

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 7, 1965, 8:30 A.M.

* * * * *

The regular meeting of the City Council was called to order by the Presiding Officer, Mayor W. W. McAllister, with the following members present: McALLISTER, DE LA GARZA, JONES, KAUFMAN, COCKRELL, GATTI, PADILLA, PARKER and BREMER.

65-1 The invocation was given by Councilman Robert C. Jones.

The minutes of the previous meeting were approved.

65-2 First matter considered was the hearing on Case No. 2221, to rezone Lots 13, 14, 15 and 19, NCB 10926, located southeast of the intersection of Dan's Court and South Presa from "B" Residence District to "JJ" Commercial District; Lots 16, 17 and Lot 30 except the south 50', NCB 10926 located on the east side of South Presa Street 50' north of Henderson Court from "B" Residence District to "E" Office District; Lots 20-28 inclusive and Lots 31-34 except the south 50', NCB 10926 located southwest of the intersection of Dan's Court and the Old Corpus Christi Road, and Lots 41-44 inclusive, NCB 10927 located on the south side of Henderson Court 120' east of South Presa, from "B" Residence District to "D" Apartment District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission, and such change is in accordance with the plan agreed to be the City Council, applicant, Mrs. Ruby J. Henderson and the Brooks School of Aerospace Medicine.

No one spoke in opposition.

On motion of Mrs. Cockrell, seconded by Mr. de la Garza, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,964

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 13, 14, 15 AND 19, NCB 10926 FROM "B" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT; LOTS 16, 17 AND LOT 30 EXCEPT THE SOUTH 50', NCB 10926 FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT; LOTS 20-28 INCLUSIVE AND LOTS 31-34 EXCEPT THE SOUTH 50', NCB 10926 AND LOTS 41-44 INCLUSIVE, NCB 10927 FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

* * * * *

65-3 Next case heard was Case No. 2181, to rezone that portion of Lot 16-G, NCB 8407 not presently zoned "F" Local Retail, located 265' southwest of Fredericksburg Road and 140.4' northwest of DeChantele from "B" Residence District to "E" Office District.

JAN 7 1965
187

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Bremer, seconded by Dr. Parker, the recommendation of the Planning Commission was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,965

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THAT PORTION OF LOT 16-G, NCB 8407 NOT PRESENTLY ZONED "F" LOCAL RETAIL FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.

* * * * *

65-4 Next heard was Case No. 2268 to rezone Lots 43-46, NCB 11287, located on the south side of Clara Lane, 205' east of Vance Jackson Road, from "B" Residence District to "D" Apartment District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

While no one spoke in opposition, he gave the locations of property whose owners had returned notices in opposition. He explained that it was proposed to construct 16 single story apartments and will have 24 off-street parking spaces which will be serviced from the alley, and the buildings have a set-back requirement of 25'.

Mr. Ray Ellison Jr., the applicant, stated that they had owned the property about seven years and confirmed that the apartments would be single story.

On motion of Mr. de la Garza, seconded by Mr. Kaufman, the recommendation of the Planning Commission was approved by the passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,966

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 43-46, NCB 11287 FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

* * * * *

65-5 Next heard was Case No. 2272, to rezone Lot 8, NCB 13572, located on the north side of Valleyfield Drive 253.75' west of Roland Avenue, and Lot 18, NCB 13576 located on the south side of Valleyfield Drive 278.03' west of Roland Avenue, from "A" Residence District to "B" Residence District.

JAN 7 1965
JAN 7 1965

Assistant Planning Director Burt Lawrence explained the proposed change which he stated was initiated at the suggestion of the City Council to place a buffer between "F" zone at the corner and the residences to be constructed on Valleyfield Drive.

No one spoke in opposition to the change.

On motion of Mr. Jones, seconded by Mr. de la Garza, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,967

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 8, NCB 13572, AND LOT 18, NCB 13576 FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT.

* * * * *

65-6 Next heard was Case No. 2292, to rezone Lot 41, Blk 9, NCB 12599, located northeast of the intersection of Hershey Drive and South W. W. White Road, from "A" Residence District to "D" Apartment District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Jones, seconded by Mr. de la Garza, the recommendation of the Planning Commission was passed and approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,968

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 41, BLK 9, NCB 12599 FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

* * * * *

65-7 Next heard was Case No. 2293, to rezone Lot 21, NCB 10733, located on the west side of South W. W. White Road 90' north of Hein Road, from "A" Residence District to "F" Local Retail District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. de la Garza, seconded by Dr. Parker, the recommendation of the Planning Commission was approved by passage of the following ordinance the vote being as follows: AYES: McAllister, de la Garza, Jones, Kaufman,

JAN 7 1965 189

Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,969

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 21, NCB 10733 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

* * * * *

65-8 Next heard was Case No. 2297, to rezone Lot 8, NCB 11155 save and except the east 138' located southeast of the intersection of East Petaluma and Pleasanton Road from "B" Residence District to "JJ" Commercial District; and the east 138' of Lot 8, NCB 11155, located on the south side of Petaluma Street 620' east of Pleasanton Road from "B" Residence District to "D" Apartment District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Dr. Parker, seconded by Mr. Jones, the recommendation of the Planning Commission was passed and approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,970

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 8, NCB 11155 SAVE AND EXCEPT THE EAST 138' FROM "B" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT AND THE EAST 138' OF LOT 8, NCB 11155, FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

* * * * *

65-9 Next heard was Case No. 2303, to rezone Lots 5-11 inclusive, NCB 13102, located on the east side of Contesa Drive 64.45' south of Isom Road from "B" Residence District to "C" Residence District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Kaufman, seconded by Mr. Bremer, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

JAN 7 1965

AN ORDINANCE 32,971

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS

LOTS 1-11 INCLUSIVE, NCB 13102 FROM "B" RESIDENCE DISTRICT TO "C" RESIDENCE DISTRICT.

* * * * *

65-10 Next heard was Case No. 2305, to rezone Lots 1, 2 and 3, Blk 11, NCB 8965, located southeast of the intersection of Brighton Avenue and Commercial Avenue, from "B" Residence District to "F" Local Retail District.

The Assistant Planning Director explained the proposed change which was recommended by the Planning Commission because these people were displaced by Urban Renewal Project No. 1, and felt that it was up to the Commission and the City Council to afford the applicant relief. He gave the Planning Staff's observations and it's recommendation that the application be denied.

The Council reviewed the commercial operations along Commercial Avenue and after consideration, on motion of Mr. Gatti, seconded by Mr. de la Garza, the recommendation of the Planning Commission was approved by passage of the following ordinance, the vote being as follows: AYES: All, NAYS: None, ABSENT: None.

AN ORDINANCE 32,972

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2 AND 3, BLK 11, NCB 8965 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

* * * * *

65-11 Next heard was Case No. 2317, to rezone Lots 5 and 6 except Southeast 10', Blk 1, NCB 2782, located northwest of the intersection of Illg Avenue and Nogalitos Street, from "F" Local Retail District to "J" Commercial District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Bremer, seconded by Mr. Padilla, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,973

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 5 AND 6 EXCEPT SOUTHEAST 10', BLK 1, NCB 2782 FROM "F" LOCAL RETAIL DISTRICT TO "J" COMMERCIAL DISTRICT.

* * * * *

65-12 Next case heard was Case No. 2320, to rezone Lot G, NCB 10779, located on the west side of South W. W. White Road 178' north of Theis Drive from "A" Residence District to "JJ" Commercial District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Gatti, seconded by Mr. de la Garza, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,974

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT G, NCB 10779 FROM "A" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

* * * * *

65-13 Next heard was Case No. 2323, to rezone Lots 17 and 18, Blk 3, NCB 7303 located southwest of the intersection of Melrose Place and Main Avenue from "B" Residence District to "D" Apartment District.

The Assistant Planning Director explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Dr. Parker, seconded by Mr. Jones, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,975

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 17 AND 18, BLK 3, NCB 7303 FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

* * * * *

65-22 Next heard was Case No. 2302, to rezone Lot 12, NCB 9552, located southwest of the intersection of Nebraska Street and Aurelia Street from "B" Residence District to "F" Local Retail District.

Assistant Planning Director Burt Lawrence explained that the Planning Commission recommended that this request for change of zone be denied by the City Council.

Mr. George Bailey, the applicant and owner of the property stated he could not rent the property as a residence and wanted to rent it for a store if it can be rezoned. He pointed out that this property is across the street from a barber shop and cleaning shop and his home was adjacent to the property in question.

He stated at the time he purchased the property a lady was operating a commissary at that location.

After consideration of the matter it was felt that the school district had not been notified concerning this change and the Council expressed a desire to make a personal inspection of the property before taking action.

On motion of Mr. de la Garza, seconded by Mr. Jones, Case No. 2302 was postponed for two weeks to January 21, 1965. The motion carried by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

65-14 The following ordinances were explained by Public Works Director Sam Granata, and on motion made and duly seconded were passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Kaufman.

AN ORDINANCE 32,976

ACCEPTING THE LOW BID OF R. E. STROUD DBA UTILITY COMPANY FOR RELOCATION OF SANITARY SEWERS ON LOOP 13, FROM SOUTH FLORES TO QUINTARD STREET; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SUCH WORK; APPROPRIATING THE SUM OF \$13,208.11 OUT OF SEWER REVENUE FUND NO. 204-02 PAYABLE TO R. E. STROUD DBA UTILITY COMPANY, FOR SAID WORK; AND APPROPRIATING FROM THE SAME FUND THE SUM OF \$500.00 TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT FOR THIS PROJECT, AND THE SUM OF \$200.00 TO BE USED AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT.

* * * * *

65-15

AN ORDINANCE 32,977

ACCEPTING THE LOW BID OF KILLIAN-HOUSE CO. FOR CONSTRUCTION OF BURKEDALE PAVING PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR' APPROPRIATING THE SUM OF \$267,579.81 OUT OF STREET IMPROVEMENT BONDS, 1964, FUND NO. 489-01, PAYABLE TO KILLIAN-HOUSE CO.; APPROPRIATING \$8,000.00 OUT OF THE SAME FUND AS A CONSTRUCTION CONTINGENCY ACCOUNT; \$2,000.00 AS A MISCELLANEOUS ACCOUNT, AND \$2,507.50 PAYABLE TO R. MARVIN SHIPMAN & CO. FOR ENGINEERING SERVICES.

* * * * *

65-16 The following ordinance was read and on motion of Mr. Bremer, seconded by Dr. Parker, was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,978

AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE REFUND OF \$338.14 TO THE ALAMO SAVINGS & LOAN ASSOCIATION DUE TO DOUBLEPAYMENT OF TAXES.

* * * * *

65-17 Mr. Leonardo Ramos, a union worker on strike at the Friedrich Refrigeration plant, and speaking as citizen, asked the City Council to do what it can to prevent any further deterioration of the situation and as political leaders of the City to help break the deadlock in negotiations.

Mayor McAllister stated that the Council was impressed with his presentation and as political leaders of the City, the members of the Council will do what they can but it will have to be on a strictly voluntary basis.

65-17 Mr. Eddie Alejandro, 203 Emerson, presented the Council recommendations from an interested group of private citizens to encourage additional official support for the San Antonio Police Department and its officers.

Recommendations made are as follows:

1. That the San Antonio Police Department consider the possibility of establishing an "apprentice system" within the organizational framework of the department in order to make available "junior officers" that could be utilized to establish a two-man police patrol system.
2. That stronger legal support be established so that police officers will not have the seemingly apparent hesitancy to arrest or question persons involved in questionable activities.

He concluded by stating it is the earnest opinion of the persons submitting this paper that many of the occurrences which take place in our city which often result in tragedy, are brought about by the lack of "preventive law enforcement." We are perfectly aware of the dangers of "false arrest," harrassment, etc.; however, we feel that there is definitely room for "vigilance" in the same sense and with the same discretion as used by the early settlers of our country.

Mayor McAllister informed him that the Texas Municipal League had appointed a Committee of 10 which met with Governor Connally and discussed specific items and proposals to improve the situation, but he did not know if they have the answers or whether the Legislature will act favorably on them.

The Mayor thanked him for the thoughtful presentation and stated the Council appreciates the citizens interest in this matter which is indicative that other citizens are also concerned with the problem.

65-17 Mayor McAllister stated he would like to make a public statement concerning his participation in the so called Olmos Park sewer controversy. It is as follows: "I received a phone call; I was out of the City after Christmas, and I received a phone call from Mr. Schnabel, asking if I would have luncheon with him and a number of the citizens of Olmos Park on Saturday and I agreed to do so. He asked if I would bring Mr. Shelley, and I said I would try to get him if he is available, I'm sure he will be glad to come. Well, Mr. Shelley did come and we had a luncheon at which were present besides Mr. Schnabel, Henry Hart and Mr. John Kape, who you might say represents the affairs of the Bexar Water Improvement District which is the District that serves Olmos Park. Also present were Mr. Arley Knight, who is their attorney, Mr. A. C. Sien, who is a member of the City Council of Olmos Park.

A discussion was started and introduced by Mr. Schnabel, and then I was asked to make a statement. I said I came there because I wanted them to know that I was perfectly willing to discuss any possible change, or hear anything that they might have to say.

JAN 7 1965

Mr. Hart brought up the point that since Olmos Park is paying 40¢ on a \$100.00 valuation and that collection had been made originally on the basis of the County valuation, but because the County valuation was low, they now used the City of Olmos Park valuations. The City was already collecting \$1.20 per \$100.00 valuation. He said it is difficult for them to raise enough money

to meet their needs to take care of replacement of the sewer system as from time to time needed. They had originally built up a reserve of about \$40,000.00 and this had been reduced by expenditures to some \$28,000.00 or \$29,000.00. Consequently he suggested that the roughly proposed \$20,000.00 a year charge that the City of San Antonio has agreed to make, and it has been agreed to in the 18-month contract, be changed so that for 2 years the payment to be made will be \$10,000.00, approximately; and for the next two years, \$15,000.00, approximately; and thereafter \$20,000.00.

I stated that although I couldn't discuss the actual basis of the charge, I could say very positively that the City of San Antonio could not and would not make a better rate for Olmos Park than was being charged by the City of San Antonio to other suburban areas; and if that was the case, there wasn't any use in discussing this particular phase of the matter. I asked "Now what really is important in that contract that you would like to have changed?" I don't recall just who, but one of the Olmos Park citizens that was present made the statement that they didn't like the 18-month contract. They wanted a contract that would run for a longer period of time - 5 years or 10 years. Mr. Schnabel said that instead of having it for 10 years, it ought to be for 15 or 20 years. I said in response that I was willing to recommend to the Council that we enter into a 20 year contract with Olmos Park, but not lowering or changing the rates. I said if any man there could tell me what the buying power of the dollar is going to be two years hence, or 5 or 10 or 15 or 20 years hence, he has an omniscience that I haven't been able to find anywhere else.

There is only one way to do a thing of that kind fairly, and I pointed out that the sewer rate charges of the citizens of San Antonio is not a contract for a period of time and if the City Council found it necessary to increase the rate tomorrow, they could do so. As from time to time the purchasing power of the dollar is decreased it might become necessary for us to increase our sewer charge to the citizens of San Antonio. So I said the only fair way to do it is to tie this contract into some standard that is recognized nationally, that can be used as a definitive of the changing purchasing power of the dollar. My suggestion would be the Cost of Living Index as prepared by the Bureau of Labor and publicized from time to time. I suggested that changes in rates be made whenever there is as much as a ten per cent variance in the purchasing power of the dollar, but in any event, at the end of each five year period. That seemed to be acceptable to the citizens from Olmos Park who were there.

Bear in mind that this was just an informal discussion. I wouldn't say for one minute that they were representing their respective political entities of the Water District or the City of Olmos Park. They were all officials of the City of Olmos Park and of the Water District. So I said, "Now what do you want me to do?" Out of that came the suggestion that I poll our Council to determine what the Council's attitude would be in regard to my suggestion, and to advise them. So Monday I proceeded to poll the Council, and I found that the Council was unanimously in favor of a contract of this kind because it would be in line with the contracts we have with the other outlying municipalities, and because it would be fair. I promptly informed Mr. Sien to that effect.

Now there has been several discussions as to what different people have said in the paper and I just wanted to make this statement as being a statement as to what transpired. Since there has been some comment in regard to the City of San Antonio's desire to get Olmos Park in an embarrassing

JAN 7 1965

-10-

position, and perhaps demand a more onerous contract, I should like to have the Council, again, reconfirm our willingness to enter into a contract with Olmos Park on the basis of the present contract, except that it be amended or a new contract written so as to cover such period as they desire it, not to exceed 20 years; and that there be included in the contract a clause which would take care of the varying, changing purchasing power of the dollar. If there would be a decrease of as much as 10 per cent in the purchase power of the dollar, that the City of San Antonio would have the right, under that contract to increase the rate accordingly; and that the present factor, the present standard of the purchasing power of the dollar be the one to be considered as base. When I say that, I mean that my recollection is that it is the dollar of 1957 that is now the base. That standard has been changed at times by the Department of Labor and if per chance it should be changed later on, the contract would still be considered on the basis of the purchasing power of the dollar today. I would be glad to have any member of the Council express themselves with regard to it, as I stated, if they feel this proposal is "right and fair."

Councilman George de la Garza stated that the Mayor's proposition is a very good one and made a motion that such a contract be offered to the Town of Olmos Park. Councilman Kaufman seconded the motion.

Mr. Kaufman then made the following statement: "In line with what you said, I think there is one point which has not been given sufficient notoriety, and that is the reason that the City of San Antonio feels the amount we have charged is a fair charge. I think the only publicity that has been given is the fact that the charge is $4\frac{1}{2}$ times what it was in 1934. I think anybody who would think about it a minute would realize that everything else we pay for is at least $4\frac{1}{2}$ times what it was in 1934. I haven't seen the figures, but I would imagine the figures - the cost of labor, the cost of the materials that go into these things and the cost of furnishing this sort of service - has gone up at least $4\frac{1}{2}$ times since 1934. It should be pointed out that the City is not intending to recoup the difference between what the actual cost was and what we received in those 30 years, but we are attempting to put the price now on a fair basis consistent with the cost of the supplying service."

Councilman Bremer then stated there is one other point, and that is what the cost of the service is for the average residence of that section of 600 some odd homes, which is \$2.00 per month, and that is the total charge the City will get.

City Manager Shelley then stated that the sewer service charge to the citizens in San Antonio, as determined by the Council, is set to arrive at a sum with which the City can do a capital improvement program within a ten year period. Also, the operating and maintenance costs of our sewer system is paid on the tax rate of approximately 9 to 10¢, which is in addition to the sewer service charge paid by citizens of San Antonio.

Mayor McAllister pointed out that the sewer charge that we are now paying is not a full and complete charge and does not cover the total cost of that operation. If the overall operation is to be considered, we would add an additional 9 to 10¢ out of our tax rate to pay the overhead of other expenses in connection with the sewer operation.

The question was called, and on roll call, the motion prevailed by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

JAN 7 1964

65-18 Mayor McAllister announced the Council had one other item of business, a sad item of business to reach and turned the floor over to Councilman de la Garza.

Councilman de la Garza made the following statement: "Mr. Mayor, Chairman of the Council, fellow Council members and fellow citizens. When I decided that I should resign from the Council last week or two weeks ago, the City Manager said "Well, are you going to give us a resignation in writing or something?" I said "Yes, that's what I will do." However, when I got to thinking about it I just thought I would make my resignation oral. I want to thank all of the people of San Antonio who have voted for me. I want you to know that I am proud of all the citizens of San Antonio. Whether they voted for me or not, it makes no difference, I want you to know that I am proud of every Democrat; that I am proud of all the Republicans, and I am proud of every Independent. I'm just proud of San Antonio, and I'm proud of the way San Antonio is going along. I want to thank them for having given me the privilege of serving.

Next I want to thank the Good Government League that gave me the opportunity to run with the Council and I want to thank all of you who were willing to accept me as a running mate.

Mr. Shelley, your staff and your two secretaries, I want you to know that they are absolutely tops. They will tell you that I call them sometimes as many as four or five times a day about different things that have come up and everyone of them, for 4½ years have been absolutely wonderful to me. Incidentally, I want you gentlemen to know that I am particularly proud of every employee that works for the City of San Antonio, and I am talking of the manager down to the lowest paid laborer, and God knows that everybody is underpaid. I wish somehow something could be done about that.

The next thing I want to say is that as I go out, I am asking you, Mr. Mayor, and you gentlemen of the Council, and you, Mrs. Cockrell, to please continue on the Council, and run for re-election and continue this wonderful program of progress that we started ten or twelve years ago. I don't think that ever before, that San Antonio had progressed so marvelously, and I feel that the leadership of a man, even if he is a Republican, his leadership has been something that has pulled San Antonio together when it needed pulling together. Everyone of the Councilmen serving with him is happy with him. The newspapers, most of the time, give the Mayor credit for practically everything that is done, but the Mayor knows, and I know, and all the other Councilmen know, that he is our leader, and most of the things that he has come out with is a decision that has been taken by the Council. When it hasn't been that way, the Mayor has said "this is my opinion, and does not necessarily reflect the opinion of the Council at this time." That's the kind of a guy he is and that's the kind of a guy that we need in San Antonio to keep San Antonio going. So, Mr. Mayor, I'm asking you to run "Otra Vez" which means in good old Latin - Spanish, "one more time."

Thanks a million, and I hereby tender my resignation as Councilman, Place No. 2, effective immediately."

Mayor McAllister read the following resolution which he asked the Council to pass:

JAN 7 1965

197

A RESOLUTION

ACCEPTING WITH REGRET THE RESIGNATION OF
COUNCILMAN GEORGE DE LA GARZA, AND EXPRESSING
APPRECIATION FOR HIS SERVICES TO THE COMMUNITY.

* * * * *

WHEREAS, Councilman George de la Garza, has submitted his resignation as a member of the City Council, Place No. 2, and

WHEREAS, his retirement from public office marks many years of outstanding service to the City of San Antonio beginning on June 30, 1949, when he was appointed a member of the Municipal Advertising Commission, then from January 24, 1952 to May 14, 1953, he served on the Planning Commission; on May 2, 1955, he was appointed a member of the Board of Adjustment and served until June 2, 1960, when he was chosen by the City Council to serve as Councilman, Place No. 2. In 1961 he was elected to the position and in 1963 he was re-elected, and at the time of his voluntary retirement, was the senior member of the City Council. In addition, he represented the City Council as a member of the Board of Firemen, Policemen, and Fire Alarm Operators Pension Fund, and

WHEREAS, Councilman de la Garza has taken part in countless civic affairs during his many years of public service and has always shown an interest and concern for the progress and welfare of the community and all its citizens, and merits the appreciation of a grateful city, NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

The resignation of Mr. George de la Garza as Councilman, Place No. 2, is hereby accepted with regret.

The City Council, on behalf of its members, the officials and employees of the City of San Antonio and the citizens of this community, do hereby express to Councilman George de la Garza sincere and profound appreciation and thanks for his many years of faithful service during which time he gave unstintingly of his talents, of his time and unselfish efforts, all of which has contributed greatly to the progress and welfare of the community.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent records of the City, and a citation, signed by the Mayor and attested by the City Clerk, be presented to The Honorable George de la Garza.

PASSED AND APPROVED this 7th day of January, 1965.

/s/ W. W. McAllister
Mayor

Attest: /s/ J. H. Inselmann
City Clerk

JAN 7 1964

Mayor McAllister then presented Mr. de la Garza with a citation expressing appreciation for his service and on behalf of the Council wished him God speed and best wishes in everything he does and hoped for his continued interest in the welfare of San Antonio.

City Manager Shelley then made the following statement: "George, and I am going to call you George rather than Councilman, if I may, Sir. I would like to make a statement to you on behalf of all the City employees. Let me say that we certainly appreciate the nice comments that you have made here this morning and I think I can truthfully say on behalf of all of them,

that you will be missed. We, I know, have all gained by knowing you this number of years you have served on various Boards, Commissions and Council of this City, and we wish you well in years to come."

65-19 The Mayor then announced there is a vacancy on the Council, and asked the pleasure of the Council.

The Clerk was asked to read the following ordinance:

AN ORDINANCE 32,979

APPOINTING DR. HERBERT CALDERON A MEMBER OF THE CITY COUNCIL, PLACE NO.2.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. Dr. Herbert Calderon is hereby appointed a member of the City Council, Place No. 2, to fill the vacancy created by the resignation of George de la Garza.

Section 2. An emergency exists for the immediate preservation of the public peace, property, health, welfare, and safety, requiring that this ordinance become effective immediately; therefore, upon passage, this ordinance by an affirmative vote of six (6) members of the City Council, shall be effective from and after the date of its passage as provided by the Charter of the City of San Antonio.

PASSED AND APPROVED this 7th day of January, 1965.

/s/ W. W. McALLISTER
Mayor

ATTEST: /s/ J. H. Inselmann
City Clerk

APPROVED AS TO FORM: /s/ Sam S. Wolf
City Attorney

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

Dr. Calderon, who was present, was asked to come forward and introduce his family. Dr. Calderon introduced his wife, his Mother Mrs. Maria Calderon, his Sisters Miss Olga Calderon and Miss Mary Calderon.

City Clerk J. H. Inselmann then administered the Oath of Office and Dr. Calderon took the chair of Councilman, Place No. 2.

Dr. Calderon then asked to say a few words and made the following statement: "Actually, when you are sitting here looking out, it is difficult to say much. Days were when I would have had many ideas of what we would like to accomplish, once we would become part of the City. But as I sit here feeling the full weight of the responsibility on me, I feel very cautious about what I might say, because there are many things that have to be considered as a part of this body. The very factors that must be considered, that must be weighed, we can only hasten to hear what we would like to accomplish. We must superimpose our ideas on the realities that

are before us. I will do my best to assume this responsibility, however heavy it may be, and I hope that in short time I might contribute my fair share to the responsibilities that are imposed on this Council."

Mayor McAllister stated the following: " I just want to say that your statement, Dr. Calderon, is a very good initiation and a very good start on the City Council. Our Council is a friendly Council. We have one common objective - the welfare and benefit of San Antonio. Our Council is not a rubber stamp Council. Each member expresses his opinion. We try to be well informed so that all of us can make better decisions, if we are privileged to have enough information. In other words, we all have better judgment than we exercise, and the reason we don't exercise better judgment is because we don't take the time and the patience, or the interest, to get sufficient information to balance the pros and cons. Consequently, our Council has endeavored to do that, and we like everyone to express his opinion. Then when we have discussed the matter in an informal way, we come forward with the calm conclusion of what is better for the City of San Antonio. Because that process is followed, some people felt that the Council doesn't have differences of opinion. Let me say to you that if any member of this Council has an opinion that is contrary to the majority opinion, it is his privilege and his duty to express himself in that way. That opposition is accepted in the spirit in which it is offered. We welcome you to our group and we are glad to have you share in the responsibilities. As you are present this morning, you can well judge that it isn't always a simple job. Sometimes we just inwardly give a prayer and ask that we be permitted to have the judgment of Solomon in making the decisions that have to be made."

65-20 The Clerk read the following letter:

January 7, 1965

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

Gentlemen and Madam:

The following petition was received and forwarded to the Office of the City Manager for investigation and report to the City Council.

1-4-65 Petition of Mrs. E. L. Rodriguez, et al , 1706 South Navidad, requesting the City to take steps to correct the practice of the Veg-Pak Company of depositing waste in the sewer lines which cause the sewers to overflow out of the manholes and even up into the bathrooms.

Sincerely yours,

/s/ J. H. Inselmann
City Clerk

65-21 The City Manager made the following reports on petitions in which the Council concurred.

JAN 7 1965

JAN 7 1965

64-477 Petitions of Mr. Remigo Valdez, et al, requesting traffic signal lights at the intersections of Laredo and S. W. 19th Streets, Ceralvo and South Zarzamora, and Ceralvo and S. W. 19th Streets; and requesting Mama Patrol at the intersection of Laredo and S. W. 19th Streets.

The traffic Department has investigated the request for traffic signals at the following locations:

- 1) South Zarzamora and Ceralvo
- 2) Ceralvo and S. W. 19th
- 3) South Laredo and S. W. 19th (also requested school crossing guard at South Laredo and S. W. 19th).

The Traffic Department reports after investigation that a traffic signal is warranted at the intersection of South Zarzamora and Ceralvo. This light will be authorized from existing funds.

An accurate study of the intersection of Ceralvo and S. W. 19th, and South Laredo and S. W. 19th cannot be made at this time to construction presently on 19th Street. These intersections will be studied as soon as the construction is completed and at a time when school is in session so that all the facts may be obtained. The Accident Prevention Bureau of the Police Department supervises the school crossing guards and they have been contacted with reference to the request for crossing guard at South Laredo and S. W. 19th. The findings indicate that the number of students and the traffic conditions do justify guard service. Since this is an off-set intersection; however, it would be virtually impossible for one guard to provide adequate service, and therefore, two guards would be needed. All presently authorized guard positions are being utilized and it is, therefore, recommended that the Council give consideration to authorizing two additional guard positions in order to properly protect the youngsters at this intersection.

64-478 Petition of Rips Pipe and Supply Company to put a 2700' chain link fence 7' high around a tract of property of approximately eight acres on Rittiman Road bordered by the MKT Railroad team track.

Our investigation reveals that the granting of this permit would be in order and so recommends. If Council concurs, we will have an ordinance prepared for next week's agenda.

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

A P P R O V E D :

W. McAllister
M A Y O R

ATTEST: *J. H. Inselmann*
City Clerk

JAN 7 1965