

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 3, 1969, 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, BURKE, JAMES, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; ABSENT: None.

69-30 The invocation was given by Dr. Herbert Calderon.

69-30 The minutes of the regular meeting held on June 26, 1969 were approved.

69-30 The Clerk read the following Ordinance:

AN ORDINANCE 37,624

AUTHORIZING A CONTRACT WITH MARIO F. GONZALEZ, FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE CONSTRUCTION OF THE EAST SIDE HEALTH CLINIC.

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Assistant City Manager Ancil Douthit explained that the contract will have a provision that if the project is not funded, no money will be payed to him.

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

69-30 The Clerk read the following Ordinance:

AN ORDINANCE 37,625

AUTHORIZING A CONTRACT WITH PAPE-DAWSON, CONSULTING ENGINEERS, TO FURNISH ENGINEERING SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF A SANITARY SEWER SYSTEM IN AIRPORT PARK SUBDIVISION AND APPROPRIATING \$4,500.00 OUT OF SEWER REVENUE FUND NO. 204 PAYABLE TO SAID ENGINEERS.

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Public Works Director Sam Granata, explained that the project is for 4,000 feet of eight-inch sewer main with 1675 feet of stub outs and a lift station. Estimated cost is \$52,000.00. The project will tie into the existing City sewer on San Pedro.

On motion of Mr. Hill seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: McALLISTER, CALDERON, BURKE, JAMES, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; NAYS: None; ABSENT: None.

69-30 The Clerk read the following Ordinance:

AN ORDINANCE 37,626

DETERMINING THAT THE PREMISES LOCATED AT 218 FERRIS 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 Vann, Director of Housing and Inspections, stated that the property is owned by Mr. and Mrs. Gaston Washington and they were advised of the hearing this morning by certified mail.

He stated this is a one-story, wooden burned out residence. He reviewed the efforts to try to have the nuisance abated and recommended that the Council declare the premises to be a nuisance under the dangerous premises ordinance.

Neither the owner or representative was present for the hearing.

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

69-30 The Clerk read the following Ordinance:

AN ORDINANCE 37,627

AMENDING CERTAIN DEFINITIONS AND REPORTING SECTIONS OF THE CITY HOTEL OCCUPANCY TAX ORDINANCE AND PROVIDING FOR A FINE NOT EXCEEDING \$200.00 FOR VIOLATIONS.

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Mr. Wally Hall, Director of the Convention Bureau, explained that the proposed amendments provide for a change in the method of payment of the tax to the City from monthly to quarterly payments.

This has been suggested by the Hotel and Motel Association and recommended by the Convention Bureau Advisory Committee. These changes were made for reporting on the same schedule as the State and City Sales Tax.

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

69-30 The Clerk read the following Ordinance:

AN ORDINANCE 37,628

APPROVING A COMPREHENSIVE CITY DEMONSTRATION PROGRAM, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE UNITED STATES OF AMERICA.

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Alfred Rodriguez: Some weeks ago we presented to the Council a resolution requesting your authority to submit twenty-two projects of the Model Cities Program to HUD for consideration of funding our program. Of these twenty-two, seventeen were returned approved for a total of approximately 6.5 million dollars with a letter concurring that they are willing to enter into a contract with the City of San Antonio for 9.5 million dollars. Your approval of these seventeen projects allows the City of San Antonio to enter into a contract with HUD so we may thus draw on a letter of credit basis the funds necessary to fund these seventeen projects. The projects are yet to be approved along with their sponsors on a project by project basis by both our Board and City Council.

Any major revision to the project budget would require approval by HUD.

Councilwoman Mrs. Lila Cockrell: May I ask a question about this? The difference between the amount of money that these projects would assume to take, in other words six million, and the nine million that was approved, how is that to be accounted for?

Mr. Rodriguez: We are asking a joint meeting between our Board and the City Council to determine the priority of the balance of the projects that are in the document to take up the difference of the three million dollars. This will then, on project by project basis be submitted for consideration on an addendum basis to the original contracts.

Councilman Pete Torres, Jr.: These are all under the first year action program. Is that correct?

Mr. Rodriguez: That's correct.

Mr. Torres: I see. So you say that out of twenty-two of the first year action program seventeen were approved?

Mr. Rodriguez: Twenty-two that were submitted for funding, seventeen were approved, but there are approximately 68 projects that we had total in our document for the first year.

Councilman Dr. D. Ford Nielsen: What is the status of the remaining five? Were they turned down by HUD?

Mr. Rodriguez: We have not received their rationale for not approving them. As soon as we do, we will then make the necessary changes.

Dr. Nielsen: So some of the other the other three million could be, or all of it could be used by these remaining five?

Mr. Rodriguez: No, the budget for those remaining five don't total up to that. The five total up to about a million and a half.

Mr. Torres: So then what this amounts to is strictly just the authorization to go into a contract with HUD?

Mr. Rodriguez: That's correct, sir.

Mr. Torres: What do we do when we authorize

Mr. Rodriguez: We have to submit our plans for approval. Their method of operation is that after they approve your plan they send a blank contract to the City with the instructions for the completion of that contract. When you do what they ask for, you submit that back to HUD, the regional office, not to Romney, and they then sign the contract with the stipulations that have been included.

Mr. Torres: The ordinance that we have here, and I haven't seen the ordinance; have you seen it?

Mr. Rodriguez: Yes sir.

Mr. Torres: It doesn't refer to a sponsor or to a specific program. Is that correct?

Mr. Rodriguez: It refers to the seventeen projects that they have approved. It does not refer to the sponsorship of those projects.

Mr. Torres: This does have to come before the Council at such time as your CPPC decides.

Assistant City Manager Ancil Douthit: I might add one thing. The ordinance does reserve the right to the City to add to, delete, or come back for further recommendations on the project.

Mrs. Cockrell: I move the adoption of the ordinance.

Dr. Nielsen: I second the motion.

On roll call the motion prevailed and the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-30 The following Ordinance was read by the Clerk:

AN ORDINANCE 37,629

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE REPUBLIC OF MEXICO, FOR USE OF THE MEXICAN PAVILION AT HEMISFAIR PLAZA FOR TWO MONTHS, FREE OF RENTAL, FOR A MEXICAN ART EXHIBITION.

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Mr. Bill Lindquist, Assistant Director of Municipal Facilities, explained that this was a temporary lease with the Mexican Government for a two month's period beginning July 16. There will be no rental charge but the Mexican Government will bear all costs in connection with the Art Exhibit including utility charges and maintenance charges. The exhibit will be opened to the public and no admission charge will be made.

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

69-30 ZONING HEARING:

a. First heard was Zoning Case 3549 to rezone Lot 10, Blk. 2, NCB 3244 from "B" Duplex Residential District to "B-3" Business District located on the west side of Louise Street, 187' south of W. Summit Avenue, having 162.94' on Louise Street and a maximum depth of 138.5'.

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

No one spoke in opposition.

Mr. Hill made a motion that the recommendation of the Planning Commission be approved subject to a six-foot solid screen fence being erected along the North side of the property. The motion was seconded by Mr. Trevino. On roll call, the motion carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,630

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 10, BLK. 2, NCB 3244 FROM "B" DUPLEX RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, SUBJECT TO THE ERECTION OF A 6' SOLID SCREEN FENCE ALONG THE NORTH PROPERTY LINE.

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b. Next heard was Zoning Case 3617 to rezone Lot 64, NCB 11883 from "A" Single Family Residential District to "0-1" Office District located on the south side of Sunset Road, 362.20' west of Everest Street, having 100.73' on Sunset Road and a maximum depth of 241.05'.

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

No one spoke in opposition.

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

AN ORDINANCE 37,631

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 64, NCB 11883 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "0-1" OFFICE DISTRICT.

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c. Next heard was Zoning Case 3623 to rezone Lot 156, NCB 11178 from "B" Duplex Residential District to "I-1" Light Industry District located on the east side of Roosevelt Avenue, 209.7' south of the cutback of S. E. Military Drive, having 185.0' on Roosevelt Avenue and a depth of 300.38'.

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

No one spoke in opposition.

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

AN ORDINANCE 37,632

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 156, NCB 11178 FROM "B" DUPLEX RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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d. Next heard was Zoning Case 3634 S. R. to rezone Lot 31, NCB 8084 from "B" Duplex Residential District to "I-2" Heavy Industry for the sales and storage of surplus aircraft parts and supplies located north of Dale Road between El Jardin Road and S. W. 36th Street, having 165.19' on Dale Road, 190' on El Jardin Road and 191.74' on S. W. 36th Street.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council is for the sales and storage of surplus aircraft parts and supplies.

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 passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill; NAYS: None ABSENT: Torres

AN ORDINANCE 37,633

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 31, NCB 8084 FROM "B" DUPLEX RESIDENTIAL DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT.

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e. Next heard was Zoning Case 3650 to rezone Lot 11, Blk. 2, NCB 11314 (3 acres) from "B" Duplex Residential District to "R-4" Mobile Home District located on the south side of Menefee Boulevard, 519.13' west of the intersection of Menefee Boulevard and the Highway 90 West Interchange, having 171.4' on Menefee Boulevard and a depth of 762.5'.

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

No one spoke in opposition.

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

AN ORDINANCE 37,634

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 11, BLK. 2, NCB 11314 (3 ACRES) FROM "B" DUPLEX RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT.

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f. Next heard was Zoning Case 3655 to rezone Lots 1 and 2, Blk. 5, NCB 14192 Lot 1, Blk. 6, NCB 14193 from "Temp A" Single Family District to "R-2" Duplex District Lots 1 and 2, Blk. 5, NCB 14192 are located north of the intersection of Fox Hollow Road and Broadway Street, having 143.85' on Fox Hollow Road and 120' on Broadway Street.

Lot 1, Blk. 6, NCB 14193 is located southeast of the intersection of Fox Hollow Road and Broadway Street, having 114.50' on Fox Hollow Road and 108.82' on Broadway Street.

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

No one spoke in opposition.

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

AN ORDINANCE 37,635

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 1 AND 2, BLK. 5 NCB 14192 LOT 1, BLK. 6, NCB 14193 FROM "TEMP. A" SINGLE FAMILY DISTRICT TO "R-2" DUPLEX DISTRICT.

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g. Next heard was Zoning Case 3662 to rezone Lot 24, NCB 11169 from "R-4" Mobile Home District to "B-3" Business District located on the east side of Roosevelt Avenue (U. S. Highway 281 South), 279.9' north of Rilling Road, having 98.3' on Roosevelt Avenue and a maximum depth of 1344'.

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

No one spoke in opposition.

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

AN ORDINANCE 37,636

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 24, NCB 11169 FROM "R-4" MOBILE HOME DISTRICT TO "B-3" BUSINESS DISTRICT.

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h. Last heard was Zoning Case 3624 to rezone Lot 1, Blk. 4, NCB 11770 from "A" Single Family Residential District to "R-2" Duplex District and Lot 2, 3, and 4, Blk. 4, NCB 11770 from "A" Single Family Residential District to "O-1" Office District located east of the intersection of Glencrest Drive and N. W. Loop 410, having 324.19' on N. W. Loop 410 and 130.12' on Glencrest Drive. The "O-1" Office District being on the Northeast 240' and the "R-2" Duplex District being on the remaining portion.

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

Mr. Richard Weil, applicant, stated the property has been vacant for fifteen years and is not suitable for residences. He planned to build a duplex on Lot 1 and offices on Lots 2, 3, and 4. He said the change is recommended by the Planning Commission and the people closest to the property are in agreement to the zoning change. He proposed to install a privacy fence along the rear of the property. Access would be through the alley to the east of the property. The offices would be a of a residence type building with parking in front of the structure.

Opposed to the change in zone were Mr. & Mrs. Harry A. Rank, 346 E. Crestline Drive, Mr. Michael F. Fox, 343 Crestline Drive, Mrs. Ralph Pena, 402 Crestline Drive. They felt it would reduce property values, would increase traffic in the area because of inadequate access to the property in question and felt it could be developed for residences.

A protest petition was filed at the previous hearing on this case on June 5, 1969. It was found to be sufficient which would require seven affirmative votes of the Council to rezone the property. At that time Mr. Weil stated that three of the signers of the petition had advised him that they were not against the rezoning of the property.

Action on this case was postponed for four weeks so that Mr. Weil could obtain statements from the petitioners withdrawing their names from the petition. The withdrawal statements were not filed and the status of the petition remained sufficient requiring seven affirmative votes to rezone the property.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved and the property rezoned. The motion was seconded by Mr. Torres. On roll call the motion failed by the following vote: AYES: Burke, Nielsen, Trevino, Hill, Torres; NAYS: McAllister, Calderon, James, Cockrell; ABSENT: None.

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69-30 Mr. Rafael Brown, representing the Department of State and group leader for a distinguished delegation of high ranking officials from Latin American Countries who are visiting San Antonio as guests of the U. S. Departments of State and Labor as an international manpower study group, paid a goodwill visit to the City Council.

Mr. Brown then introduced the following dignitaries:

Mr. Wellington Brasileiro, Brazil, Superintendent, Division of Studies and Research, Department of Education and Culture of North East

Maria A. Monteiro dos Reis & Aidil Sampaio, Secretary for the Division of Human Resources of Sudan, Brazil

Fabio Bustos O., Colombia, Research Coordinator for Health Manpower, Colombian Association of Medical Schools

Alfonso Delgadillo Para, Colombia, Chief of Planning Division of University of Caldes, Advisor to Colombian Government

G. Jaime Orozoo C., Colombia, Director of Human Resources, Division of National Training and Apprenticeship Service

Jose Granados Grullon, Dominican Republic, Coordinator of Macroanalysis in the Technical Secretariat the President

Jose Antonio Alfaro Castro, El Salvador, Chief of Manpower Division of National Office of Training and Apprenticeship

Zadie Claire Harrison, Jamica, Assistant to Secretary for Manpower Research

Rodolfo Chena, Mexico, Chief of Economic Information Office and Extension Services for the National Institute for Agricultural Research

Carrol Pallais Sanchez, Nicaragua, Chief of Social Welfare Office, Ministry of Labor

Orlando Caidedo, Panama, Chief, Manpower Education Planner of the Planning Division of the Office of the President

Carlos de Icaza, Panama, Director of the Manpower Department, Ministry of Labor and Social Welfare

Rachel E. Fidelino, Philippines, Chief Executive Assistant to the Secretary of the Department of Labor

Felix Soublette Ruiz, Venezuela, Chief Economist, Division of Manpower, National Institute of Education and Cooperation.

Mayor McAllister welcomed the group to City Hall and expressed best wishes for a most enjoyable visit in San Antonio.

69-30 The Clerk read the following ordinance and on motion of Mr. Hill, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 37,637

AUTHORIZING ALAMO FIREWORKS, INC. OF SAN ANTONIO TO CONDUCT A FIREWORKS DISPLAY ON JULY 3, 1969 ON THE WEST PORTION OF THE PARKING LOT IN THE REAR OF CENTRAL PARK MALL.

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69-30 The Clerk read the following ordinance.

AN ORDINANCE 37,638

APPROVING THE TERMS AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF LOTS 4 AND 5, NEW CITY BLOCK 13416, LOCATED WITHIN CENTRAL WEST AREA, PROJECT I, TEX. R-39, TO OSCAR E. GUTIERREZ FOR THE SUM OF \$155,000.00.

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Mr. Bill Toudouze, representing the Urban Renewal Agency, stated that bids were taken and this represents the high bid. The purchasers propose to build a private 150 bed hospital which will employ 205 people and will have five resident doctors. Parking will meet City Code and Urban Renewal Agency requirements. The property is located on Dolorosa, San Saba and Nueva Streets. The Urban Renewal Agency passed a resolution accepting the bid and recommended that the City Council approve the sale.

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

69-30 BELLE EAST URBAN RENEWAL PROJECT

Councilman James inquired as to the status of the Belle East Urban Renewal Project.

Mr. M. Winston Martin, Executive Director of the Urban Renewal Agency, advised that he understood that the project has been approved. Financing for 1969 has all been committed and there are no funds for this project. He hoped that it will be funded as one of the new projects in the 1970 budget year.

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There is a possibility that if the Model Cities area is amended Belle East could be included in that program.

69-30 HEMISFAIR LAWSUIT

Councilman Torres brought up his memorandum to the City Council concerning the HemisFair lawsuit which was discussed.

City Attorney Howard Walker stated that it was not adviseable to discuss this matter at this time because judgement has not been rendered and if adverse would be appealed by the City.

Councilman Torres then withdrew his questions and advised he would bring them up at a later date.

69-30 ANNEXATION

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

AN ORDINANCE 37,544

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 23.511 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Director of Planning, explained that the property to be annexed is known as Rolling Ridge Subdivision, Unit 5 and owned by Saunders-Trieschmann Development Corporation. The property is to be developed for single family residences and is located south of Loop 410 near Evers Road.

No one spoke in opposition.

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

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69-30 10:00 A.M. PUBLIC HEARING ON A PROPOSED NEIGHBORHOOD DEVELOPMENT PROGRAM KNOWN AS PROJECT TEX. A-8, AS PROPOSED BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO.

The purpose of the public hearing on Project Tex. A-8 is to consider a proposal by the Urban Renewal Agency of the City of San Antonio for the undertaking of studies and plans of the area to determine what appropriate Urban Renewal activities should be planned for said area; to acquire certain properties which are in slum and blighted conditions; to demolish and remove certain buildings and improvements which are in a slum condition; to establish certain rehabilitation standards for property in a deteriorating and blighted condition not to be acquired; to acquire land for and to install, construct and reconstruct certain streets, alleys, public ways, utilities and drainage areas and make other public improvements within the proposed area; to make land available after acquisition for certain public purposes, including improvement of drainage facilities; and also to make land available for redevelopment by private enterprises authorized by law.

Mr. Fred N. Pfeiffer, General Manager of the San Antonio River Authority and Member of the Board of the Citizens Participation Policy Committee of Model Cities reviewed for the Council the improvements to be made to the Apache Creek which is one of the top priority projects for development and rehabilitation in the Model Neighborhood area. Cost of the project is \$2,750,000 which will be paid out of Model Cities supplemental funds.

The project begins at South Trinity and extends along the creek bed past Commerce Street to West Travis Street where it will tie into a City drainage project. It is proposed to have the channel concrete lined with 3 to 1 side slopes for more efficient maintainance. There will be loop streets and cul-de-sacs to avoid having dead-end streets. Provision has been made for nine bridges.

Also proposed is a green area from Elmendorf Lake and Park to connect with Cassiano Park. This open area can be developed where people can walk and children can play, although it will not be a highly developed recreation area. The Elmendorf Lake will remain. A new dam will be built with retractable gates which can be opened during flood stage.

The United States Corp of Engineers will be paid 2.65% of its construction cost which funds will come from the supplemental fund of Model Cities and is included in the estimate of the project cost.

He stated that the CPPC had adopted a resolution on June 26 approving the Apache Creek Channel Improvement Project.

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Mr. William Marvel, a member of the Model Cities Staff and Program Coordinator for the Committee that handled the Apache Creek Project, stated that there was a great deal of citizen participation in developing this project. Involved and participating in the project have been the San Antonio Traffic Department, State Highway Department, U. S. Army Corp of Engineers, HUD, San Antonio Independent School District, San Antonio Police Department, the Public Works Department and others making a total of twenty-five agencies that have helped coordinate the program.

Mr. M. Winston Martin, Executive Director of the Urban Renewal Agency, stated that the Model Cities Department approached the Urban Renewal Agency with the idea that if funds are made available from the supplemental funds the Urban Renewal Agency could provide the services to the people that would be displaced by the acquisition of right of way; find housing in an area they wish to relocate to, and to provide funds to make this move and help them accomplish the relocation. In addition the Urban Renewal Agency would buy the right of way necessary to carry out the park plan as part of the drainage program. This then developed into the Model Cities Project Tex. A-8 Neighborhood Development Program on which the hearing is being held today.

Mr. Martin informed the Council that as part of this program one piece of property in the first Urban Renewal Project which is located southwest of City Hall has been held out for the use of professional office space to be built, possibly for banking use or some use that would fit into the government complex which resulted by the City's construction of the Corporation Court building and the Police Department and other government buildings in the area. Project one is complete with the exception of the one piece of land containing about two acres. The project was done under the original financing plan. Project one has now been converted into the Neighborhood Development Programming. The reason for this is that as long as you keep this under the conventional financing the interest on that money that has been left to accomplish the project by the Federal Government continues under the Neighborhood Development Program on a yearly basis and is computed on a yearly basis. By doing this the Urban Renewal Agency can close out all the properties that have been sold in the first project and developed and keep only this one two-acre piece of property that is yet to be sold in inventory.

In addition to this the Urban Renewal Agency was approached by the City with the idea that it secure the property that was left by the Colonial Baking Plant which is in Project one. This site would be an excellent location for expansion of City facilities such as the Traffic Department, the Sign Department and other operations of that kind that are presently located some distance from the central city. Funds in the amount they feel is necessary to acquire this property have been included in this project. When it is acquired it will be made available to the City to purchase from the Urban Renewal Agency as part of the Neighborhood Development Plan and the City would be the logical one to acquire this land for public use.

Mr. Martin then reviewed the Urban Renewal Agency's role in the Neighborhood Development Program in Model Cities which is as follows:

The Neighborhood Development Program is a new financing and planning concept developed by the Department of Housing and Urban Development for renewal areas.

Under the Neighborhood Development Program, the Urban Renewal Agency develops a plan for renewal activities. This plan consists of those activities that the Agency expects to accomplish in the first year of action. The Neighborhood Development Program usually encompasses a large area with a year's work activities confined to smaller sections or to a particular phase of the total program's objectives. As this work is being undertaken, planning is done for other sections in the program. (Under the conventional renewal system, planning for the entire renewal area has to be completed before the project goes into execution.)

The development of the Urban Renewal plan is accomplished through the combined efforts of all individuals, agencies and organizations involved and/or affected, such as Model Cities, Component Review Committees and Citizens' Participation Policy Committee, City Departments, Federal Housing Administration, San Antonio River Authority, San Antonio Housing Authority, State Highway Department, schools, churches, non-profit organizations and private enterprise. When completed, the plan must be approved by the following authorities: Model Cities Citizens' Participation Policy Committee, Urban Renewal Board of Commissioners, Public Hearings before the City Planning and Zoning Commission and City Council. Upon approval by these authorities, the plan is submitted in an application to the Department of Housing and Urban Development for final approval and funding.

The Agency receives financing for this first year's work plus a reservation of monies for the second year. Before the end of the first year, the Agency submits a second-year plan and, based on the accomplishments of the first year, receives financing for one year plus another year's reservation. This procedure is followed through to the end of the activities in the area. According to Department of Housing and Urban Development officials, the Neighborhood Development Program was initiated to allow agencies to go into activities in a project more quickly than before, to do planning in one area while work is being done in another, and to alleviate the funding tie-up which has resulted from the total project reservation system.

The San Antonio Urban Renewal Agency will use the Neighborhood Development Program and its method of financing to undertake action areas in Model Cities. While first-year activities are being undertaken, additional planning will be going on to help accomplish the many other objectives set by Model Cities residents.

Under the Neighborhood Development Program, the Urban Renewal Agency proposes to implement the following activities during the first year of the Agency's financing period:

Apache Creek Project

The Urban Renewal Agency, in coordination with Model Cities Agency, San Antonio River Authority and the United States Corps of Engineers, will purchase the right of way necessary to complete the Apache Creek Project within the Model Cities Area. During the Agency's first action year, 64 parcels will be purchased for bridge locations and some right-of-way. The second year the Agency will purchase 196 parcels which will complete this project. The first year's relocation activities for the Agency will consist of two (2) businesses, five (5) individuals and 28 families who presently live along Apache Creek and whose homes are subject to flooding. Second year activities will not only include the purchase of the creek right-of-way but also will provide for the purchase of additional land which will be used to loop streets in order to eliminate dead-end streets along the creek and for proposed new housing. The second year relocation activities will include 12 businesses, 40 individuals and 175 families who will be relocated by the Agency into suitable housing. The coordination of utility relocation will also be this Agency's responsibility.

Housing Areas

In order to increase the area's housing supply, the Urban Renewal Agency plans to acquire three vacant sites within the Model Cities area so single family and multi-family housing units can be built the first action year. One of these vacant land areas is located on the southeast corner of W. Martin and N. Trinity Streets. This area consists of 1.53 acres of land. Another vacant site for housing is a 3.98 acre area on Merida Street between S. W. 19th and Barclay Streets. The third housing site is a 27.87 acre tract located on General McMullen Drive south of Castroville Road. No relocation will be involved in the purchase of these sites, and as soon as utilities can be provided, new dwelling units will be constructed.

Rehabilitation Areas

During the first action year of the Urban Renewal Agency's Neighborhood Development Program, 50 housing units will be processed for rehabilitation activities. The Agency will work with the property owners to secure the loans and grants that are available to assist them in the rehabilitation of their properties. Also the Agency will offer assistance in determining the best methods to be used to undertake the rehabilitation activities. No displacement of families or individuals on a permanent basis will occur due to the rehabilitation activities. However, in the event some temporary moves become necessary due to extensive rehabilitation activities, relocation assistance will be provided.

West End Multi-Service Center

Another activity the Agency will undertake its first action year will be to purchase 6 parcels of land or .516 acres for the site of the West End Multi-Service Center. This site is located between Menchaca and Albert Streets at the intersection of Lincoln St.

At the present time, two families and one individual live within this .516 acre area. Again, as in the Apache Creek area, the Agency will assist these people in finding suitable relocation housing within the areas of their choice.

The Urban Renewal Agency will attempt to undertake those programs that the residents of the Model Cities area deem necessary to upgrade their area. Through the nine Component Review Committees and the Citizens' Participation Policy Committee, the Agency will move forward on a well-planned effort to eliminate some of the physical and social problems in the area. The Urban Renewal Agency has cooperated with the following organizations to accomplish this Neighborhood Development Program: Departments of the City of San Antonio, Model Cities Agency, City Public Service Board, City Water Board, City Transit Authority, San Antonio Housing Authority, San Antonio River Authority, San Antonio Independent School District, Edgewood Independent School District, Southwestern Bell Telephone Company, Bexar County Metropolitan Water District, United States Corps of Engineers, State Highway Department.

Speaking in favor of the proposed Neighborhood Development Program were Mr. E. R. Pruneda, Vice President of the CCPC; Mr. Frank Cortez, representing the Parents and Leaders Community Council; and Mrs. Garay, Secretary of the Water and Public Works Component Review Committee.

No one spoke in opposition.

The Mayor then declared the public hearing closed.

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

AN ORDINANCE 37,639

OF THE CITY COUNCIL OF THE CITY OF
SAN ANTONIO APPROVING THE URBAN RENEWAL
PLAN AND THE FEASIBILITY OF RELOCATION
FOR NEIGHBORHOOD DEVELOPMENT PROGRAM
NO. TEX. A-8, MODEL CITIES AREA, SAN
ANTONIO, TEXAS.

* * *

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

AN ORDINANCE 37,640

AUTHORIZING THE MAYOR TO EXECUTE A COOPERATION AGREEMENT WITH THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO FOR THE UNDERTAKING AND COMPLETION OF A NEIGHBORHOOD DEVELOPMENT PROGRAM, TITLED PROGRAM NO. TEX. A-8, MODEL CITIES AREA, FOR THE CITY OF SAN ANTONIO.

* * * *

69-30

The Clerk read the following ordinance.

AN ORDINANCE 37,641

MANIFESTING THE CITY'S CONSENT TO THE SUBLEASING BY SECOND BRIGADE CORPORATION OF A PORTION OF BUILDING 234 AT HEMISFAIR PLAZA (CASA SAN MIGUEL RESTAURANT) TO THE PRESS CLUB OF SAN ANTONIO, UNDER CERTAIN TERMS AND CONDITIONS.

* * * *

In connection with the proposed lease, the following memorandum was submitted to the City Council:

TO: City Manager, City of San Antonio
FROM: Arthur Troilo, Jr., Attorney for Urban Renewal Agency of the City of San Antonio
SUBJECT: Club Facilities on Urban Renewal Owned HemisFair Plaza Properties.

This replies to your request for an opinion as to the Urban Renewal Agency's requirements concerning the use of lands at HemisFair Plaza.

First of all, the Urban Renewal Plan, as amended, controls the permanent redevelopment of the property. The redevelopment plan calls for the use of the area as a Civic Center and related municipal complex and would permit, in my opinion, any legitimate municipal use of the premises by the City.

Assuming that the City Attorney determines that the proposed leasing of the premises for club purposes is a valid municipal use, in my opinion, it would be permissible under the Urban Renewal Plan. It should be borne in mind that any use of the premises either by the City or a lessee of the City, is subject to the non-discrimination covenants included in the Urban Renewal Plan, which states: "(2) Not discriminate upon the basis of race, color, religion, sex or national origin in the sale, lease, or rental or in the use or occupancy of the property or any improvements erected or to be erected thereon, or any part thereof. This covenant shall remain in effect without limitation as to time and the United States shall be a beneficiary and be entitled to enforce it."

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Mrs. Cockrell stated that the Council's request was to have an advisory opinion from the Regional Office Counsel who has reviewed what has been done locally. The opinion presented this morning is that of the attorney for the Urban Renewal Agency. She stated she would still like to have the Regional Attorney's opinion on this matter.

Mr. M. Winston Martin, Executive Director of the Urban Renewal Agency, stated that Mr. Troilo had discussed this with the attorney in the Regional Office and it was his opinion that HUD is not in a position to interpret what purposes and uses are within the HemisFair site. The redevelopment plan states that the land will be acquired by the City of San Antonio for public interest and use. The use under consideration indicates it will be an interim use and not a permanent use. If the property was sold to the organization then perhaps it would be in conflict with the redevelopment use of the HemisFair site. He added that both Mr. Troilo and the attorney for the Regional Office of HUD feel it will be up to the City Attorney to make a ruling as to whether or not this is in keeping with the City's intended use at the time it acquired the property. HUD does not feel it is their responsibility, but do feel that as long as the City owns the land and retains ownership, it is in essence complying with the redevelopment plan which says the property is for public ownership.

City Attorney Howard Walker stated if it is the opinion of the governmental agency that this is a permitted use in so far as that agency is concerned, then it is his opinion that the proposed use is a valid municipal use, not as the term is usually understood as it applies to City property. He added that courts have held that the City may use its property for any purpose not precluded by any regulation against and not illegal, per se, based on the theory that while it is not a City use actually of the premises, it does constitute a municipal use because it brings in municipal revenue. Therefore, since it is not an illegal use, it becomes a proper City use.

Mr. Walker concluded by stating that it is his opinion that if HUD says this is a proper use so far as its project is concerned, it is his viewpoint that it is a proper City use.

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

Mrs. Cockrell stated that she voted 'no' because her understanding of what has been said on this matter she did not believe that the Regional Office has stated that the proposed use is a proper use for this site.

Mr. Torres stated that he voted 'no' because he did not think that a private club falls within the purpose or definition of a public structure under the Urban Renewal law, and that there is a reversionary clause in the deed to the property.

Mayor McAllister was obliged to leave the meeting and Mayor Pro-Tem Lila Cockrell presided.

69-30 CITIZENS TO BE HEARD

Mrs. Rene McCaleb, representing the Cassiano Homes Residents Association, spoke to the Council regarding the City providing better fall out shelters in the area.

Mayor Pro-Tem Cockrell advised that the Office of Civil Defense has a complete master plan on fall out shelters. She was asked to contact Mr. Martin Eser, Director of Civil Defense, who could show her where everyone is to go for a shelter in the event of an emergency.

69-30 EMILIO KIFURI D/B/A ALAMO GUIDED TOURS

Mr. Kifuri stated that the Council, a few weeks ago, gave him permission to park in front of the Alamo and pass out brochures. He stated that he did this the last two days and was removed from the area by a police officer.

City Manager Henckel stated that Mr. Kifuri had the impression that the Council gave him permission to park there on a permanent basis and use the Alamo as his headquarters. The ordinance granted him permission to park there while he was taking customers to the Alamo. He could pass out brochures during the time that his customers were at the Alamo.

The City Manager stated that to grant the use requested is over and above the franchise privileges for the use of public streets. If Mr. Kifuri wants a parking place furnished by the citizens then he should have to pay for it.

Mayor Pro-Tem Cockrell stated that the Council is going to have to give this matter attention since he is asking for additional privileges. The Council would not be able to reach a decision today, but perhaps render a decision next week.

69-30 ERASMO ANDRADE REGARDING HEMISFAIR SECURITY GUARDS

Mr. Andrade stated he is a volunteer staff member of FAMA and wanted to present two petitions to the City Council which had been signed by a number of City employees who are working as security guards at the HemisFair site. The petitions requested the following:

Dismissal of Mr. William Martin and Mr. Bill Lindquist for failure to establish grievance procedures and remedy problems; failure to honor the seniority ratings; failure to establish communications with security guards; discrimination against minority groups in promotions; Captain Martin is hard of hearing and a hazard in his line of duty and refuses to allow his employees to go over his head with complaints; Captain Martin has failed to perform his duties properly. Because of Captain Martin's behavior morale of HemisFair security guards is very low.

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The guards also indicate they are against a merger of the security guards and the Tower attendants

City Manager Henckel advised that the City has personnel rules and a grievance procedure which these employees should have followed. The employees did not follow the procedure and therefore the Staff was not aware of the problems.

The authority of the City Manager as set out in the Charter was then discussed.

After discussion, Mayor Pro-Tem Cockrell, for clarification purposes stated: Number one - the Council recognizes that the City Charter sets forth that it is the City Manager's prerogative to deal with personnel and administrative matters within the City; Number two - the petitions are in violation of established procedures; and Number three - the City Council recognizes it is the City Manager's prerogative to deal with this matter as he sees fit.

However, she stated for information purposes the Council, as a whole, would like to be advised on what action the City Manager does take in this matter in view of the fact that the allegations have been made public.

Also, Mr. Torres requested that he be informed as to whether there is any basis for the allegations made.

(NOTE: Mr. Andrade did not file the petitions with the Council.)

69-30 CASSIANO PARK SWIMMING POOL

Mr. Edwardo Morales asked the Council what it had decided on the request to have free swimming at Cassiano Park Pool.

City Manager Henckel advised a study has been made and recommended that Cassiano Pool and Lincoln Pool be free on Tuesdays and Thursdays.

Mr. Trevino then made a motion that no admission fee be charged for use of the Cassiano and Lincoln Swimming Pools on Tuesday and Thursday, effective May 8, 1969. Seconded by Dr. Calderon, the motion prevailed by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

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

A P P R O V E D:

M A Y O R

ATTEST:
 C i t y C l e r k
July 3, 1969