

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 31, 1968 AT 8:30 A.M.

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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, Torres; Absent: None.

— — —  
68-408 The invocation was given by Brother Edward Smiley, Holy Cross High School.

— — —  
The minutes of October 24, 1968 City Council Meeting were approved.

— — —  
CITIZENS TO BE HEARD:

68-408 Brother Edward Smiley, Director of Student Activities at Holy Cross High School, 426 N. San Felipe, asked the Council to grant permission to hold a bonfire on Friday, November 1st on the school's campus for their homecoming. He stated that he had a permit to burn from the Fire Chief but during daylight hours only and this function was to be at night.

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

AN ORDINANCE 36,993

GRANTING HOLY CROSS HIGH SCHOOL  
PERMISSION TO HOLD A BONFIRE RALLY  
ON NOVEMBER 1, 1968 ON THE SCHOOL  
CAMPUS UNDER CERTAIN CONDITIONS TO  
BE IMPOSED BY THE CITY FIRE CHIEF.

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68-408 Mr. Edward E. Hill, 822 Timilo Drive, explained that he was representing a group of citizens in Belgium Lane area seeking help from the City Council with reference to the acquiring the Right-of-Way for the widening of Belgium Lane from the intersection of Coliseum Road and Belgium Lane for approximately 200 yards. He stated that the majority of the Right-of-Way can be secured with the exception of two bottlenecks. One a fish hatchery and the other an irrigation pond. He requested the Council's help in securing these two pieces of property. He pointed out on the map the exact location of Belgium Lane.

In answer to a question by the Mayor, Mr. Mel Sueltenfuss, Assistant Director of Public Works, stated that they are familiar with the problem and do plan on widening Belgium Lane.

Mr. Hill explained that in addition to the widening, he also would like to have the City install sidewalks for the school children from Willowood Drive to Chateau Drive on Belgium Lane.

The Mayor thanked Mr. Hill for bringing this to the Council's attention and stated that a staff would be appointed to investigate this problem and report back.

Councilman James stated that Mr. Sam Granata, Public Works Director, was well aware of these problems and was working on this particular area.

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68-408 After a five-minute recess, the meeting reconvened.

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68-408 The Clerk read the following ordinance which was explained by Purchasing Agent, John Brooks:

AN ORDINANCE 36,994

ACCEPTING THE PROPOSAL OF AND MANIFESTING A CONTRACT WITH DAVIS TRUCK & EQUIPMENT COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH ALL REQUIREMENTS OF HEIL BODY PARTS AND SERVICE FOR A PERIOD BEGINNING ON DATE OF ACCEPTANCE BY COUNCIL AND TERMINATING JULY 31, 1969.

\* \* \* \*

Councilman Torres asked if there is any way that on the garbage trucks, there can be some kind of safety device to prevent the button, which activates the compressor, being pushed by some bystander while workers are loading the truck.

Purchasing Agent, John Brooks, stated they have not had any problems. One incident that occurred was when the worker himself pushed the button. He stated that this matter will be checked out with the safety director.

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

68-408 The following ordinances were explained by Purchasing Agent, John Brooks, and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: Parker.

AN ORDINANCE 36,995

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF MOORE BUSINESS FORMS, INC. TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF FINANCE-CORPORATION COURT WITH CERTAIN PARKING VIOLATION TICKETS FOR A NET TOTAL OF \$4,210.00.

\* \* \* \*

AN ORDINANCE 36,996

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF ALAMO IRON WORKS TO FURNISH THE CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH TWO POWER SPRAYERS FOR A NET TOTAL OF \$1,162.90.

\* \* \* \*

AN ORDINANCE 36,997

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF TOM BURKHOLDER COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS, ENGINEERING DIVISION WITH TWO ELECTRONIC CALCULATORS FOR A TOTAL OF \$2,015.00.

\* \* \* \*

68-408

The following ordinance was read by the Clerk:

## AN ORDINANCE 36,998

CLOSING AND ABANDONING A PORTION  
OF GROTTO BLVD. TOGETHER WITH TWO  
ALLEYS LOCATED IN NEW CITY BLOCKS  
11711 AND 11712 AND AUTHORIZING  
A QUITCLAIM DEED TO J.M.H. ENTER-  
PRISES, INC. FOR A CONSIDERATION OF  
\$11,695.00.

\* \* \* \*

Mr. W. S. Clark, Land Division Chief, stated that the street is not open or developed. This matter was submitted to all City departments and outside agencies and have their approval. The property on either side is owned by the same owner. The price is based on what property is selling for in that area. The deed is not to be delivered until proper replatting of the area involved has been accepted and approved by the City Planning Commission.

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

68-408

The Clerk read the following ordinance:

## AN ORDINANCE 36,999

CLOSING AND ABANDONING A PORTION OF  
GENA ROAD AND AUTHORIZING A QUITCLAIM  
DEED TO FRED C. ANDERSON IN CONSIDER-  
ATION OF THE DEDICATION BY REPLAT  
OF A NEW ALIGNMENT OF GENA ROAD.

\* \* \* \*

Mr. W. S. Clark, Land Division Chief, explained that this was a trade-out of the Right-of-Way for better alignment of Gena Road.

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

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68-408 The Clerk read an ordinance authorizing the City Manager to execute an easement together with a quitclaim deed to the San Antonio River Authority in connection with properties to be used in Unit III-B, Martinez Creek Channel Improvement Project.

Mr. W. S. Clark, Land Division Chief, explained that this was the usual ordinance presented in connection with improvement of the flood prevention program of the San Antonio River Authority. He explained new bridges will be constructed by the River Authority on North Sabinas Street, Cincinnati Avenue and West Woodlawn Avenue. The bridge on Culebra Avenue will remain but will be improved. He added that low water crossings will be abandoned at North Navidad Street, N. Navidad and West Ashby, West French, West Craig, W. Mistletoe, West Magnolia, West Huisache, and the one at Warner Avenue.

Traffic and Transportation Director, Stewart Fischer, stated that the staff has recommended these bridges as the best the City can get from the San Antonio River Authority. The Corp of Engineers will not build low water crossings under its agreement with the River Authority. He added that the location of bridges were determined by the Traffic and Transportation Department, Public Works Department, and the San Antonio River Authority. While the plan is not entirely satisfactory to the City, the River Authority has stated that they have no funds beyond this plan of improvement.

Councilwoman Mrs. Cockrell stated that it looks okay on paper but the people always object to the closing of the streets at the creeks.

Discussion brought out that the parallel street on the West would remain but the one on the South would be eliminated.

After discussion action on the matter was postponed and the staff was asked to furnish the Councilmembers a map of the proposed plan so that members can make an inspection. Also a report is to be made on where schools are located, the flow of pedestrian school traffic through the area as well as adult pedestrian traffic.

68-408 The following ordinance was explained by Mr. W. S. Clark, Land Division Chief, and on motion of Mr. Gatti, seconded by Dr. Calderon, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,000

APPROPRIATING \$24,990.00 OUT OF SEWER  
REVENUE FUND #404 FOR ACQUISITION OF

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EASEMENTS PERTAINING TO THE SALADO CREEK OUTFALL SEWER LINE, ALSO ACCEPTING DEDICATIONS IN CONNECTION WITH PECAN VALLEY PAVING PROJECT AND BITTERS ROAD WIDENING AND A LICENSE AGREEMENT PERTAINING TO EMIL ROAD SANITARY SEWER LINE AT THE SOUTHERN PACIFIC RAILROAD.

\* \* \* \*

68-408

The Clerk read the following ordinance:

AN ORDINANCE 37,001

DETERMINING THAT THE PREMISES LOCATED AT 2029-29½ E. COMMERCE CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

\* \* \* \*

Mr. George D. Vann, Director of Housing and Inspections, stated that the property is owned by Mr. John Leung who has been notified by certified mail of the hearing this morning.

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

Neither Mr. Leung or his representative was present.

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

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68-408 An ordinance determining that the premises at 209 Victor contains or constitutes a condition which is deemed a nuisance, a fire, health and safety hazard, and directing the City Attorney to file suit in a court of competent jurisdiction to have the nuisance on said premises abated and to have the cost of such proceedings and abatement assessed against the owners of said premises was withdrawn from consideration by the City Manager.

68-408 The Clerk read the following ordinance:

AN ORDINANCE 37,002

DETERMINING THAT THE PREMISES LOCATED AT 401-03 VINE STREET CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

\* \* \* \*

Mr. George D. Vann, Director of Housing and Inspections, stated that the property is owned by Mr. & Mrs. Isaac Munoz who have been notified by certified mail of the hearing this morning.

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

Neither the owners or their representatives were present.

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

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68-408

The Clerk read the following ordinance:

## AN ORDINANCE 37,003

DETERMINING THAT THE PREMISES LOCATED AT 1018 SOUTH WALTERS CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

\* \* \* \*

Mr. George D. Vann, Director of Housing and Inspections, stated that the property is owned by Mr. & Mrs. Isaac Munoz who have been notified by certified mail of the hearing this morning.

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

Neither the owners or their representatives were present.

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

68-408

The Clerk read the following ordinance:

## AN ORDINANCE 37004

DETERMINING THAT THE PREMISES LOCATED AT 116 BURBANK STREET CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

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Mr. George D. Vann, Director of Housing and Inspections, stated that the property is owned by Mr. R. G. Flores who has been notified by certified mail of the hearing this morning.

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

Neither Mr. Flores or his representative was present.

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

68-408 The following ordinance was explained by Mr. George D. Vann, Director of Housing and Inspections, and on motion of Mrs. Cockrell, seconded by Mr. Jones, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,005

GRANTING MR. BILL McDONALD PERMISSION TO CONSTRUCT AN 8 FOOT PRIVACY FENCE AT HIS PROPERTY LOCATED AT 11306 CREST PARK.

\* \* \* \*

68-408 Mr. Fred Cook, Property Records Supervisor, explained that the following ordinance was to provide insurance coverage for the Marina Garage for a three year period beginning October 2, 1968. Coverage is in the amount of \$850,000, 80% co-insurance applicable.

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

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## AN ORDINANCE 37,006

AUTHORIZING THE EXECUTION OF AN INSURANCE CONTRACT BY THE CITY OF SAN ANTONIO WITH THE AMERICAN AND FOREIGN INSURANCE COMPANY, AND AUTHORIZING THE PAYMENT OF THE INSURANCE PREMIUM IN THE SUM OF \$1,542.00.

\* \* \* \*

68-408 The following ordinance was explained by Mr. George D. Vann, Director of Housing and Inspections, and on motion of Dr. Parker, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: None.

## AN ORDINANCE 37,007

CHANGING THE NAME OF MASSASOIT DRIVE TO NEW ENGLAND PLACE IN ACCORDANCE WITH RECOMMENDATIONS OF THE CITY PLANNING AND ZONING COMMISSION.

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68-408 The Clerk read the following ordinance:

## AN ORDINANCE 37,008

ACCEPTING THE BID OF S.A.C.C., INC. FOR THE 1968-1969 SANITARY SEWER EXTENSION PROGRAM; AUTHORIZING EXECUTION OF A CONTRACT FOR SAID WORK; APPROPRIATING \$162,929.19 PAYABLE OUT OF SEWER REVENUE FUND 204-02 TO SAID CONTRACTOR.

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Mr. Mel Sueltenfuss, Assistant Director of Public Works, explained that no bids were received the first time this job was advertised. The second time around, S. A. C. C., Inc. submitted a bid. It is the same firm that had the contract last year and recommended acceptance of the bid.

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

68-408

The Clerk read the following ordinance:

AN ORDINANCE 37,009

ACCEPTING THE BID OF FORGY CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF LABORATORY BUILDING IMPROVEMENTS AT RILLING ROAD WASTE TREATMENT PLANT; AUTHORIZING EXECUTION OF A CONTRACT FOR SAID WORK; APPROPRIATING \$41,546.00 PAYABLE OUT OF SEWER REVENUE BOND FUND NO. 404 TO SAID CONTRACTOR; APPROPRIATING \$1,500.00 OUT OF THE SAME FUND TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT AND \$500.00 AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT.

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Mr. Mel Sueltenfuss, Assistant Director of Public Works, explained that the bids ranged from \$47,328.00 to \$41,546.00 and recommended that the low bid be accepted.

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

68-408

The Clerk read the following ordinance:

AN ORDINANCE 37,010

ACCEPTING THE LOW QUALIFIED BID OF STEPHENS, VOGEL & COX, A JOINT VENTURE OF STEPHENS CONTRACTING CO., A. M. VOGEL, AND GEORGE C. COX, INC., FOR CONSTRUCTION OF SALADO CREEK OUTFALL SANITARY SEWER MAIN, SEGMENT BERNEICE, WPC TEX-432, SAN ANTONIO, TEXAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SUCH WORK; APPROPRIATING THE SUM OF \$994,582.00 OUT OF SEWER REVENUE BOND FUND NO. 404, PAYABLE TO SAID CONTRACTORS; APPROPRIATING \$35,000.00 OUT OF THE SAME FUND FOR USE AS A CONSTRUCTION CONTINGENCY ACCOUNT; \$10,000.00 OUT OF THE SAME FUND FOR USE AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT; AND \$50,979.10 OUT OF THE SAME FUND, PAYABLE TO W. F. CASTELLA & ASSOCIATES, FOR ADDITIONAL ENGINEERING FEES.

\* \* \* \*

Mr. Mel Sueltenfuss, Assistant Director of Public Works, explained that the bids ranged from a high of \$1,159,690.00 to a low of \$994,582.00. One-third of the cost will be paid by the U. S. Government under the grant agreement. He recommended that the low bid be accepted.

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

68-408 The Clerk read the following ordinance:

AN ORDINANCE 37,011

MANIFESTING AN AMENDMENT TO THE BRACK-ENRIDGE GOLF COURSE ELECTRIC GOLF CART CONCESSION CONTRACT BY CHANGING THE TERM THEREOF TO TERMINATE ON NOVEMBER 15, 1974, AND ALSO MANIFESTING AMENDMENTS TO ELECTRIC GOLF CART CONCESSION CONTRACTS FOR OLMOS BASIN AND WILLOW SPRINGS BY INCREASING THE RENTAL CHARGES OF SAID CARTS.

\* \* \* \*

Mr. Bob Frazer, Director of Parks and Recreation, explained that through this ordinance he was recommending that the contract with the Electric Carrier Corporation for rental of Electric Golf Carts at Brackenridge Golf Course be amended by changing the term of the contract to be effective November 16, 1968, when the golf course re-opens, and ending November 15, 1974. Also he recommended that the rental charges for carts at Olmos Basin Golf Course and Willow Springs Golf Course be increased to bring the charges in line with what municipal courses in other cities are charging.

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

68-408 The Clerk read the following ordinance:

AN ORDINANCE 37,012

MANIFESTING AN AGREEMENT BETWEEN THE CITY AND TEXAS TRANSPORTATION MUSEUM, INC., GRANTING A LICENSE PROVIDING FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN EDUCATIONAL AND HISTORICAL MUSEUM IN NORTHEAST PRESERVE FOR A PERIOD OF TWENTY-FIVE YEARS.

\* \* \* \*

Mr. Bob Frazer, Director of Parks and Recreation, explained that the Transportation Museum would be located on 26 acres in the Northeast Preserve which consists of 723 acres. The application to establish the Transportation Museum in this location was forwarded to Fort Worth and Washington. Both HUD Agencies have agreed to this development. Their approval was needed because fifty per cent of the cost of acquisition and development was furnished by the Open Spaces Program.

Mr. David M. Wallace, President of the Board of Texas Transportation Museum stated they had been working on this for several years and felt that it would be a wonderful attraction for the City as well as educational. He said the museum would be constructed and operated at no cost to the City.

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

68-408 Mr. Stewart Fischer, Director of Traffic and Transportation, explained the following ordinance and on motion of Mr. Jones, seconded by Dr. Calderon, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,013

CLOSING A PORTION OF N. ST. MARY'S STREET DURING CERTAIN PERIODS ON NOVEMBER 5, 6, AND 7, 1968, FOR THE PURPOSE OF ALLOWING MOSEL & TERRELL CO. TO UTILIZE A LARGE CRANE NECESSARY IN THE INSTALLATION OF HEATING AND AIR CONDITIONING EQUIPMENT IN THE NEW SOUTHWESTERN BELL TELEPHONE COMPANY'S OFFICE BUILDING ADDITION.

\* \* \* \*

68-408 The Clerk read the following ordinance for the second and final time.

AN ORDINANCE 36,886

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 45.147 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

\* \* \* \*

Mr. Steve Taylor, Director of Planning, explained that this annexation is at the request of the owners, Shepherd and Burris Properties.

No one spoke in opposition.

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, Torres; NAYS: None; ABSENT: None.

68-408 The following ordinance was explained by Mr. Francis Vickers, Director of Convention Facilities, and on motion of Mrs. Cockrell, seconded by Mr. Jones, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37014

MANIFESTING AN AGREEMENT WITH J. H. CLARKE AND ASSOCIATES, AGENT FOR THE MORA ARRIAGA FAMILY, TO EXTEND THE PRESENT CONTRACT FOR MUSICAL PERFORMANCES AT FIESTALAND FOR AN ADDITIONAL TWO-WEEK PERIOD.

\* \* \* \*

Mr. Torres stated he felt the City is getting its money's worth on these people and asked what there is planned to continue to provide this type of entertainment after the Arriaga Family leaves. He added that there are a good number of local groups who could be picked up to provide some entertainment and put some life into the area, many of which he thought would do it at no cost to the City.

Mr. Vickers stated that they do not have anything in the mill at the present time, but will be looking into this right away.

68-408 Mr. Francis Vickers explained the following ordinance and on motion of Dr. Parker, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,015

CONSENTING TO THE ASSIGNMENT BY QUALITY FOODS, INC. TO EL GORDO, INC. OF THE CONTRACT FOR OPERATION OF THE GOLDEN GARTER AT FIESTALAND.

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Mr. Torres asked about the possibility of opening the back gate on Durango Street to make it easier to get to the rear areas of the HemisFair grounds.

Mr. Ancil Douthit, Assistant City Manager, stated that they are planning on opening, right away, the gate behind the Lake Pavilion and establish a parking area there.

68-408 In connection with the dedication of the HemisFair site to the military, Mayor McAllister stated that he had issued a proclamation which is as follows:

A PROCLAMATION

WHEREAS, since its founding as the Royal Presidio of San Antonio de Bejar in 1718, San Antonio's history and economic development has been greatly influenced by the military, and

WHEREAS, our City since 1875 has been the home of Fort Sam Houston and now includes four of the finest Air Force Bases in the United States, and

WHEREAS, many thousands of men and women down through the years, have made San Antonio their home while in the service of their country, and

WHEREAS, on Monday, November 11, 1968, we commemorate the 50th Anniversary of the signing of the Armistice of World War I, and

WHEREAS, it is the desire of the City of San Antonio to honor these thousands of military people who have done so much for our country and contributed so outstandingly to the welfare of our community,

NOW, THEREFORE, I, W. W. McALLISTER, Mayor of the City of San Antonio, do hereby proclaim the weekend of November 9, 10, and 11, 1968, as

"ARMED FORCES AND VETEREN'S DAYS"

in San Antonio, Texas, and urge all citizens to support this observance and join wholeheartedly in the celebration of this memorable occasion.

\* \* \* \* \*

68-408 Mr. Stanley Rosenberg, appearing in behalf of Mr. Jim Stewart, who was in court, reviewed the request concerning the Seneca Properties on Bandera Road for sewer service by the City of San Antonio. He asked that the Council approve their request.

\* \* \* \* \*

Mr. Gatti: I have looked into it and checked it and had discussions with the City Manager and he is against it, but something we must think of is the money and I can't see how we can discriminate with these particular residents. I firmly believe this should be the last contract or franchise like this, but everybody was led to believe this was the way it was going to be and to void it now, I think, would be an injustice.

Dr. Parker: Every time you change the rules, you have got to take care of the ones who have already been negotiated with, that you have already promised.

Mrs. Cockrell: I think there are a few points that should be made, since the City Manager is not here. The City Manager does not agree to the statement that the people were given the go ahead by our City staff. He feels that the City staff was asked what the City specifications were and they were asked what had been done in the past, however, they assumed no liability or statement of what would be done in this case. What we are dealing with there is a situation where we are going to be contracting with a municipality, apparently go into their city limits, go into their extraterritorial jurisdiction and assume their legal and other responsibilities for maintenance of sewer lines. Now I think it is certainly a proper function for our City to enter into contracts with other municipalities for the service of picking up at one point and transporting and disposing of it. But when we assume the responsibilities of the maintenance of the lines within another incorporated City we are definitely going beyond any powers which I think would accrue to the City of San Antonio.

Mr. Gatti: We are doing it in two units in the same area.

Mrs. Cockrell: The point is, do we continue to do this and assume further liability for our citizens. Now the City of Leon Valley, it seems to me, certainly has an obligation to provide maintenance of sewer lines for the citizens who pay taxes to Leon Valley. I would be perfectly happy to enter into the agreement for the transportation of sewage if Leon Valley would then work out the maintenance of the lines.

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Mr. Gatti: Now how do we work it with the Water Board, which is a City agency, if the Water Board provides water.

Mrs. Cockrell: Well, they provide water anywhere in an incorporated area.

Mr. Gatti: What's the difference?

Mrs. Cockrell: Well, are you saying that you think we should go into any incorporated city and take over the sewer lines?

Mr. Gatti: No, I say we should go into this particular one because, in my opinion, from all the information I have, I think that these people were led to believe that since these other two units were done and no one told them just what was going to happen and they proceeded to do it, I don't think there is any difference here than in the other cities. Number 1, about the city going in there and maintaining it, we are doing it in the other two. We are doing it with the Water Board. The Water Board is an agency of the City. The Water Board maintains water lines, not only out here, but all over the other municipalities and I think there is plenty of rationale for it.

Mrs. Cockrell: I think if the Council majority wants to do this they should insist upon the insurance suggested by the City Attorney.

Mr. Gatti: I think it should be made clear that this new policy, which would be in effect after this, is going to be the policy and there is not going to be anymore of these situations and franchise agreements entered into.

Mr. Jones: I think we have got to consider that these developers were really caught right in the middle between the municipalities and they constructed these lines at their expense by the specifications of the City. They cannot obtain government financing on their mortgages unless they have a maintenance contract. Leon Valley cannot or will not provide this service. The alternative is to install 75 septic tanks in that area which would certainly be undesirable. I don't like the idea of the City of San Antonio providing any service to any outlying municipality. In this connection we should consider that we are providing the service to developers rather than to the City of Leon Valley and no matter what the contract says if the attorney says we can do it legally, right?

Mr. Walker: There is no legal prohibition against it. We can find no statutes which authorizes one municipality either to construct or maintain sewer lines within the sovereign jurisdiction of any other municipality. Therefore the question we have raised is simply this: we would like to have indemnification, not from Seneca, they will sell out and be gone, I wouldn't care anything about indemnification they gave us, but from the City of Leon Valley. Let Leon Valley put it in its franchise agreement and go buy insurance for it.

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Mr. Gatti: Will they provide the insurance?

Mayor McAllister: If the Council takes action on this today, the action will be conditioned upon the preparation and approval by the City Attorney by the indemnifying agreement.

Mr. Walker: I suggest the City of Leon Valley amend its franchise and put it in there so we can see it.

Mr. Rosenberg: We were going to go ahead and get an insurance policy.

Mr. Walker: That's true, but I want to be sure it is in there in the franchise agreement.

Mr. Gatti made a motion to grant the request for sewer service and maintenance of sewer lines subject to the requirements of the City Attorney. Dr. Parker seconded the motion.

Mayor McAllister: The motion is that sewer services be provided for the Seneca Addition No. 3, subject to Leon Valley changing the franchise agreement in accordance with the suggestion of the City Attorney and providing the City of San Antonio be indemnified. Are there any other suggestions?

Mr. Walker: I guess not, but I don't like it.

Mayor McAllister: Well, I personally don't like it either, but I can't help but feel that if we made the agreement with number one and number two----do these people own any more land, Mr. Rosenberg, in other words we have no other moral commitments.

Mr. Rosenberg: No sir.

On roll call the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Gatti, Trevino, Parker; NAYS: Cockrell, Torres; ABSENT: None.

Mr. Douthit: May I suggest that we prepare and come to the Council with an ordinance setting forth our policy on this.

The Council concurred with Mr. Douthit's suggestion.

68-408

Mrs. Cockrell made the following statements:

"There are two things that I know we are all vitally interested in because we have been talking about them for as long as I can remember, since I have been on the Council. I really would like to get them wound up. The first one is the Mission Parkway. I would like to ask if our staff would provide us with a status report for the Mission Parkway project. I would like to start driving on it instead of just hearing about it and I think we would all like to see that wound up.

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The second one is LaVillita. With the conclusion of HemisFair, I think we need to have an immediate review and re-valuation of the development plan of LaVillita. As you recall, the City instructed the Urban Renewal Agency to acquire all the land down to Durango. However, now that we have all the acreage there, the plazas and so forth in the HemisFair area, it might be that we would wish to reconsider the question of public ownership and the development of the block, say from Arciniega south. At any rate, we should consider what we are going to do with the property. The Urban Renewal Agency has acquired all the property but the City has not stated its intentions for the land, particularly from Arciniega to Durango. I think we ought to review this entire project and get on with our development plan. For example, the area where the Groos House was scheduled to be rebuilt and the rocks are piled up, was scheduled for a plaza. We need to know how to proceed and what the other plans for the area are.

One small point I would like to make is that early this spring, prior to HemisFair, the Conservation Society made a request of the City that they be permitted to go in and have archeological excavations made in the area just south of the German-English School where the alleged ruins of the quartel are located, to determine the history of those ruins and to actually authenticate whether or not that was the quartel and to determine whatever can be learned from the archeological findings. The City was not able to give permission because they had to proceed immediately with paving in that area to provide parking. So we might consider the possibility of seeing if they want to go ahead with that project because I think it would be in the interest of San Antonio's history and culture to know if that really was the old quartel and authenticate those ruins. At any rate, I think we should have a complete report from the staff on these two projects so we can try to get them completed and obtain our goals.

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68-408

PRESENTATION OF PLAQUE TO COUNCILMAN DR. GERALD PARKER

Mayor McAllister: I want to say that this is the last Council meeting that Dr. Parker will attend as Member of the City Council and I want to make a presentation to you, Dr. Parker, which reads as follows: "In appreciation for your valuable services to the City of San Antonio as a Member of the City Council, Place No. 8, from May 1, 1961 to October 31, 1968. This plaque given to you by your fellow Council Members."

Dr. Parker: I will always cherish this. I didn't expect anything like this and I appreciate it very much.

Mr. Gatti: I have a presentation to make. Several weeks ago one of our more distinguished members of the press wrote an article about Dr. Parker and it was unusual in many ways, that someone would do something like this. I think it was a very fine and friendly article and we have had it framed and signed by your other Council members.

Dr. Parker: Thank you.

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68-408

CITIZENS TO BE HEARD:

Mr. Edward H. Deckard, 702 Baylor Avenue, complained of the junk yard which has been started at 706 Baylor Avenue.

The matter was referred to the City Manager for investigation and necessary action.

68-408

The Clerk read the following letter.

October 29, 1968

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

Gentlemen and Madam:

The following petition was received by this office and forwarded to the City Manager for investigation and report to the City Council.

10-22-68

Petition of Mr. Bill McDonald requesting special permission to build an eight foot privacy fence along the property line being Lot 14, Block 5, NCB 13747.

/s/ J. H. INSELMANN  
City Clerk

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

A P P R O V E D:

*Mr. McAllister*  
M A Y O R

ATTEST:

C i t y C l e r k

October 31, 1968