

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MARCH 4, 1971.

\* \* \* \*

The meeting was called to order at 9:30 A. M. by the presiding officer, Mayor W. W. McAllister, with the following members present: McALLISTER, CALDERON, BURKE, JAMES, HABERMAN, NIELSEN, TREVINO, HILL, TORRES; Absent: NONE.

71-9 The invocation was given by Mayor Pro-Tem Dr. Herbert Calderon.

Councilman Nielsen requested that consideration of the minutes of the meeting of February 25, 1971, be postponed for one week.

71-9 The Clerk read the following Ordinance:

AN ORDINANCE 39,300

ACCEPTING THE LOW BID OF DON WITTIG  
OFFICE SUPPLY TO FURNISH THE CITY  
WITH CERTAIN METAL CHAIRS FOR A NET  
TOTAL OF \$1,535.00.

\* \* \* \*

Mr. John Brooks, Purchasing Agent, explained that the low bidder in this instance was actually J. Andrew Smith Company. After the bid opening, however, a letter was received from J. Andrew Smith saying that an error had been made in preparing their bid and, therefore, they requested that their bid be withdrawn from consideration. Mr. Brooks recommended that the bid of the next low bidder be accepted.

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

71-9 The following Ordinances were read by the Clerk and explained by Purchasing Agent, John Brooks, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,301

ACCEPTING THE LOW BID OF AUTOMATIC  
SIGNAL DIVISION IN THE AMOUNT OF  
\$2,550.00 TO FURNISH THE CITY WITH  
CERTAIN TRAFFIC CONTROL EQUIPMENT.

\* \* \* \*

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## AN ORDINANCE 39,302

ACCEPTING THE LOW BID OF SUN AIRED BAG COMPANY, INC. TO FURNISH THE CITY WITH CERTAIN CHECKING BAGS AND RACKS FOR CASSIANO SWIMMING POOL FOR A NET TOTAL OF \$2,483.77 AND APPROPRIATING SAID AMOUNT OUT OF 1964 BOND FUNDS.

\* \* \* \*

## AN ORDINANCE 39,303

AUTHORIZING A CONTRACT WITH THE NIK-O-LOK COMPANY FOR RENTAL AND MAINTENANCE OF COIN OPERATED TOILETS LOCATED AT THE MUNICIPAL AUDITORIUM AND HEMISFAIR PLAZA FOR A ONE YEAR PERIOD.

\* \* \* \*

## AN ORDINANCE 39,304

ACCEPTING THE QUALIFIED BID OF MOORE BUSINESS FORMS, INC. TO FURNISH THE CITY WITH 100,000 PARKING TICKETS FOR A NET TOTAL OF \$4,476.00.

\* \* \* \*

## AN ORDINANCE 39,305

ACCEPTING THE QUALIFIED BID OF GENERAL ELECTRIC COMPANY TO FURNISH THE CITY WITH CERTAIN RADIO EQUIPMENT AT A TOTAL PRICE OF \$22,291.00.

\* \* \* \*

## AN ORDINANCE 39,306

ACCEPTING THE LOW BID OF O. R. MITCHELL MOTORS TO FURNISH THE CITY WITH ONE STAKE BODY TRUCK FOR A NET TOTAL OF \$2,693.15.

\* \* \* \*

71-9

The Clerk read the following Ordinance:

## AN ORDINANCE 39,307

ACCEPTING THE LOW BIDS OF O. R. MITCHELL MOTORS AND AMERICAN CENTER, INC., TO FURNISH THE CITY WITH 179 PASSENGER AUTOMOBILES AT A TOTAL PRICE OF \$517,066.59 AND APPROPRIATING SUCH SUM OUT OF INTERGOVERNMENTAL SERVICE FUND NO. 601 AND ALSO AUTHORIZING A TRANSFER OF FUNDS.

\* \* \* \*

Mr. John Brooks, Purchasing Agent, said that Jordan Ford, Inc. was the low bidder on one item, but that they had taken exception to two items of the specifications relating to tires and alternators. He, therefore, recommended the award of this item to the next low qualified bidder.

Mr. Tommy Kayser, a representative of Jordan Ford, Inc., explained to the Council that he had been unable to get a quotation from his factory on the specified tires. After the bid opening, he had received the quote and relayed it to the Purchasing Department. He asked that the circumstances be considered in making the award.

Mr. Brooks told the Council that the bid invitation spells out procedures to follow when making exceptions and that Jordan did not follow these procedures. He further stated that Jordan had not indicated ability to supply the specified alternators.

City Manager Henckel recommended that the Council not make an exception to the bidding rules, as it would present problems in the future.

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

71-9

The Clerk read the following Ordinance:

AN ORDINANCE 39,308

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FELICITA Z. COBB, FOR A TWO YEAR LEASE OF CERTAIN SPACE AT STINSON MUNICIPAL AIRPORT, BEGINNING MARCH 1, 1971, TO BE USED FOR THE SALE OF FOOD AND BEVERAGES.

\* \* \* \*

Mr. Tom Raffety, Aviation Director, said that the former lessee of this space at Stinson Field had failed to perform in accordance with their lease and this is the replacement.

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

71-9

The Clerk read the following Ordinance:

AN ORDINANCE 39,309

MAKING AND MANIFESTING A CONTRACT WITH O. ROLAND FROST JR. d/b/a FROST AIRPORT CONSULTANT SERVICES, TO PERFORM CONSULTING SERVICES FOR THE CITY OF SAN ANTONIO DEPARTMENT OF AVIATION FOR A PERIOD OF EIGHTEEN MONTHS BEGINNING FEBRUARY 1, 1971.

\* \* \* \*

Mr. Tom Raffety, Aviation Director, said that the purpose of this contract is to have a consulting firm available to negotiate with the various airlines and also for day-to-day consulting. The Frost Airport Consultants have proven satisfactory in the past.

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

71-9 The Clerk read an Ordinance granting permission to C. Hector Cervantez to construct an eight-foot high security fence on both sides of his property located at 5533 Calistoga, as recommended by the Director of Housing and Inspections.

Mr. George Vann, Director of Housing and Inspections, said that Mr. Cervantez wished to install the fence on both sides and at the rear of his property, as protection against vandals. He said there is no objection from any of the neighbors. He distributed a map of the area to members of the Council.

During discussion, it was brought out that this is a new subdivision and that the surrounding houses are new and vacant. The Council felt that it would be improper to permit this eight-foot fence to be erected before the adjoining property is occupied.

After discussion, Dr. Calderon moved that the request be denied. The motion was seconded by Dr. Nielsen and was carried by the following roll call vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

71-9      SALE OF \$13,000,000 CITY OF SAN ANTONIO GENERAL OBLIGATION BONDS, SERIES 1971

At 10:00 A. M. the bids received for the sale of \$13,000,000 City of San Antonio General Obligation Bonds, Series 1971, were opened and read, as follows:

THE NORTHERN TRUST COMPANY AND ASSOCIATES

Total interest from April 1, 1971 to final maturity:	\$6,795,120.00
Less: Premium	11,308.00
Net Interest Cost	<u>\$6,783,812.00</u>

Effective Interest Rate 4.54801%

FIRST NATIONAL CITY BANK

Total interest from April 1, 1971 to final maturity:	\$6,832,200.00
Less: Premium	377.00
Net Interest Cost	<u>\$6,831,823.00</u>

Effective Interest Rate 4.5801%

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KUHN, LOEB & CO.

Total interest from April 1, 1971 to final maturity:	\$6,884,520.00
Less: Premium	44,500.00
Net Interest Cost	<u>\$6,840,020.00</u>

Effective Interest Rate 4.585693%

PHELPS, FENN & CO. AND GOLDMAN, SACHS & CO., JOINT MANAGERS

Total interest from April 1, 1971 to final maturity:	\$6,883,080.00
Less: Premium	11,882.00
Net Interest Cost	<u>\$6,871,198.00</u>

Effective Interest Rate 4.60659%

W. H. MORTON & CO. DIVISION OF AMERICAN EXPRESS CO.

Total interest from April 1, 1971 to final maturity:	\$6,904,320.00
Less: Premium	2,391.20
Net Interest Cost	<u>\$6,901,928.80</u>

Effective Interest Rate 4.627198%

MORGAN GUARANTY TRUST COMPANY OF NEW YORK

Total interest from April 1, 1971 to final maturity:	\$6,926,280.00
Less: Premium	7,877.00
Net Interest Cost	<u>\$6,918,403.00</u>

Effective Interest Rate 4.6382%

HARRIS TRUST AND SAVINGS BANK, CHICAGO

Total interest from April 1, 1971 to final maturity:	\$6,933,840.00
Less: Premium	2,011.00
Net Interest Cost	<u>\$6,931,829.00</u>

Effective Interest Rate 4.6472%

\* \* \* \*

After verification of the bids, Mr. Bennett Bolen, Finance Director, advised the City Council that the bid submitted by The Northern Trust Company and Associates was the low bidder with an effective interest rate of 4.54801%. Mr. Bolen recommended that the Council adopt the Ordinance authorizing the issuance and sale of the bonds to The Northern Trust Company and Associates.

The Clerk read the following Ordinance:

AN ORDINANCE 39,310

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (\$13,000,000, SERIES 1971, SOLD TO THE NORTHERN TRUST COMPANY AND ASSOCIATES).

\* \* \* \*

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

Members of the Council congratulated Mr. Bolen for his timing of this bond sale, which resulted in a favorable interest rate for the City.

71-9 The following Ordinances were read by the Clerk and explained by members of the Administrative Staff and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,311

ACCEPTING THE PROPOSAL OF THE TEXAS HIGHWAY DEPARTMENT TO SHARE THE COSTS INVOLVED PERTAINING TO CERTAIN TRAFFIC CONTROL WORK IN CONNECTION WITH THE EAST ENTRANCE TO BROOKS AIR FORCE BASE; AUTHORIZING PAYMENT TO THE DEPARTMENT OF \$1,150.00 CONSTITUTING THE CITY'S PORTION OF COSTS, AND APPROVING A TRANSFER OF FUNDS.

\* \* \* \*

AN ORDINANCE 39,312

AUTHORIZING RENEWAL OF A LEASE AGREEMENT WITH THE ECONOMIC OPPORTUNITY DEVELOPMENT CORPORATION FOR USE OF FIVE (5) MOBILE RECREATION UNITS FOR A PERIOD OF MARCH 31, 1971 TO APRIL 1, 1972.

\* \* \* \*

71-9 Item No. 14 on the agenda, being an Ordinance approving the issuance of \$425,000 Bonds of Timber Creek Utility District, as set forth in proposed Bond Order of the district, was withdrawn from consideration at the request of the City Manager.

71-9 The following Ordinances were read by the Clerk and explained by members of the Administrative Staff and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,313

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH ELIGIBLE COLLEGES AND UNIVERSITIES AND WITH PROJECT SET, IN

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CONNECTION WITH EMPLOYING STUDENTS TO  
WORK FOR THE CITY ON A PART TIME BASIS  
UNDER THE COLLEGE WORK-STUDY PROGRAM.

\* \* \* \*

AN ORDINANCE 39,314

AUTHORIZING THE CITY MANAGER TO ENTER  
INTO AN AGREEMENT WITH FORREST M.  
WOLVERTON FOR A ONE YEAR LEASE OF  
CERTAIN SPACE AT HEMISFAIR PLAZA,  
BEGINNING APRIL 1, 1971, TO BE USED  
FOR THE MANUFACTURING AND SALE OF  
ALL TYPES OF POTTERY.

\* \* \* \*

AN ORDINANCE 39,315

MANIFESTING AN AGREEMENT WITH THE SAN  
ANTONIO SYMPHONY SOCIETY TO AMEND THE  
PRESENT LEASE AGREEMENT FOR LEASE OF  
OFFICE SPACE AT THE HEMISFAIR PLAZA  
PRESS CENTER (BUILDING NO. 303) SO AS  
TO INCREASE THE LEASED SPACE BY  
APPROXIMATELY 200 SQUARE FEET, AND  
INCREASE THE RENTAL PAYMENTS BY \$45.00  
PER MONTH.

\* \* \* \*

AN ORDINANCE 39,316

AUTHORIZING THE CITY MANAGER TO ENTER  
INTO AN AGREEMENT WITH CHARLES J. MULLER  
FOR A TWO YEAR LEASE OF CERTAIN SPACE AT  
HEMISFAIR PLAZA, BEGINNING APRIL 1, 1971,  
WITH A THREE YEAR OPTION TO RENEW.

\* \* \* \*

AN ORDINANCE 39,317

AUTHORIZING THE CITY MANAGER TO ENTER  
INTO AN AGREEMENT WITH SOUTH TEXAS HEALTH  
INFORMATION CENTER FOR A TEN YEAR LEASE  
OF CERTAIN SPACE AT HEMISFAIR PLAZA,  
BEGINNING ON DATE OF OCCUPANCY, TO BE  
USED AS A HEALTH INFORMATION CENTER, FOR  
A CONSIDERATION OF \$1.00 PER YEAR.

\* \* \* \*

AN ORDINANCE 39,318

AUTHORIZING THE CITY MANAGER TO ENTER  
INTO A CONTRACT WITH RADIO STATION KQXT  
FOR USE OF SPACE ATOP THE TOWER OF THE  
AMERICAS AS A LOCATION FOR FM RADIO  
ANTENNA AND OTHER TRANSMITTING DEVICES.

\* \* \* \*

## AN ORDINANCE 39,319

AUTHORIZING SAM GRANATA, JR., ASSOCIATE  
MANAGER FOR PUBLIC SERVICES AND FACILITIES,  
TO MAKE APPLICATION FOR A FEDERAL GRANT  
TO OBTAIN ADDITIONAL FUNDS NECESSARY TO  
CONSTRUCT THE IMPROVEMENTS TO LEON CREEK  
WASTE WATER TREATMENT PLANT.

\* \* \* \*

## AN ORDINANCE 39,320

AUTHORIZING SAM GRANATA, JR., ASSOCIATE  
MANAGER FOR PUBLIC SERVICES AND FACILITIES,  
TO MAKE APPLICATION FOR A FEDERAL GRANT  
TO OBTAIN ADDITIONAL FUNDS NECESSARY TO  
CONSTRUCT THE IMPROVEMENTS TO RILLING ROAD  
WASTE WATER TREATMENT PLANT.

\* \* \* \*

71-9 The following Resolution was read by the Clerk and explained by Assistant Director of Public Works, Mel Sueltenfuss, and after consideration, on motion of Dr. Calderon, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

## A RESOLUTION

NO. 71-9-75

EXPRESSING THE CITY'S INTENTION TO  
MAINTAIN AND OPERATE THE RILLING ROAD  
AND LEON CREEK WASTE WATER TREATMENT  
PLANTS FOR WHICH APPLICATIONS FOR  
FEDERAL CONSTRUCTION GRANTS ARE BEING  
PROCESSED.

\* \* \* \*

71-9 The Clerk read the following Ordinance:

## AN ORDINANCE 39,321

AUTHORIZING EXECUTION OF A CONTRACT  
WITH SEIDEL & LIVESAY, CONSULTING  
ENGINEERS, INC., TO FURNISH PROFESSIONAL  
SERVICES IN REGARD TO CONSTRUCTION  
OF A PEDESTRIAN BRIDGE OVER THE SAN  
ANTONIO RIVER AT THE CONVENTION CENTER;  
AUTHORIZING PAYMENT OF \$2,500.00 OUT  
OF THE GENERAL FUND TO SAID ENGINEERS  
AND ALSO \$500.00 TO BE USED AS A  
CONTINGENCY ACCOUNT.

\* \* \* \*

Assistant Director of Public Works, Mel Sueltenfuss, said that this Ordinance merely provides for the engineering and design of a bridge, but does not provide for any construction.

City Manager Henckel said, in answer to questions from the Council, that the Riverwalk Commission mistakenly thought that the City was authorizing construction of a bridge. They did not understand that this is for engineering and design and will be done by the same firm that designed the complete waterway from the river into the Convention Center. This will aid in keeping the design the same.

After discussion, it was agreed that when the plans are complete, they may be reviewed by the Riverwalk Commission.

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

71-9

ENGINEER OF THE YEAR

City Manager Henckel told the Council that Mr. Mel Sueltenfuss, who is the Assistant Director of Public Works, was honored last week as "Engineer of the Year." Mr. Henckel said that he considers this a real tribute to the City Staff. The selection was made by the Bexar County Chapter of the Society of Professional Engineers.

The Council congratulated Mr. Sueltenfuss and asked that this recognition be spread on the minutes of the Council.

71-9 The following Ordinance was read by the Clerk and explained by Library Director, Mike Sexton, and after consideration, on motion of Mr. Torres, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,322

AUTHORIZING EXECUTION OF A CONTRACT  
WITH NORCELL HAYWOOD, ARCHITECT, FOR  
PROFESSIONAL SERVICES PERTAINING TO  
CONSTRUCTION OF THE NEW CARVER LIBRARY.

\* \* \* \*

71-9 Item No. 26 on the agenda, being a Resolution approving the filing of a feasibility survey application and instructing the Urban Renewal Agency of the City of San Antonio to file said application, was withdrawn from consideration at the request of the Urban Renewal Agency and will be considered at next week's meeting.

71-9 The Clerk read the following Resolution:

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A RESOLUTION  
NO. 71-9-76

PROVIDING THAT A PUBLIC HEARING BE HELD BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON THE 8TH DAY OF APRIL, 1971 AT 9:30 O'CLOCK A. M. IN THE COUNCIL CHAMBER OF THE CITY HALL IN THE CITY OF SAN ANTONIO ON THE PROPOSED VISTA VERDE URBAN RENEWAL PROJECT, TEX. R-109 AND THE URBAN RENEWAL PLAN THEREFOR AS PROPOSED BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO; DIRECTING THE CITY CLERK TO ADVERTISE NOTICE OF SAID HEARING AS PRESCRIBED BY LAW; IDENTIFYING THE PROJECT AREA; STATING THE PURPOSE OF SAID PUBLIC HEARING AND OUTLINING THE GENERAL SCOPE OF THE URBAN RENEWAL PROJECT UNDER CONSIDERATION; AND PROVIDING THAT ANY PERSON OR ORGANIZATION WILL BE AFFORDED AN OPPORTUNITY TO BE HEARD AT SAID PUBLIC HEARING.

\* \* \* \*

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

71-9

CITY MANAGER'S REPORTS

SMOKING IN BUSES

City Manager Henckel said that he has written to a number of cities asking for copies of their ordinances pertaining to the prohibition of smoking on buses. These cities have been contacted; Dallas, Fort Worth, Houston, San Angelo, El Paso, Los Angeles, Tulsa, Kansas City, Minneapolis, New York, Baltimore and Philadelphia. As soon as information is received, it will be analyzed and a report given to the Council.

VILLA CORONADO

City Manager Henckel distributed data relating to Villa Coronado showing anticipated revenue and expenses, should this area be annexed.

BROADWAY TRAFFIC PROBLEM

Dr. Calderon spoke regarding the severe traffic problem on Broadway, which is being created by the Southwestern Bell Telephone Company installing underground cables. He expressed the feeling that the Council is derelict in its duty for not having done something about it. He also said that it has been necessary for some motorists to use the center median and, when they do use it, they are given traffic tickets for crossing the center line of the street.

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Mr. Stewart Fischer, Traffic and Transportation Director, said that his department is in almost daily contact with the telephone company regarding this matter. He said that he will maintain closer contact and insist that they use cones to direct traffic lanes.

After discussion, Dr. Calderon moved that the Municipal Court Judges be instructed to dismiss those traffic tickets, which have been issued in this area, due to the severe problem. The motion was seconded by Mr. Hill and passed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

71-9 The Clerk read the following Ordinances:

AN ORDINANCE 39,323

REVISING AND ESTABLISHING ELECTION  
PRECINCTS FOR THE CITY OF SAN ANTONIO,  
TEXAS (170 PRECINCTS).

\* \* \* \*

AN ORDINANCE 39,324

ORDERING THE REGULAR MUNICIPAL ELECTION  
TO BE HELD ON THE 6TH DAY OF APRIL,  
1971, IN THE CITY OF SAN ANTONIO, BEXAR  
COUNTY, TEXAS FOR THE ELECTION OF NINE  
MEMBERS OF THE COUNCIL OF THE CITY OF  
SAN ANTONIO.

\* \* \* \*

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

71-9

LEGISLATURE LIAISON

Mr. Torres said that he has felt the need to have a permanently-assigned individual to act as liaison with the Legislature to keep the Council informed of the status of matters in Austin. He suggested that the person who is appointed by City Manager Henckel to work on the "Fire Rating" bill be a permanent Legislative liaison, for this term, to report to the Council weekly. He also said that there should be a staff man in Washington to keep the Council informed on revenue sharing proposals.

Mr. Torres made reference to the action of the President in suspending provisions of the Davis-Bacon Bill and said that the Council should adopt a resolution asking the President to reconsider his action, because of the large number of Federal contracts currently in the San Antonio area.

After discussion, City Manager Henckel was asked to prepare a resolution requesting the President to reconsider his action with regard to the Davis-Bacon provisions and have it on the agenda for the Council Meeting of March 11, 1971.

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71-9OVERTON PARK RULING

Mr. Torres said that he would like to have a staff reaction on the recent Supreme Court ruling in the Overton Park case. He thought the Council should have a written summary.

71-9JAILING FOR NON-PAYMENT OF FINES

With reference to a recent Supreme Court ruling regarding the jailing of impoverished people for non-payment of fines, Mr. Torres said he would like to know what policy decisions need to be made.

71-9

Mr. Torres said that a press statement recently spoke of companies, who have refused to come to San Antonio because of divisiveness on the Council. His review of Chamber of Commerce reports and the Council minutes does not reflect this. He asked that the City Manager obtain a report from the Chamber of Commerce on the last few companies that have decided not to come to San Antonio and the reasons.

71-9

Dr. Nielsen inquired of the City Manager the status of the industrial safety program.

City Manager Henckel said that he did have a consultant at one time, but the deal fell through. He will pursue the matter.

71-9

Dr. Nielsen inquired of the City Attorney if a legal opinion has been written concerning Franklin Fields being a park.

City Attorney, Howard Walker, said that he had not written such an opinion, but that there may be one in the files.

71-9

Mr. Trevino asked if the sheepskins had been removed from the Southern Wool Company property.

Mr. George Vann said that the skins have been removed and the junk and debris on the property is being cleaned up.

71-9

Mayor McAllister advised the Council that he had received a letter from the San Antonio Housing Authority enclosing a check for \$63,956.84, which is their proportionate taxes for the City of San Antonio.

71-9CITIZENS TO BE HEARDREMODELING OF PUBLIC HOUSING PROJECTS

Mrs. Ruth Woodard, President of Sutton Homes Resident Association, appeared before the Council. She introduced the presidents of other resident associations, who were also present. She also introduced Mr. M. Coronado Sanchez, a member of the San Antonio Housing Authority Board.

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Mr. Sanchez spoke to members of the Council regarding President Nixon's action in suspending the provisions of the Davis-Bacon Bill, which has caused construction in the Public Housing areas to be halted. He spoke of the hardships, which are being caused. The City Council was asked for help in alleviating the problem.

Mayor McAllister assured Mrs. Woodard and others present that the Council was well aware of the situation and has already started taking official action.

MR. RICHARD SMITH - ELECTRICAL ENGINEER

Mr. Richard Smith, a consulting engineer, appeared before the Council. He spoke of Mr. Charles Yaws, one of the City's Electric Inspectors, who just recently died. On inquiry, he had heard that, due to an employment "freeze," there is no intention to replace Mr. Yaws, in spite of the fact that there are not enough inspectors now. He urged the Council to insist that sufficient numbers of inspectors are employed to assure adequate inspection.

City Manager Henckel said that although a freeze is in effect, that Department Heads' requisitions are being reviewed and those that are needed will be replaced.

Mr. A. D. Hawley, Jr., a representative of Rohde & Company, spoke to the Council asking relief from an administrative decision in the Planning Department. Two months ago, he made application for rezoning a tract of land, which included a smaller tract, which had been denied rezoning six months ago. The Planning Department refused to act, saying that he would have to wait a full year. He asked the Council to clarify the matter.

The matter was referred to the City Attorney for study and report back to the Council.

Mr. Hawley also spoke regarding the requirements for subdivisions before rezoning can be approved. In one case, his client spent almost \$2,000 in meeting the requirements and then the rezoning was denied by the City Council. He felt that the procedure should be reversed, which would effect considerable savings in some cases. He asked the Council to remedy the situation.

Mr. Hawley was instructed to contact the City Manager and give him the details, so that the matter can be discussed in a "B" session.

Mr. Hawley discussed the matter of protection ordinances, which deny reasonable use of property for some time.

71-9

APPEAL OF MR. DAVID H. CAVAZOS III TO THE REVOCATION BY THE CHIEF OF POLICE OF BILLIARD TABLE LICENSE AT 203½ NORTH BROADWAY

At the outset of this hearing, City Attorney, Howard Walker, spoke to the Council to explain the situation. The complaint, in this case, was based on the fact that minors were in this billiard parlor in violation of City Ordinances. He pointed out that on this same night, there was a shooting incident at this location and since a felony charge

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has been filed in connection with the shooting incident, Mr. Walker recommended that the Council limit this hearing to determine whether or not there was, in fact, a minor or minors in the billiard parlor and to not go into circumstances relating to the shooting incident.

Police Chief, George Bichsel, stated that it was alleged that, on January 23, 1971, at 1:40 A. M., in a place known as "Broadway Joe's Lounge," located at 203½ North Broadway, Patrolman J. D. Rivas found two minors, namely Enrique Menchaca, age 20, and Manuel Menchaca, age 17, in the billiard parlor in violation of the City Code, which says that minors under the age of 17 are not permitted to frequent a billiard parlor and minors under the age of 21 are not permitted to frequent a billiard parlor unless accompanied by their parents or guardians.

Enrique Menchaca testified to the fact that he and his brother, Manuel, were in the establishment, as stated by Chief Bichsel.

Mr. Pat Maloney, attorney for Mr. Cavazos, spoke to the Council and said that his client did not deny the fact that these minors were in his place of business, but that they were not "knowingly" there. He said that his client made a diligent effort, at all times, to prevent minors from being present. There has never been any arrests made at this location, according to Mr. Maloney.

Mr. Maloney stated that he felt that a total revocation of the billiard license is too stiff a penalty to pay for this violation. He said that the Texas Liquor Control Board had made their investigation and, as a result, had suspended the liquor license of Mr. Cavazos for five (5) days.

After deliberating and considering the evidence that had been offered, Mr. Torres moved that the revocation be reduced to a ten (10) day suspension of the billiard license. The motion was seconded by Mr. Burke and carried by the following roll call vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

71-9 Mr. Milton Guess appeared to speak before the Council, as Chairman of the Food Stamp Task Force Committee, and presented the final report from Control System Research on the Food Stamp Program. The publishers of the report will publish an addendum in ten (10) days concerning operation of the program and it, too, will be given to the Council.

71-9 The Clerk read the following letter:

February 26, 1971

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.

March 4, 1971  
kry

- 2/22/71                   Petition of Mr. Robert D. Maddox, 331 West Kings Highway, requesting permission to construct an eight (8) foot high fence with barbed wire on top to a maximum of ten (10) feet on property located at 3310 Austin Highway, known as Lot 3, NCB 13807.
- 2/23/71                   Petition of Mr. Robert D. Maddox, 331 West Kings Highway, requesting permission to use a portion of Lot B, NCB 13808 (proposed site of the Stonegate Sewer System), as a pet cemetery.
- 2/23/71                   Petitions of Mr. M. M. Hughes, Jr., Vice President of San Antonio Properties North, Inc. requesting the annexation of Units 3 and 4 of Sierra North, containing 10.935 acres and 6.067 acres of land, respectively.
- 2/24/71                   Petition of Ray Ellison Homes, Inc. requesting the annexation of 14.215 acres, comprising Camelot Subdivision, Unit 7.

/s/ J. H. INSELMANN  
City Clerk

\* \* \* \*

There being no further business to come before the Council, the meeting adjourned at 12:10 P. M.

A P P R O V E D



M A Y O R

ATTEST:

  
C i t y   C l e r k



ADDENDUM TO THE MINUTES OF THE  
MEETING OF THE CITY COUNCIL OF  
THE CITY OF SAN ANTONIO  
MARCH 4, 1971

DISCUSSION RELATING TO SUSPENSION OF THE PROVISION OF THE DAVIS-BACON  
BILL BY PRESIDENT NIXON.

MR. TORRES: One final note on this point, Mayor, is also pointing out the need for a legislative liaison - either a committee or a staff member. With the recent action of the President in suspending the provisions of the Davis-Bacon Bill, I think here in conclusion that the Council should adopt a resolution prepared by the staff that would ask our Legislators in Washington as well as the President to reconsider the action that was taken on Davis-Bacon for this reason - that locally we have a large number of federal construction contracts, of course, and if Davis-Bacon can, if the provisions are suspended the provisions of Davis-Bacon, then, of course, the prevailing wage rate required to be observed by Davis-Bacon would not be in effect and wages locally, Mayor, I fear would come down tremendously, and for that reason, I think it would have a severe impact on San Antonio. We've already seen it on the San Antonio Housing Authority, one San Antonio Housing Authority project and I should think that the Council ought to resolve that the President reconsider and that the Congress reconsider the action of the President in suspending Davis-Bacon. So, I would like to urge that the Council do these two things. Number one, establish a legislative liaison to deal with issues not only in Austin, but in Washington as well, and that the Council be kept abreast of these matters like Federal Revenue Sharing; and secondly, that we have the staff prepare a resolution asking both the Congress and the President to reconsider his action in suspending the provision of the Davis-Bacon Act, and I'd like to ask the Council to take some action on that matter at this time.

MAYOR McALLISTER: I'd say to the members of the Council that the Legislature has already introduced over a thousand bills, of which 300 have to do with municipal governments. Had all 300 of them passed, I'd question whether there would be a solvent Texas city within three years. I think that the suggestion made by Mr. Torres is an important one. On the other hand, we have that information made available to us by the Texas Municipal League and perhaps the best way to handle that would be to have someone in Mr. Walker's staff receive those bulletins, analyze them, and give a report to the Council in regard to the ones that are critical. We keep the staff busy with what the Legislature does.

Now, in regard to what's taking place in Washington - that, as I understand it, that does not affect contracts already in effect. That does affect contracts, it affects the Public Housing Authority who has about seven and one half million dollars in contracts that they want to award between now and March 8. I might say that I have no objection to what the Council wants to do, but I got in touch with Senator Tower last night to see if things that you've just been talking about couldn't be done.

DR. NIELSEN: Well, in my humble opinion, Mr. Mayor, the action on Davis-Bacon will really hurt the economy of San Antonio, and I would encourage that we so inform our Congressmen, and if we do not do it as a Council, I'm certainly going to do it as an individual. And, I think, it was in no way a belt tightening or an attempt to fight inflation. If anything, it just depresses the economy.

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nsr

MR. TORRES: And particularly in San Antonio, could do, do I understand the Mayor correctly, since the Mayor has taken interest in contacting Senator Tower, that the Mayor and possibly the members of the Council would be in accord that we prepare a Resolution to the attention of our Representatives in Washington and to the attention of the President, asking that the action on Davis-Bacon be reconsidered so that the Davis-Bacon Bill may be reimplemented, because the impact that it would have on the local economy. We have many federally funded construction projects, and I think that the Council would agree that in view of the fact that we do have so many federally funded construction projects, the fact that these are the projects to which Davis-Bacon and the prevailing wage rates called for by the Davis-Bacon Bill apply then, of course, this is why that it would have an impact, and do I have the Council's concurrence that we should....

REVEREND JAMES: Mr. Mayor, I'd like to move that we go on record with such a Resolution; and such a recommendation.

MR. TORRES: I would second that motion. That is for the staff to prepare the Resolution, and that the staff, Jerry, can you get such a Resolution prepared, that is as to properly word it to send.....

CITY MANAGER HENCKEL: If the Council so desires, we could, yes sir.

MR. BURKE: Very well, then.... then, I'd like to raise a question about notice on taking such action. Are we going to give notice .....?

DR. NIELSEN: Well in this case, it's simply a Resolution, we're taking no fiscal or other kind of action whatsoever.

MR. TORRES: Well, first of all, your point is valid Jimmy, perhaps in the interim we could individually contact our Representatives in Washington and the President, as the Mayor said, he's already contacted Senator Tower and then, of course, if the Council concurs on putting it on next week's agenda and considering then, and Jerry, I suppose this is going to have to be the approach we will take putting the matter of the Resolution, of this Resolution we've talked about on the Davis-Bacon, put it on next week's Council agenda and you have it then. I would yield to Councilman Burke in asking that this be put on next week's agenda then.

MAYOR McALLISTER: Okay, any more items?

\* \* \* \* \*

MAYOR McALLISTER: Mrs. Woodard.....

MRS. RUTH WOODARD: Mayor McAllister and City Council Members, I am the President of the Resident Association of Sutton Homes. Mr. Sanchez, will you come forward. And all of the Presidents of the Housing Associations.... Mr. Sanchez will be our spokesman.

MAYOR McALLISTER: Just let them stand. Just let the Presidents stand, and let me see them.

MRS. WOODARD: San Antonio Housing, and Mr. Sanchez is our Commissioner, and we have all the Presidents of the San Antonio Housing Associations, and I'm the President of Sutton Homes, so Mr. Sanchez will be our spokesman, thank you, Mayor.

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MAYOR McALLISTER: Well, Okay, go ahead, Mr. Sanchez.

MR. SANCHEZ: Honorable Mayor of the City of San Antonio, Mr. Manager, Councilmen, as Mrs. Woodard said, I should add that maybe by a mistake by Mr. Gerald Henckel, I was appointed to the Board of Commissioners to the San Antonio Housing Authority. If any mistakes are found we can blame Mr. Henckel.

MR. HILL: That's no mistake, Mr. Sanchez.

MR. SANCHEZ: It comes to me each one of you periodically comes around our neighborhood asking support and cooperation which we have earnestly been given. Now, this group is here in the same position as you have been and will be asking your support on these items which the Housing Units remodeling all in San Antonio. It's encouraging to find another item which is over these fine newspaper which say, "Mayor hits Nixon's hold back of funds." Gentlemen, two, three days, a week, a month is a long period of time to wait for action. At the polls we have only from seven in the morning to seven in the afternoon and we must hurry. So, I urge you, I beg you to lose no time in backing up the Mayor's around the nation, because the hardships that are being caused to the residents that vacating the units at Public Housing are suffering numerous hardships. Old people climbing stairs, 18 or 20 of them, almost crawling. People crowded in unfit units for their families. One hundred and ninety-four units exposed to the will of the vandals producing no income and causing hardships also to the Housing Authority. Now, this is the Commissioner's fault but I'd rather have Mrs. Woodard have the floor and depict to you some of the hardships that are now being going on.

CITY MANAGER HENCKEL: Before, Mrs. Woodard, let me say, Mr. Sanchez, your appointment was certainly no mistake. I intended to appoint you because it's my feeling that a resident of one of the Housing Units should serve on the Board, and this appointment was confirmed and agreed to by the City Council.

MRS. WOODARD: I would like to say, Mayor, and Council Members, that I wish you all would try to help us. We have the Housing Authority for remodeling East Terrace, Wheatley, Lincoln, Alazan, and Apache. We've had those people to move out and everything, and now, they've stopped the work and we need your help. It's the only way we can get things done because we've had some people move out and we need your help because it has been stopped. The construction has been stopped. The only place that's going to be complete is Sutton Homes. But, we had all those people to move out, and we have to have the help of the City. Senator Tower, he wrote us a letter and told us that everything was all right and everything was supposed to start Monday, Now, Nixon has stopped it. We need the support of the City Council. It might be funny to some of you all, but in fine homes, but it's not alright with people living in those houses.

MAYOR McALLISTER: Mrs. Woodard, I don't know if you understood what action has been taken by the Council already, and frankly, any further statement on the part of what you are inconvenienced and so on, is not necessary at the present time, because we are familiar with that already. We're very sympathetic to your point of view and the Council will assist in it's limited way as much as it can.

MRS. WOODARD: Thank you,

MAYOR McALLISTER: All right.

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mv

DR. NIELSEN: But, it's really not that limited when you get down to it. We can.....

MAYOR McALLISTER: Okay, thank you all for coming.

DR. NIELSEN: Mrs. Woodard, have you all attempted to reach either one of our Senators?

MRS. WOODARD: We had a meeting Tuesday night and Mr. Jones had called Senator Tower, because he had sent a telegram that everything was okay, and he called him.

DR. NIELSEN: Well, the Association should, on its own, not working around Mr. Jones at all but in supplement to what he's doing....

UNKNOWN PERSON: Mayor, can I say something. Honorable Mayor, and City Council Members of San Antonio we have already sent letters to the Honorable George Rommey, Mr. Watson, to the Honorable Henry B. Gonzales, and we have all around, and if you would like for us to send you would like for us to send you a letter we'd be happy to do so.

DR. NIELSEN: Thank you.