

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 26, 1968 AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor Pro-Tem, John Gatti, with the following members present: Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; ABSENT: McAllister, Jones.

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68-417 The invocation was given by Councilman S. H. James.

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68-417 CITIZENS TO BE HEARD:

Mr. Ben Binford, of the firm of Dunbar and Binford stated he represented the Great American Insurance Companies, who had submitted a bid for the City Employees Group Insurance Program. The bid was mailed Air Mail Special Delivery from the home office in East Orange, New Jersey on December 19th. Bids were opened on Friday, December 20th at 2:00 p.m., but his proposal did not reach San Antonio until 8:00 p.m. on December 20th.

He stated that the bid submitted is still in the City Clerk's office unopened and from the figures read at the bid opening, his proposal was at least \$60,000.00 lower than any submitted and asked the Council to consider it.

City Attorney, Howard Walker, stated that this was not a Public Works contract and it was a matter of policy on the part of the City Council as to whether it wanted to take bids on this item of group insurance. The Council decided to take bids on it and the City has rules governing bids which require all bids received after opening time be returned unopened. He said the Council could cancel all the bids and re-advertise or could consider this bid or follow the policy set concerning bids.

After discussion of the matter Mr. Trevino made a motion that the late bid of the Great American Insurance Companies be referred to the Insurance Committee for study and report to the City Council. The motion was seconded by Mr. Torres. On roll call the motion failed by the following vote: AYES: James, Gatti, Trevino, Torres; NAYS: Calderon, Cockrell, Hill; ABSENT: McAllister, Jones.

Failure of the motion constitutes rejection of the bid of Great American Insurance Companies and it will be returned unopened.

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68-417 Mr. Jack Lee, 306 Gettysburg, advised the Council that January 31st is the deadline for Voter Registration. He commented that Mayor McAllister has mentioned that the City of San Antonio has aided previously in Voter Registration by making available Fire Stations for distribution of registration applications. He asked that the Fire Stations again be made available this year.

The City Council agreed that this should be done again and instructed the City Clerk to advise the Bexar County Tax Assessor Collector that Fire Stations would be available to him for the distribution of Voter Registration applications.

68-417 The Clerk read the following ordinance:

AN ORDINANCE 37,151

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH SECOND BRIGADE CORPORATION FOR LEASE OF A BUILDING IN HEMISFAIR PLAZA TO BE USED FOR THE OPERATION OF CASA SAN MIGUEL PHILIPPINE RESTAURANT.

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Mr. Bill Lindquist, Assistant Director of the Municipal Facilities Department, explained that this lease is for the Philippine Restaurant Building. The present lease expires on January 6th. This lease is for a five-year period with a one-year cancellation clause. The length of the lease is subject to the City acquiring the property from Urban Renewal Agency. Rental is \$200.00 per month or 6% of the gross, whichever is greater.

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

68-417 Mayor Pro-Tem Gatti asked about the status regarding the matter of utility charges by the City Water Board at HemisFair Plaza.

Assistant City Manager, Ancil Douthit, reported that Mr. Henckel had met with the Water Board on the matter but they do not want to make the adjusted charges retro-active when the City took over on October 6th.

Mayor Pro-Tem Gatti requested that this disagreement be reconciled and the matter brought to the City Council for consideration as soon as possible.

68-417 The Clerk read the following ordinance:

AN ORDINANCE 37,152

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIVE-YEAR LEASE AGREEMENT WITH DIXIE DECORATORS, INC. FOR LEASE OF BUILDINGS 311 AND 312 AT HEMISFAIR PLAZA.

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Mr. Bill Lindquist, Assistant Director of the Municipal Facilities Department, explained that the property being leased is the China and Portugal exhibit buildings. This is a five-year lease with a one-year cancelable clause and is subject to the City acquiring the property from the Urban Renewal. Rental is \$360.00 per month.

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

Mrs. Cockrell inquired about what had happened to the Flying Indian Pole.

Mr. Lindquist advised that the pole belonged to the Frito-Lay and it, along with some of the statues, were removed for use in San Diego in connection with its celebration next year.

68-417 The Clerk read the following ordinance:

AN ORDINANCE 37,153

NAMING THREE NEWLY CONSTRUCTED STREETS WITHIN THE CITY LIMITS OF SAN ANTONIO AND CHANGING THE NAME OF A PORTION OF FREEMAN DRIVE.

1. That the newly constructed street from Castroville Road to Growdon be named S. W. 36th Street.

2. The portion of Freeman Drive and the newly constructed street up to Willard Drive be named N. W. 36th St.
3. The newly constructed street from Willard Drive north to Bandera Highway be named Hillcrest Drive.

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Mr. George D. Vann, Director of Housing and Inspections, on a map, showed the changes made and which have been approved by the Planning Commission.

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

68-417 The Clerk read an ordinance granting permission to Milton Clausewitz to erect an eight-foot chain link fence for security purposes at 1301 Somerset Road.

Mr. George D. Vann, Director of Housing and Inspections, explained that action on this ordinance had been postponed in order to find out if Mr. Clausewitz would install the six-foot solid screen fence. It was found that he has already constructed the fence for which he seeks permission. He is agreeable to putting shrubbery or clinging vines to screen the property.

After lengthy consideration of the matter, Mr. Trevino made a motion that Mr. Clausewitz be asked to cut the fence down to six feet or construct a solid screen fence or to put in slats in the chain link fence to screen the property. The motion was seconded by Mr. Torres and on roll call prevailed by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, Jones.

It was understood a reasonable period of time would be given Mr. Clausewitz to perform. If the chain-link fence is cut down to six feet, no special permit is necessary. If he puts in the slats to screen the property or a solid screen fence is installed, the Council will approve his request.

68-416 The following ordinance was explained by Mr. W. S. Clark, Land Division Chief, and on motion of Mrs. Cockrell, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, Jones.

AN ORDINANCE 37,154

EXTENDING FOR A ONE-YEAR PERIOD THE
CURRENT CONTRACT WITH GUY D. RUSMISEL
FOR PROFESSIONAL SERVICES AS A SENIOR
RIGHT-OF-WAY AGENT IN CONNECTION WITH
VARIOUS CITY PROJECTS.

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68-417 The following ordinances were explained by Mr. Tom Raffety, Director of Aviation and on motion made and duly seconded were each passed and approved by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, Jones.

AN ORDINANCE 37,155

AUTHORIZING CITY MANAGER TO EXECUTE
SAN ANTONIO INTERNATIONAL AIRPORT
LEASES NO. 101-A AND NO. 130 WITH ALL
AMERICAN MAINTENANCE, INC.

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AN ORDINANCE 37,156

MANIFESTING AN AGREEMENT TO EXTEND THE
TERM OF A LEASE OF SPACE AT STINSON
MUNICIPAL AIRPORT TO ALCOR AVIATION, INC.

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AN ORDINANCE 37,157

AUTHORIZING EXECUTION OF AMENDMENT NO. 1
TO THE GRANT AGREEMENT WITH THE UNITED
STATES OF AMERICA FEDERAL AVIATION
ADMINISTRATION FOR PROJECT NO. 9-41-080-
C416.

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AN ORDINANCE 37,158

AUTHORIZING CITY MANAGER TO EXECUTE
SAN ANTONIO INTERNATIONAL AIRPORT LEASES
NO. 102, NO. 166, AND NO. 170 WITH
SWEARINGEN AIRCRAFT.

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The Clerk read the following ordinance.

AN ORDINANCE 37,159

AMENDING THE CURRENT BUDGET TO PROVIDE
ADDITIONAL FUNDS FOR DEPARTMENT OF MUNI-
CIPAL FACILITIES AND PROVIDING PERSONNEL
FOR SUCH DEPARTMENT FOR BALANCE OF FISCAL
YEAR ENDING JULY 31, 1969.

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Mr. Carl White, Assistant Finance Director: You may recall that our first budget on this HemisFair Plaza area was a three month budget. This ordinance was passed August 29 and the period was from October through the end of December. We are now coming to you with the budget for the balance of the fiscal year or the last seven months. The ordinance appropriates \$405,165 from the unappropriated surplus account. It provides for 75 employees and the general operating cost of the area. The largest costs in this budget are insurance and utilities. The insurance is estimated to cost about \$50,000 this year. One policy is a three year policy, the fire and extended coverage and estimated to cost about \$100,000 for the three year period. So this year it will be \$33,335.00. Utilities are estimated at about \$140,000. We think there will be some savings in this budget, particularly in utilities if we are able to get a new contract with the Water Board. One item of interest I think, at the present time we're providing for 75 employees, but at the present time we have 52 on the payroll.

Mr. Ancil Douthit: Of course they will not be hiring additional people until the summer time.

Mr. White: That's right. They are not hiring until at least April.

Mr. Gatti: The lease is nine months did you say, or seven months?

Mr. Douthit: Seven months.

Mr. Gatti: What are you estimating your income for that period?

Mr. White: For the area here we are estimating, for the total period of time \$212,000. That's for nine months. Now, for the seven month period we are estimating \$162,000.

Mr. Douthit: I might add that's based on present contracts and undoubtedly next summer we will have more. We can't foresee that right now.

Mr. Gatti: In other words you are looking at a \$245,000 loss if you don't get more contracts?

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Mr. White: The net for the entire period of time here is about \$360,000 because the first ordinance appropriated \$162,000 and this one, well actually we have had two ordinances. The first was \$162,965 then we came back and amended the budget with a \$6,000 ordinance and authorized three additional employees.

Mr. Gatti: Now you are coming back for an additional \$405,000?

Mr. White: Yes sir.

Mr. Trevino: This estimated income, does that include everything? Not the Tower?

Mr. White: Yes. But this is excluding the Tower.

Mr. Gatti: So you have a \$573,000 budget for the twelve months. What did you project the income for the twelve months?

Mr. White: For the nine month period from October through July \$212,000.

Mr. Gatti: Then this \$573,000 is for nine months too, is that correct?

Mr. White: Yes sir. And net there is \$361,935 loss.

Mr. Gatti: That's any new contracts and so on and not including the Tower?

Mr. White: That's correct.

Mr. Gatti: How much of that utility bill, is it all at the 7¢ rate?

Mr. White: Well, yes sir. It is based pretty much on the way it has been running over there the last three months. Like I say, with the new contract, this amount could be cut, maybe in half. I'm not sure what it would be.

Mr. Gatti: Well, are we paying them the 7¢ rate now?

Mr. White: Yes sir.

Mrs. Cockrell: Now this figure does not include any redevelopment or anything of that type? This is simply an operational figure, is that correct?

Mr. White: Well, yes maam, except we are providing in this budget a considerable amount for materials. We have three carpenters, one electrician and one plumber and total materials in this budget for them to work with does not include any large scale maintenance or any thing like that. But total materials here are about \$10,000.

Dr. Calderon: Do we carry insurance on our Brackenridge Park and Zoo and so forth?

Mr. White: Yes sir. We carry public liability and also fire and extended coverage on all of our facilities.

Dr. Calderon: I think it would be well to bear in mind that here we have a public facility at HemisFair and I think we should not unduly emphasize the loss of operation. This is a public facility just like we have Brackenridge Park which requires a lot of cost for operation and maintenance and insurance and so on. I think we should not stress so much the loss as this is ventured. We should look upon it as a public facility for the citizens of San Antonio and treat it as we would any other municipal facility. We need to get away from this question, especially on money making propositions as opposed to a facility available to the people of San Antonio.

Mrs. Cockrell: There is one item that I don't believe would be in this budget that I am very eager for us to be sure it is moving and that is a relatively small appropriation compared to what we are talking about here, of about \$15,000 to develop that little children's playground area. As I understand it, Mr. Frazer is waiting for further signal or go ahead before he develops the plans for that. After the planning is done they have to take bids on the equipment and if it is to be ready by this spring, the Council needs to direct that that be developed. It will be the only nice little thing that we would have for young children and I would like to urge the Council to give the go ahead to the City Manager. I think Mr. Frazer would like to have a little animal zoo, something very small of that type in the playground.

Dr. Calderon: I'm for giving the authority right now.

Mr. Torres: How soon before this thing is going to be implemented?

Mr. Douthit: Well by the time he draws his plans and orders his equipment, spring would be practically on us by the time it could be constructed.

Mr. Torres: If we are going to do it we'd better do it now. I'd go along with that.

The Council concurred that Mr. Frazer should go ahead with his plans.

Mr. Douthit: I will instruct Mr. Frazer.

Mr. Gatti: Include in the motion the instructions to the Staff to take steps to implement the playground. Call the roll.

Dr. Calderon made a motion that the ordinance amending the budget to provide funds for the Municipal Facilities Department be adopted and that the Administrative Staff proceed with implementation of the children's playground at HemisFair Plaza. Seconded by Mr. Hill, the motion prevailed by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, Jones.

68-417 Councilman Trevino spoke to the Council regarding construction of a playground in the western section of the City. He said the Land Department has looked at the property. He asked the Council to express its feelings as to whether they should continue with this proposed project.

The Council concurred that the City should pursue this matter further.

Councilman Torres spoke to the Council regarding closing of streets in the downtown area for repair by the various City agencies. He then discussed with the Council his memorandum of December 24 on the subject of Excavations & Barricading of Construction in Public Rights of Way and Requiring Safety Devices.

He asked that the City Attorney review the suggested changes to Section 35-30 and Section 35-31 of the City Code concerning the subject.

Mayor Pro-Tem Gatti asked the City Attorney to review the proposed changes and make a report to the Council on same.

(A copy of Mr. Torres' memorandum of December 24, 1968 is on file with the other papers of this meeting.)

CITIZENS TO BE HEARD:

68-417 Mr. Don Saunders, attorney representing Mr. & Mrs. Carlos Freyman, spoke to the Council concerning their claim in the amount of \$2500.00 in damages to their home caused by stoppage of a City sewer line. Previously the Council took the matter under consideration and he asked if the Council was ready to act on the claim at this time.

The matter of the claim was discussed at length and while the Council was sympathetic, it did not desire to go beyond the precedent previously set limiting the authority of the City Attorney to settle claims up to \$1,000.

Mr. Torres made a motion that the claim of Mr. & Mrs. Carlos Freyman be referred back to the City Attorney for settlement within the limits of \$1,000. The motion was seconded by Mrs. Cockrell and prevailed by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, Jones.

Mayor Pro-Tem John Gatti was obliged to leave the meeting and Councilman Dr. Herbert Calderon was designated Acting Mayor.

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68-417 Mr. Murray B. Farrell, 435 Harmon Drive, San Antonio, presented to the City Council a seven page plan for re-use of HemisFair Plaza as an amusement area with industrial and educational exhibits.

Acting Mayor Dr. Calderon thanked Mr. Farrell for his presentation and advised that the Council members had previously received a copy of the plan which has been referred to the City Manager for consideration.

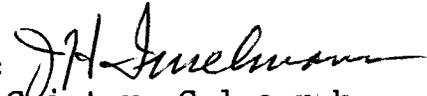
(A copy of Mr. Farrell's plan is on file with the papers of this meeting.)

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

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