

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MARCH 5, 1970.

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The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: McALLISTER, JAMES, NIELSEN, TREVINO, HILL, CALDERON, COCKRELL, TORRES; Absent: BURKE.

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70-10 The invocation was given by Dr. D. Ford Nielsen, Councilman.  
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The minutes of the meeting of February 26, 1970 were approved.

Mayor McAllister stated that he wished to present a Citation to Mr. Elmer Crumrine to thank him for the services he has rendered to the City of San Antonio. Mr. Crumrine came forward and the Mayor read the following Citation:

"FOR TEN YEARS OF DEDICATED AND OUTSTANDING SERVICE TO THE CITIZENS OF SAN ANTONIO AS A MEMBER OF THE WATER WORKS BOARD OF TRUSTEES, TWO OF WHICH WERE SERVED AS CHAIRMAN. THE ENTIRE PERIOD OF HIS TRUSTEESHIP WAS ONE OF GREAT PROGRESS, EFFICIENT OPERATIONS, FINANCIAL STABILITY AND FAR-SIGHTED PLANNING. TO THIS SINCERE TRIBUTE WE ADD OUR DEEP APPRECIATION AND BEST WISHES FOR CONTINUED HEALTH, HAPPINESS AND SUCCESS."

Mr. Crumrine thanked the Mayor and said that it had been his pleasure to work for the City and he hoped he could continue to do so in the future.

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WITTE MUSEUM AUDIT

Mayor McAllister stated that before taking up the regular business of the Council, he wished to make a statement as follows:

MAYOR McALLISTER: The Witte Museum is sort of a project that's fostered and developed by a private board, who recognize their public responsibilities and is also supported in part by the City of San Antonio. As a result of a request of a committee of the Witte to Mr. Henckel, audit was made of their books. Information with regards to this audit was carried in the press.

I just want to say that the Witte Directors are as concerned about the situation as we are here. I do not know just exactly what the final outcome will be, but I do want to say that the City and Witte Directors will see that the matter is taken care of in the proper manner.

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The Audit Department has made certain recommendations and I think those recommendations on the whole are sound and practical. I feel that the proper approach to it, though, is to have a discussion with the Witte Directors and get their wholehearted approval and consent on such suggestions as might be advisable after they're presented and considered by them.

DR. NIELSEN: Mr. Mayor, there's a specific request on page 17 of the three pages of recommendations to City Council to instruct the Witte Museum Association Board of Trustees (1) to review the discrepancies and (2) to assert without further delay claim against surety. Now we ought to pursue those two this morning. It seems to me. That's something we just shouldn't let another day go by without a response. The other 2½ pages of recommendations deal more directly with the Association. That may take some time to develop...

MAYOR McALLISTER: Well, that will be done, because the Audit has been presented, correct Mr. Henckel, the audit has been presented to the Directors of the Witte, has it not?

CITY MANAGER HENCKEL: Yes, sir, it has.

MR. TORRES: Would the contract, Jerry, between the City and the museum have to be amended to incorporate substantially those recommendations made by the Auditors?

CITY MANAGER HENCKEL: I'm sure that we would need some amendment in the contract.

MR. TORRES: An amended contract will be forthcoming, is that correct, sir?

CITY MANAGER HENCKEL: Yes, sir, we will have an amended contract prepared for Council consideration, which we will submit to you and then you can advise us of any changes or deletions you should want.

MR. TORRES: On my part, Mr. Mayor, I want to make it real clear that if a matter has deteriorated to this point, where there is a loss, if there has been a waiver of that loss against the surety company, the surety company is there for the purpose and the intent of protecting the City's annual investment in the Witte Museum, and if there is going to be a waiver on recovering a loss from the surety company, certainly that waiver should not be done without the consent of the City. Now, as I understand it, Jerry, the length of time during which we could have filed a claim with the surety company has transpired, has it not?

CITY MANAGER HENCKEL: That is correct.

MR. TORRES: So that the waiver was made to proceed against the surety company for the loss and therefore, as far as the City's investment, and as far as protecting the Board against any loss, the Board has claimed any collection efforts in this matter, is that right?

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CITY MANAGER HENCKEL: That is correct to the point it apparently was done by a member of the Board, not by Board action. I think we're going to need some conversation with the attorneys of the surety company to see if in effect there actually has been a waiver. They claim there has been.

DR. NIELSEN: Then our action today to instruct the Museum Association Board in these two points would certainly not jeopardize the legal situation one way or the other and it might enhance it. Would you say that?

CITY MANAGER HENCKEL: This is a recommendation of our Finance Director based on the fact that no claim has been made against the surety company.

MR. TORRES: Which has to be filed within 100 days. Right? Then I'm going to ask, Mr. Mayor, that we, in accordance with Dr. Nielsen's suggestion, that we proceed to give instructions to the Staff: (1) That we proceed to amend the contract, so the City will be protected in the future. (2) We adopt the other recommendations made on page 17 of the report to institute the recovery of the loss. If it can be done at this time, I don't know that it can be, but Mr. Trevino has raised an interesting question, whether on those checks that were signed with one signature, whether you can proceed against the bank. Now that's a possibility and I don't know how many of those checks exist.

MR. TREVINO: Well, I think the report shows three of those checks were made good by the bank, but the rest of them were not even mentioned.

DR. NIELSEN: Yes, there's a number of them.

MAYOR McALLISTER: Well, anyhow, I just wanted to make that statement and Mr. Henckel, will you proceed with the Council's instructions?

CITY MANAGER HENCKEL: Yes, sir.

MR. TORRES: Then the Council has adopted...

DR. NIELSEN AND MRS. COCKRELL: action by common consent. I hope that's clear.

70-10 The Clerk read the following Ordinance:

AN ORDINANCE 38,330

ESTABLISHING A NEW RATE SCHEDULE FOR  
RENTAL OF THE SUNKEN GARDEN THEATRE.

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Mr. Robert Frazer, Director of Parks and Recreation, presented an Ordinance establishing rates for rental of the

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Sunken Garden Theatre.

In answer to a question from Councilman Nielsen, Mr. Frazer said that there is no cancellation clause in the rental contracts and no provision for refunds due to bad weather. He did say, however, that when bad weather does occur, every effort is made to cooperate in rebooking the facility at another time.

After consideration on motion of Mrs. Cockrell, seconded by Mr. Hill, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Hill, Trevino; NAYS: Torres; ABSENT: Burke.

Mr. Torres raised the question of the contract with the Tuesday Musical Club. He said that in his opinion the contract is illegal and that he wished to have the matter of the Tuesday Musical Club be on the Agenda for March 12, with the idea of declaring the contract null and void.

Mr. Howard Walker, City Attorney, said that the contract could be illegal for several reasons and referred the City Council to his recent opinion on the subject.

The Mayor asked the City Manager to meet with officers of the Tuesday Musical Club and work out a proposal to submit to the City Council for consideration.

70-10 The Clerk read the following Ordinances:

AN ORDINANCE 38,331

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH EDGEWOOD INDEPENDENT SCHOOL DISTRICT FOR CARRYING OUT A PORTION OF THE MODEL CITIES FREE SCHOOL LUNCH PROJECT, ESTABLISHING A NEW ACCOUNT, AUTHORIZING A TRANSFER OF FUNDS, AND APPROPRIATING \$234,542.00 PAYABLE TO EDGEWOOD INDEPENDENT SCHOOL DISTRICT FOR SERVICES TO BE RENDERED.

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AN ORDINANCE 38,332

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR CARRYING OUT A PORTION OF THE MODEL CITIES FREE SCHOOL LUNCH PROJECT, ESTABLISHING A NEW ACCOUNT, AUTHORIZING A TRANSFER OF FUNDS, AND APPROPRIATING \$197,235.00 PAYABLE TO SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR SERVICES TO BE RENDERED.

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Mr. Roy Montez, Executive Director of Model Cities Program, stated that these were matters, which were previously considered by the City Council and approved. The contracts will provide free hot lunches for school children in the Model Cities Area for the remainder of this school year.

Mr. Steve Catalani, of the San Antonio Independent School District, spoke to the Council about this program and how badly needed it is and described methods that will be used to prevent children with money from knowing who the children are that will receive the free lunches, thus avoiding embarrassment. He also spoke of the nutritional program, which will go along with the lunch program.

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

70-10 The Clerk read the following Ordinance:

AN ORDINANCE 38,333

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH FRIENDS SPECIAL SCHOOL, INC. FOR CARRYING OUT THE MODEL CITIES FRIENDS SPECIAL SCHOOL PROJECT, ESTABLISHING A NEW ACCOUNT, AUTHORIZING A TRANSFER OF FUNDS, AND APPROPRIATING \$25,700.00 PAYABLE TO FRIENDS SPECIAL SCHOOL, INC. FOR SERVICES TO BE RENDERED.

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Mr. Roy Montez, Executive Director of Model Cities Program, explained this ordinance and contract to the City Council, saying that this is in accordance with action previously taken by the Council whereby this project was approved. It provides funds to Friends Special School, which provides training for children between the ages of 5 and 18 years of age and in some cases, provides foster care. Most of the children involved in this program have behavioral problems and the agency agrees to provide counseling and psychiatric services, as well as medical and educational services.

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

The Mayor recognized Mrs. Yolanda Campos, a Government teacher from Burbank High School, with one of her Government Classes. He asked the class to stand up and welcomed them. He advised the Council that this was Mrs. Campos' second class to attend a Council Meeting.

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70-10 ZONING HEARINGS

a. CASE 3684 - to rezone Lot 22, NCB 12830, from Temporary "A" Single Family Residential District to "B-1" Business District, located on the Southeast side of Wurzbach Road 1049.68' Southwest of Fredericksburg Road; having 388.69' on Wurzbach Road and a maximum depth of 296.35'.

Planning Director, Steve Taylor, 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 Dr. Calderon, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke.

AN ORDINANCE 38,334

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 22, NCB 12830  
FROM TEMPORARY "A" SINGLE FAMILY  
RESIDENTIAL DISTRICT TO "B-1" BUSINESS  
DISTRICT.

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b. CASE 3726 - to rezone Lot 20, Blk. 15, NCB 14361 (8.942 Acres) and Lot 25, Blk. 14, NCB 14360 (3.571 Acres), from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located Southeast of the intersection of Loop 410 Expressway and Rolling Ridge Drive East; having 1053.37' on Loop 410 Expressway and 406.82' on Rolling Ridge Drive East.

Planning Director, Steve Taylor, 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 Dr. Nielsen, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

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AN ORDINANCE 38,335

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 20, BLK. 15,  
NCB 14361 (8.942 ACRES) AND LOT 25,  
BLK. 14, NCB 14360 (3.571 ACRES)  
FROM TEMPORARY "R-1" SINGLE FAMILY  
RESIDENTIAL DISTRICT TO "R-3" MULTIPLE  
FAMILY RESIDENTIAL DISTRICT.

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c. CASE 3770 - to rezone Lot 1, Blk. 1, NCB 13867 (.938 acres), from "D" Apartment District to "B-3" Business District; Lot 2, Blk. 1, NCB 13867 (8.319 acres), from "A" Single Family Residential District and "D" Apartment District to "B-2" Business District; Lot 3, Blk. 1, NCB 13867, save and except 1.955 acres, from "A" Single Family Residential District and Temporary "A" Single Family Residential District and "D" Apartment District to "B-1" Business District (being described by field notes) and 1.955 acres out of Lot 3, Blk. 1, NCB 13867, from "A" Single Family Residential District and Temporary "A" Single Family Residential District to "R-1" Single Family Residential District (being described by field notes).

Subject property is located West of the intersection of Fredericksburg Road and Callaghan Road. The "B-3" zoning having 140' on Fredericksburg Road, 156.32' on Callaghan Road and 54.31' on the cutback between these two roads. The "B-2" zoning has frontage of 325.63' on Callaghan Road and 498.89' on Fredericksburg Road. The "R-1" zoning has frontage of 100' on Callaghan Road. The "B-1" zoning is located 240' West of Callaghan Road and 550' Southwest of Fredericksburg Road.

Planning Director, Steve Taylor, said that Mr. Will A. Morris, Jr., representing the Advisory Committee for Texas P.E.O. Home Corporation, was present and invited Mr. Morris to come forward and present the case for rezoning.

Mr. Morris described the area to be rezoned saying that the P.E.O. Sorority planned to establish a retirement home on a portion of the land and that the corner of the intersection of Callaghan Road and Fredericksburg Road would be used for the construction of a service station. The remainder of the area would be utilized for retail business.

A number of persons in the area appeared in opposition to the rezoning. Their opposition was based primarily on the grounds that traffic would be increased and that noise and other nuisances associated with businesses would devalue their residential area. There was no objection to the construction of the retirement home nor to the proposed service station.

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The principle objection was against the proposed "B-2" Business District zoning.

Those appearing to speak in opposition were as follows:

Dr. Phillip Greenfield, 4007 Midvale Drive  
Truett Channing, 7202 Westboro  
T. L. Bryant, 7127 Westboro  
Raymond L. Thompson, 7211 Winterwood Drive  
Ed Boyce, 7122 Westboro  
George Wester, 7206 Westboro  
Steve Martin, Home Builder  
Benton Davies, Jr., Corner of Westboro and  
Greensboro  
Herbert Schultze, 3914 Midvale

Dr. Greenfield presented a petition of 16 property owners in the affected area and a map of the area. These owners were protesting the rezoning.

Mr. Howard Walker, City Attorney, stated that since this petition represented over 70% of the affected owners, the City Council would need to have seven (7) votes for rezoning in this instance.

Mr. Joe Olivares spoke suggesting that a Master Plan of the City would solve this type of problem and would make it unnecessary to have public hearings of this type.

Mr. Steve Taylor, Planning Director, said in reply that a Master Plan has been made and is in effect.

Mrs. Manfred Gerhardt, a former member of the San Antonio Planning Commission and also a member of the P.E.O. Sorority, spoke as a citizen in favor of the rezoning. She said that from her experience, changes would occur in zoning, but that as long as good buffers were provided between business and residential areas, zoning would not affect values of residential areas. It was her opinion that the rezoning should be accomplished.

Mr. Morris spoke again in rebuttal to some of the opposition that had been offered and asked that the Council approve the application.

Dr. Calderon moved that the recommendation of the Planning Commission be overruled and that the Council deny the request for rezoning. The motion was seconded by Mrs. Cockrell and was passed by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke.

d. CASE 3812 - to rezone 1.921 acres out of Lot 21, Blk. C, NCB 11610, from "A" Single Family Residential District to "B-3" Business District, located on the Southwest side of Babcock Road between Snowden Road and Wurzbach Road; having 381.87' on Babcock Road, 224.97' on Snowden Road and 225' on Wurzbach Road (being further described by field notes).

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4.367 acres out of Lot 21, Blk. C, NCB 11610, from "A" Single Family Residential District to "B-2" Business District, located between Wurzbach Road and Snowden Road 225' Southwest of Babcock Road; having 484.99' on Wurzbach Road, 459.89' on Snowden Road and a maximum distance of 382.30' between these two roads. (Being further described by field notes.)

3.335 acres out of Lot 21, Blk. C, NCB 11610, from "A" Single Family Residential District to "B-1" Business District, located between Wurzbach Road and Snowden Road 825' Southwest of Babcock Road; having 380.13' on Wurzbach Road, 377.08' on Snowden Road and a maximum distance of 384.02' between these two roads. (Being further described by field notes.)

3.880 acres out of Lot 21, Blk. C, NCB 11610, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located between Wurzbach Road and Snowden Road 1205.43' Southwest of Babcock Road; having 440' on Wurzbach Road and Snowden Road and a distance of 384.2' between these two roads. (Being further described by field notes.)

Planning Director, Steve Taylor, 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 Dr. Nielsen, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Hill; NAYS: None; ABSENT: Burke, Trevino, Torres.

AN ORDINANCE 38,336

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 1.921 ACRES OUT OF LOT 21, BLK. C, NCB 11610 (BEING FURTHER DESCRIBED BY FIELD NOTES) FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; 4.367 ACRES OUT OF LOT 21, BLK. C, NCB 11610 (BEING FURTHER DESCRIBED BY FIELD NOTES) FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; 3.335 ACRES OUT OF LOT 21, BLK. C, NCB 11610 (BEING FURTHER DESCRIBED BY FIELD NOTES) FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; 3.880 ACRES OUT OF LOT 21, BLK. C, NCB 11610 (BEING FURTHER DESCRIBED BY FIELD NOTES) FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

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e. CASE 3827 - to rezone the North 113.72' of Lot 29, NCB 3123, from "D" Apartment District to "B-2" Business District, located Southwest of the intersection of St. James Street and Gulf Street; having 429.47' on Gulf Street and 113.72' on St. James Street.

Planning Director, Steve Taylor, 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 Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Hill; NAYS: None; ABSENT: Burke, Trevino, Torres.

AN ORDINANCE 38,337

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 113.72'  
OF LOT 29, NCB 3123 FROM "D" APARTMENT  
DISTRICT TO "B-2" BUSINESS DISTRICT.

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f. CASE 3836 - to rezone Lot 25, Blk. A, NCB 8695, from "R-3" Multiple Family Residential District to "B-2" Business District, located on the East side of North Vandiver Road 100' South of Eisenhower Road; having 80' on North Vandiver Road and a depth of 115'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

Mr. Taylor asked Mr. Terry Tophan, a representative of Mr. M Food Stores, the applicant, to discuss the project with the City Council.

Mr. Tophan explained that this request for change is due to the fact that the area involved is located among a group of apartments and townhouses and that the existence of a Mr. M Food Store would be an adjunct to these apartments. He passed around an architect's drawing of the intended construction, which would be surrounded by apartments.

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While the Council agreed that the plan appeared to be feasible, the general feeling was that this would be clearly spot zoning and would lead to other requests for similar zoning in this area.

Mr. Hill moved that the recommendation of the Planning Commission be approved by passage of the Ordinance. The motion was seconded by Mrs. Cockrell. The rezoning was denied by the following vote: AYES: James, Cockrell, Hill; NAYS: McAllister, Calderon, Nielsen, Trevino, Torres; ABSENT: Burke.

g. CASE 3848 - to rezone Lot 27, Blk. 44, NCB 7159, from "F" Local Retail District to "B-3" Business District, located Southeast of the intersection of Olmos Drive and Warner Avenue; having 245' on Olmos Drive and McIlvaine Street and 122.5' on Warner Avenue.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council. He said that the Planning Commission recommended that a six foot (6') solid screen fence be erected on the South and East property lines to screen off the residential area adjoining the property.

No one spoke in opposition.

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

AN ORDINANCE 38,338

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 27, BLK. 44,  
NCB 7159 FROM "F" LOCAL RETAIL DISTRICT  
TO "B-3" BUSINESS DISTRICT, PROVIDED  
THAT A SIX FOOT (6') SOLID SCREEN FENCE  
IS ERECTED ALONG THE SOUTH AND EAST  
BOUNDARIES OF SAID PROPERTY.

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h. CASE 3850 - to rezone Lot 28, NCB 12051, from "A" Single Family Residential District to "B-3" Business District and Lot 29, NCB 12051, from "A" Single Family Residential District to "I-1" Light Industry District, located on the Northwest side of Isom Road 342' Southwest of Sandau Road; having 480' on Isom Road and a maximum depth of 665.57'. The "B-3" being on the Southwest 200' and the "I-1" being on the remaining portion.

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Planning Director, Steve Taylor, 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 Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke.

AN ORDINANCE 38,339

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 28, NCB 12051 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT AND LOT 29, NCB 12051 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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i. CASE 3853 - to rezone Lot 40, NCB 10776, from "A" Single Family Residential District to "B-1" Business District and Lot 41, NCB 10776, from "A" Single Family Residential District to "B-3" Business District, located Southwest of the intersection of Mary Helen Drive and W. W. White Road; having 118.72' on W. W. White Road and 217.10' on Mary Helen Drive. The "B-1" zoning being on the West 80' and "B-3" zoning on the East 137.10'.

Planning Director, Steve Taylor, 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. James, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke, Nielsen.

AN ORDINANCE 38,340

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 40, NCB 10776 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT AND LOT 41, NCB 10776 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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j. CASE 3860 - to rezone Lots 26 and 27, Blk. 1, NCB 13758, from "I-1" Light Industry District to "B-3" Business District, located on the Northwest side of Randolph Boulevard 98.82' Southwest of Weidner Road; having 110' on Randolph Boulevard and a depth of 150'.

Planning Director, Steve Taylor, 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 Dr. Calderon, seconded by Mr. Torres, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke, Cockrell, Nielsen.

AN ORDINANCE 38,341

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 26 AND 27, BLK. 1, NCB 13758 FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-3" BUSINESS DISTRICT.

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k. CASE 3863 - to rezone Lot 478, NCB 11434, from "A" Single Family Residential District to "B-3" Business District, located on the North side of Culebra 150.75' East of Roanoke Drive; having 50.25' on Culebra Road and a maximum depth of 165.70'.

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Planning Director, Steve Taylor, 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 the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke, Cockrell, Nielsen.

AN ORDINANCE 38,342

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 478, NCB 11434  
FROM "A" SINGLE FAMILY RESIDENTIAL  
DISTRICT TO "B-3" BUSINESS DISTRICT.

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1. CASE 3864 - to rezone Lot 35A, Blk. B, NCB 11514, from "A" Single Family Residential District to "B-3" Business District, located on the Southwest side of Bandera Road 20' Southeast of the cutback to West Quill Drive; having 80' on Bandera Road and a maximum depth of 269'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

Dr. Calderon thought screening should be required along the Northwest property line to screen Woodlawn Elementary School.

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

AN ORDINANCE 38,343

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 35A, BLK. B,  
NCB 11514 FROM "A" SINGLE FAMILY  
RESIDENTIAL DISTRICT TO "B-3" BUSINESS  
DISTRICT, PROVIDED THAT A SIX FOOT (6')  
SOLID SCREEN FENCE BE ERECTED ALONG THE  
NORTHWEST PROPERTY LINE.

\* \* \* \*

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m. CASE 3872 - to rezone Lot 21, NCB 11874, from "E" Office District to "I-1" Light Industry District, located on the Southeast side of Gault Lane 168.81' Northeast of Mike Williams Drive; having 50' on Gault Lane and a depth of 230.68'.

Planning Director, Steve Taylor, 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. James, seconded by Mrs. Cockrell, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Burke,

AN ORDINANCE 38,344

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 11874  
FROM "E" OFFICE DISTRICT TO "I-1"  
LIGHT INDUSTRY DISTRICT.

\* \* \* \*

70-10      PRESENTATION BY RESEARCH AND PLANNING COUNCIL

Mr. John Gatti appeared before the Council speaking for the Research and Planning Council's Air Transportation Committee. He outlined to the Council various aspects of the growth of cargo and passenger air traffic in San Antonio. He related this to National statistics and gave general projections of what could be expected in the future. (A copy of Mr. Gatti's prepared statement is included with the minutes of this meeting.)

He spoke of the need for an economic study to see if San Antonio has the potential to become a world air transportation center. In this regard, the committee had invited proposals from eighteen firms and finally eliminated all but three proposals. Each of these firms made presentations to the committee with the firm of Planning Research Corporation being selected to negotiate a contract. Mr. Gatti introduced Mr. Frank J. Hahn, a representative of that company.

Mr. Hahn, using a set of flip charts described the capability of his company and its scope of operations. Using flip charts, Mr. Hahn described to the Council the fields to be covered in the study and the final delivery items. Based on the information obtained in the study, the City could decide whether to proceed in more detail.

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Mr. Charles L. Becker, Chairman of the City's Airport Bond Committee, spoke saying that the committee is very much in favor of having the study made.

Mr. Paul E. Sword read a Resolution adopted by the Bexar Chapter Texas Society of Professional Engineers offering the Chapter's support and endorsement to the Research and Planning Council in securing a comprehensive transportation study for the San Antonio Region.

Mr. William Ochse, President of the Chamber of Commerce, urged that the economic study be done for the good of the San Antonio Region.

In closing his presentation, Mr. Gatti made the following statement:

"Gentlemen and lady, you've hear our presentation and endorsements of this proposed study. What we are asking of you today is that the City of San Antonio accept primary responsibility for conducting the economic study as presented by Mr. Frank Hahn of Planning Research Corporation.

As you have no doubt surmised, this is a very basic study aimed at developing economic information never before available to San Antonio. This study will give us a good, solid picture of our potential for developing a transportation center for the San Antonio area.

Research and Planning Council already has a sizable investment in this study. For over a year we have been working toward developing study requirements, contacting prospective consultants, requesting and screening proposals for carrying out the study goals. We ask that the City of San Antonio contribute \$40,000 toward the cost of the study. Research and Planning Council will contribute the balance of \$12,700 as well as its staff time and transportation committee energies in working with and assisting the City in any and every way possible.

We realize, of course, that you cannot today commit \$40,000 to this study. The matter is too complex for this. We hope, however, that you can, by resolution, indicate your sincere interest in this study and your willingness to contribute financially to the study on the condition that a satisfactory contractual arrangement can be reached."

He also said that the committee is not concerned with the typical land use study, but rather a study in depth to determine San Antonio's potential as a Regional Air Transportation Center.

It was agreed by the Council that the Staff be instructed to look into the proposal and also, that the City Attorney check into the matter of the City accepting only one proposal.

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70-10 The Mayor asked Councilman Nielsen if he was prepared to give a report on the Food Stamp Program.

Dr. Nielsen stated that the committee is working hard on the project, but that conditions change very rapidly and the report just isn't quite ready. One of the problems is the location of a suitable space to use.

70-10 Mr. Torres introduced the following Resolution for consideration:

A RESOLUTION

WHEREAS, The Young Democrats of San Antonio and Bexar County were organized to work effectively among the young people of this community in voter registration and education projects, and

WHEREAS, The Young Democrats of San Antonio and Bexar County have become involved in projects of voter education and registration in pursuit of the highest principles and ideals of the Democratic Party of the United States, and

WHEREAS, The state convention of the Young Democrats of Texas will start in San Antonio on Saturday, March 7, 1970, and

WHEREAS, The Young Democrats of San Antonio and Bexar County are hosts to said state convention.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, THAT

Saturday, March 7, 1970, is hereby declared

"YOUNG DEMOCRATS DAY"

and the delegates to said state convention are hereby extended a warm welcome.

\* \* \* \*

He informed the Council that the Convention of the Young Democrats of Texas will start in San Antonio Saturday, March 7, 1970. The purpose of the Resolution is to welcome the Young Democrats and encourage them.

Upon motion by Mrs. Cockrell, seconded by Dr. Nielsen, the Resolution was adopted by a unanimous vote.

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70-10 Mr. Torres asked the City Manager for a status report on the recommendations the Council had made for improvements in the operation of the County Jail.

Mr. Henckel said that since the County is completely responsible for administration of the jail, it would be his recommendation that the Council discuss any proposals with Sheriff Hauck. He felt also, that a tour of the jail by the Council would be helpful.

After discussion, the City Manager was asked to arrange a tour of the jail for interested Councilmen to be followed by an informal conference with Sheriff Hauck.

70-10 Mr. Torres asked Mr. Henckel for a report on his meeting with Missouri Pacific Railroad officials regarding the Eisenhower Road Crossing.

Mr. Henckel stated that he had a meeting March 4th with local officials and that, as a result of the meeting, the Railroad has issued an administrative order, effective today, reducing speed of trains at this crossing from 35 MPH to 25 MPH. Higher officials of the Railroad will write a letter soon stating the amount of participation the Railroad will allow in the installation of warning devices. Mr. Henckel said further that this letter probably will contain reference to I.C.C. regulations covering equipment and other aspects.

70-10 Mr. Torres said that he would like to hear a report on the current status of the North Expressway and asked that this matter be put on the Agenda for the March 12 Council Meeting.

70-10 Mr. Torres stated that the City Council should take some action on the recommendations made by the Capital Improvements Bond Steering Committee in its report. To this end, he asked that the matter be placed on the Agenda for the March 12 Council Meeting.

70-10 Mr. Torres asked that the City Council consider the matter of increasing the representation of the City on the AACOG Board. He asked that it be placed as an item on the March 12 Agenda.

70-10 Mr. Torres stated that he felt that accidents are a hazard of the trade of being a police officer and asked that the matter of the City assuming the cost of police car accidents be discussed at the March 12 meeting of the Council.

70-10 Mr. Torres said that he felt that the Council should adopt a resolution asking the Legislature for a change in the law to allow appeals from suspensions in all cases and making it mandatory for the Fire and Police Commission to accept appeals in all cases,

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including those where a policeman is suspended for less than 15 days. He requested that this be included on the Agenda for the March 12 Council Meeting.

70-10 Mr. Torres said that at the time of the final Council action on the Turnkey III program, the Mayor's Advisory Committee on Housing was charged with the task of developing alternative proposals. He inquired as to when the Council would receive a status report from the committee.

Dr. Calderon said that at the last meeting of the committee, about a month ago, it had approved the Housing Authority's plan for construction of some 400 new units with a maximum of 50 units per site. Thirty-six additional units have been authorized for either rehabilitation or for buying existing single family units under the scattered site concept. The Housing Authority is now proceeding to formalize its plans for presentation to the Council.

70-10 Mr. Trevino asked for a statement from the City Attorney regarding the defense of City employees against lawsuits for actions of the employee while performing his duties.

Mr. Walker stated that unless the City is involved there is no responsibility for the City to act and represent the employee individually. Also, there is often a conflict of interest between the individual and the City in case there is a joint suit. So a determination is made in each case.

Mayor McAllister stated that in the matter of liability of City employees and use of City equipment, it is handled strictly according to law and the same is not applicable the same all the way around. He asked the City Manager to give a statement of procedure that is followed and why it is followed and get a statement from the City Attorney with regard to the liability involved, so Council can be informed.

70-10 Mr. Hill asked the City Manager if he had a report on the Quintana Road Crossing.

Mr. Henckel stated that he had been out of the City and had not had a chance to act on this problem, but would try to have a report at the next meeting.

70-10 Mr. Henckel advised the Council that he would have a "brush pick-up" ordinance ready for consideration within the next week or two.

70-10 REDUCED BUS FARES FOR SENIOR CITIZENS

Mr. Henckel reported that he had met March 4 with officials of the Transit System and representatives of the Senior Citizen's group regarding reduced bus fares for senior citizens.

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No agreement was reached. He said that he had asked that alternate proposals be submitted to him and he will try to have a recommendation for the Council next week.

Mrs. Joe Kenny appeared before the Council and agreed that no agreement had been reached. She had suggestions to make regarding the problem and gave a written statement to each Council Member. She urgently asked that the Council take some formal action at its next meeting.

70-10

CITIZENS TO BE HEARD

Mr. Bill James, Superintendent of Schools at Somerset appeared before the Council. He explained that he was speaking for some 1200 citizens of his community, who were asking that the Council consider their request for permission to call an incorporation election. This permission is necessary as Somerset is in the area over which San Antonio has jurisdiction.

He said there were reasons for the request. The community is growing. They have no voice and their efforts to obtain Federal assistance are in vain.

He asked that a meeting be arranged with City officials to discuss the matter.

Mayor McAllister asked that the City Manager arrange a meeting with Mr. James at an early date.

Mr. Clayton Russell spoke about increasing the size of San Antonio and referred to the consolidation of Indianapolis and Marion County.

Mr. Stephen Harvasty spoke about banning smoking in the Council Chamber and on buses.

He also described advertising he had received in his monthly statement from the City Public Service Board and stated that he objected to it.

Mr. Joe Olivares spoke in favor of the report and request of the Research and Planning Council for an economic study. However, he felt that the study should be made by a local firm.

70-10 The Clerk read the following letter:

February 27, 1970

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

March 5, 1970  
ky

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.

- 2-25-70                      Petition of Edgewood Council of PTA  
expressing opposition to multiple  
housing in the Edgewood School District.
- 2-26-70                      Petition of Terra Alta Committee  
requesting the City to take action to  
improve electric traffic control signals  
at the intersection of New Braunfels,  
Nacogdoches and Terra Alta and further  
requesting that a signal light be  
installed at the intersection of  
Broadway and Terra Alta.

J. H. INSELMANN,  
City Clerk

\* \* \* \*

There being no further business to come before the Council, the meeting was adjourned.

A P P R O V E D

*Lila Cockrell*  
MAYOR PRO TEM

ATTEST: *J. V. Jackson Jr.*  
City Clerk

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