant, reviewed the change in San Pedro Avenue over the past few years. He stated that the taxes on the subject property had been increased to such an extent that they are on the same level as the business property across the street, which indicates that the City feels this is strictly commercial property. Also subject property is vacant. He requested the Council approve the request for change of zone to "B-2" Business District, which he feels is more restrictive than property which is zoned "F" Local Retail District in the general area of subject property.

Mr. Arthur G. Coley, 202 Grotto, stated his property is directly behind the subject property and when he purchased his property he knew Mrs. Harrell's property was "B-1" Business District and he was agreeable to this zone. He said he did not think it would be in the best interest of the people in this area to rezone to "B-2" Business District.

Mrs. Arthur G. Coley also spoke in opposition.

After further discussion by the Council Mr. Jones made a motion to overrule the Planning Commission's recommendation and approve the request for rezoning, Seconded by Mrs. Cockrell the motion, which required seven affirmative votes to overrule the Planning Commission's recommendation, failed by the following vote: AYES: McAllister, James, Cockrell, Trevino; NAYS: S, Calderon, Jones, Gatti, Parker and Bremer.

After more discussion by the Council Mr. Gatti made a motion to uphold the recommendation of the Planning Commission and deny the rezoning. Seconded by Dr. Calderon, the motion prevailed by the following vote: AYES: Calderon, Jones, Gatti, Parker and Bremer; NAYS: McAllister, James, Cockrell and Trevino.

After a short recess, the Council Meeting re--convened.

66-999

The Mayor made the following statement.

The next item of business will be the discussion and/or action with regard to a possible bond issue for the erection of the HemisFair Tower. As the citizens know I have expressed myself on more than one occasion as it being not necessary for the City to involve itself, tax wise, in the erection of this Tower. Originally a plan had been worked out, the financing had been agreed to, whereby the Tower should be bought by the Tower Corporation. The Corporation had its financial arrangement made and it did not involve in any way the liability, in so far as the City was concerned, a tax liability. Furthermore upon the retirement of the Bonds the Tower was to go to the City free and clear of debt for the City's future use and benefit. That plan did not go through because of the oppositions and questions raised in regard to the conflict of interest.

That is all water over the dam. We'll discuss that no further. There is the question on the part of the Tower Corporation as to whether or not they could arrange the financing of the Tower in any way at all. The first proposal was about the last of April of this year. From that time on financial matters became more and more restrictive. The money market became tighter and tighter and tighter to the end that the Tower Corporation was financially unable to arrange any kind of a financial plan that was practical. Then a proposal was made or considered that the City could enter into an agreement to acquire the Tower by means of payment. The City would advertise for bids to build the Tower and as a result of this a proposal was made and that proposal has been challenged in the Courts. That challenge has not been decided through the Courts but in the normal course of events and being practical about the proposition, a good many months will have elapsed before that Court decision can be reached irrespective of what that decision might be.

Frankly, we are running out of time. The Tower has to be started within a very reasonable period of time or the Contractor would be unable to complete it in time for HemisFair. So now the situation has evolved itself into issuing Bonds, not Revenue, but General Obligation Bonds and the City will build the Tower from the proceeds of those Bonds. However, we won't go into a lengthy discussion of the pros and cons of the economy of the Tower. The City and the HemisFair Corporation, also the Tower Corporation, have economic reports that indicate thoroughly that the Tower would be self sustaining. Based on the experience of other areas, including the United States, the public response to a Tower is such that it becomes a sound venture. The Council believes that this matter now must be resolved by the citizens. Accordingly, we are considering the submission of a General Obligation Bond issue and calling an election in which the citizens will vote on whether or not they want the Bonds. What we are proposing to do is to pass an ordinance that will call for an election on December 3. Of course, if the election fails the question is moot; we are through with it. On the other hand, if the election prevails then the City can advertise for bids for bonds and construction bids and in that way in less than 60 days after this action the City can start construction of the Tower.

Mr. Jack Shelley stated the exact date funds would become available to the City would be approximately January 20, 1967. In accordance with the timing of the contract, about 13 months are necessary for the Construction of the Tower.

The Mayor stated if the election is approved there would be no undue delay; the construction being within our means.

The Clerk read the following ordinance in full.

AN ORDINANCE 34,971

ORDINANCE CALLING AN ELECTION

(TO BE HELD ON DECEMBER 3, 1966 ON
THE ISSUANCE OF TOWER BONDS IN THE
AMOUNT OF \$5,500,000.00)
FULL TEXT IN ORDINANCE BOOK

* * *

On motion of Mr. Gatti, seconded by Dr. Parker the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

The Mayor was obliged to leave the meeting.

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Howard Hunt, Attorney representing sixteen persons in whose behalf he had filed suit against the Tower, stated that while he did not oppose the construction of anything that had to do with Park facilities or Recreation, he did question the legality of the ordinance just passed calling for a Bond Election. He proceeded to cite articles 1015, 11806 - Vol. 26, 6081J, 1182C, from the Texas Civil Statutes. He stated that if the Council did not make a change in the ordinance just passed to make it legal, he would be forced to question in the courts the legality of the election.

Mayor Pro-Tem Gatti asked the City Attorney, Sam Wolf, if the ordinance was legal.

Mr. Wolf stated that in his opinion the election ordinance was legal in all respects.

Mr. Paul Horton, Bond Counsel for the City, stated that in his opinion the election ordinance was legal in every way.

Mr. Carl Hammer opposed the called election because he felt that the San Antonio Tower Corporation would build it.

Mayor Pro-Tem Gatti explained that the Tower Corporation would not be involved in any way.

Mr. Lee Oliver, Attorney, stated that the taxpayers should know what it is going to cost them and everyone should be heard.

Councilman Dr. Calderon suggested that everyone who wanted to be heard should step forward. He assured the citizens that all pros and cons will be available through the news media.

Councilman Jones stated that an opportunity will be given to everyone to learn what is proposed. He asked Mr. Hunt if it was his intention to delay the construction of the Tower by litigation if the people approved the Bonds.

Mr. Hunt stated that he would not file litigation, but could not speak for others.

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66-999 Reverend C. J. Black appealed to the Council to pass an ordinance that would insure all ethnic groups fair employment in connection with the Tower Project.

66-1175 Mrs. Jean Smith presented two resolutions to the Council. One from the executive board of the San Antonio NAACP and one from the Catholic Daughters of America requesting the Council to pass an ordinance making the minimum wage \$1.25 an hour mandatory.

Members of the Administrative Staff explained the following ordinances to the Council and on motion made and duly seconded were each passed and approved by the following vote: Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

66-883 AN ORDINANCE 34,972

ACCEPTING THE PROPOSAL OF McCALL, PARKHURST AND HORTON TO ACT AS BOND COUNSEL IN CONNECTION WITH THE PROPOSED HEMISFAIR TOWER BOND ISSUE.

* * *

66-1165 AN ORDINANCE 34,973

AMENDING THE CURRENT BUDGET TO INCREASE THE PAY SCALE OF CLERICAL AIDE AND WATCHMAN (RANGE 6 - \$201 - \$269); COMMUNICATIONS TECHNICIAN TRAINEE, MESSENGER, MUSEUM CUSTODIAN, NURSE AIDE, AND SEASONAL CASHIER (RANGE 7 - \$211 - \$282) TO EQUAL THE PAY SCALE OF RANGE 8 (\$221 - \$296)

* * *

Mr. Charles Stough, representing the Independent Democratic Club of Bexar County, stated that a petition is circulating to have the Minimum Wage Law put on the same ballot as the Tower.

There being no further business the meeting was adjourned.

A P P R O V E D :

M. McCallister
M A Y O R

ATTEST:

J. H. Sussman
C i t y C l e r k