

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, SEPT. 11, 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, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; Absent: JAMES.

69-40 The invocation was given by Reverend Thomas Forster, First Cumberland Presbyterian Church.

The minutes of the September 4, 1969 Council Meeting were approved.

69-40 Mayor McAllister called on Mr. Lynn Spears, Chairman of the San Antonio Transit System, to make a statement concerning the bus strike.

MR. LYNN SPEARS: I have just returned from a Staff Meeting held this morning and I would like to apprise the members of the Council of this meeting. We are continuing, of course, to meet with the union officials, their elected representatives, trying to work out something that we can live with at least for the time being without a bus fare increase. I feel that a fare increase is inevitable somewhere down the road. But we are desperately trying to avoid that for the time being.

For the second time in ten days, the Transit Officials and Bus Union Officials have worked out a settlement to the wage dispute which has illegally stopped bus transportation in San Antonio for ten days.

For the second time in ten days, with the encouragement of outside political influences, Union members have refused to accept the proposals recommended to them by their officers, and continued their strike in violation of State Laws.

The last proposal would have increased transit wages from \$2.65 per hour to \$3.00 per hour within an 18 month period. Union members have ignored their officers' recommendation, and have demanded an immediate increase to \$3.00 per hour - \$.35 per hour above the July 1 wage rate - and would insist on reserving the right to make further demands next September. In my opinion that is the most difficult thing we have to face - what is going to come up a year from now.

We cannot call on bus riders to pay \$550,000.00 more in fares within the next twelve months, and that is roughly what the new demands of the Union would cost. This would mean at least a 50% increase in basic fare. A bus rider who makes a round trip each day would have to pay \$1.00 per week more. Ladies and gentlemen, we just don't have the wage structure in San Antonio to support that. The poor people in San Antonio don't have the money to spend that much for bus fare and I think you all recognize that.

Union members should accept the proposal their leadership worked out, approved and recommended to them after months of discussion and investigation. We again urge them to restore bus service to San Antonio immediately.

We have been in close touch with Union officials. More meetings with them will be held today. A meeting of the Union membership will be held tonight and we hope that at that time Union officials may be able to explain the settlement worked out by the Transit Management and Union officials in such a way that the membership will accept it. We will remain in constant touch with employee representatives at all times.

We made an appeal last night. Some of you probably heard it on the news or saw it in the paper. We made an appeal to transit employees, if they are still unwilling to restore full bus service at this time, we make a special appeal to them to provide enough manpower to restore school bus service. We understand that this has adversely affected attendance at schools. Certainly, neither the Transit System nor the general public wants this to happen. This service can be restored, even though the strike should continue, as to other bus riders.

MAYOR McALLISTER: Will you explain to the Council, they are probably not as familiar with the situation as you are, what the average wage for busmen are in the State of Texas and what the fare is in San Antonio is now and what the best proposal was?

MR. SPEARS: The average rate in the State of Texas is \$2.21. They are now being paid \$2.7825. This takes into effect of course the pay increase that was granted in July. In 18 months of course they will be getting \$3.00 an hour. As Chairman of the Board, I just don't feel like we can afford any more. We are continuing to talk with them and trying to explore some means that we can arrive at a decision and a settlement. The union representatives and committees have recommended that they adopt this. They have been turned down twice, to my knowledge. I don't know if they have been turned down any more times or not, but I know they have been turned down twice, Mr. Mayor.

MAYOR McALLISTER: After the increase of July 1, your present wage is \$2.7825 and you have offered to increase that on January 1 to what amount?

MR. SPEARS: I don't have that breakdown right here. We have made so many proposals. A 13½% increase was granted July 1 of last year and a 6 ¾ increase was offered January 1, 1970 bringing it to \$2.85 and a \$.05 increase on July 1, 1970, bringing it to \$2.90 and a \$.10 increase on January 1, 1971, bringing it to \$3.00. Now we also have some fringe benefits in there that the employee representatives asked for.

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Mr. Spears---continued---

We have granted many of those requests if you would like for me to go over them.

DR. CALDERON: I think that would be desirable.

MR. SPEARS: Alright, Dr. Calderon. Employees that have worked 25 years or more, we have offered a 4 week vacation. Employees over 3 years, a two week vacation and spread time. Employees with 3 years or more, a two weeks vacation. The spread time which there has been quite a bit of discussion about, is pretty hard for the layman to understand what spread time is and why it is necessary to have spread time. We had 13 hours and 20 minutes spread time and we have reduced that to 12 hours and that is going to penalize the system and it will increase our operating costs.

Another thing is leave for death in the family. We have a three-day leave for death in the family with pay.

DR. NIELSEN: Is there any change in the sick leave time. Has that been lowered from 2 to 8 to 1 day or any thing, 2 days, is that the same?

MR. SPEARS: Yes sir.

DR. NIELSEN: May I ask you a couple of things for clarification? Somewhere back down the line the Mayor was saying we were going to have to increase the fares 40 or 45%?

MR. SPEARS: To \$.40 or \$.45.

DR. NIELSEN: To \$.40 or \$.45 and I am not sure whether he said that was to increase the hourly wage to \$3.00 an hour or what. I would like it straight from you now, what would the increase from the \$.20 base now to the \$.40 base mean?

MR. SPEARS: That would be necessary to meet all the demands that the union asked for.

DR. NIELSEN: You are saying then that if you went to \$3.00 immediately, you would have to come up with \$550,000.00 additional. Does that include fringe benefits.

MR. SPEARS: It is my understanding that it does include fringe benefits. However they did not discuss fringe benefits at the meeting on their last demands yesterday. It is my understanding, although I did not talk with Mr. Parker, some of the other members of the staff did talk with him. They said they wanted \$3.00 an hour today and they would forget the fringe benefits.

DR. NEILSEN: Then it might not be \$550,000.00. We might not be talking about a 50% increase in bus fares. We need this kind of factual information instead of all this misinformation or speculation.

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MR. SPEARS: I will tell you in my opinion what is called for as far as the bus fares are concerned. I think all you gentlemen will agree that we need a \$.25 bus fare. I hope we can wait until the first of the year. I hope the Council will see fit and work with us so we can see fit so we can wait until the first of the year. Then we are going to have at least a nickel increase. Of course it is going to have to be in nickle increments because of the exact fare structure. I don't know when we are going to have to ask for \$.30. We are going to do our dead-level best Dr. Nielsen to operate the system in a way that we can continue to do the best job for the citizens of San Antonio and keep the bus fares as low as possible.

DR. NIELSEN: On the other hand we have a low wage structure which you mentioned previously and we cannot totally weigh one against the other. We've got a public service to provide, but on the other hand we can't perpetuate a low wage situation.

MR. SPEARS: We don't have a low wage situation in the Transit System, I don't feel, Dr. Nielsen.

DR. NIELSEN: Well, for the skills involved, I would challenge that.

MR. SPEARS: The average wage rate in the state is \$2.21.

MR. TORRES: As compared to what, Mr. Spears?

MR. SPEARS: All of the transit systems in Texas.

MR. TORRES: This would take in the communities of what?

MR. SPEARS: Corpus Christi, Lubbock, El Paso, Dallas, Houston, San Antonio, Austin, I don't know how many.

MR. TORRES: What does Dallas pay, average?

MR. SPEARS: I believe Dallas pays \$2.98. Houston is \$3.05 if I am not mistaken.

MR. TORRES: What kind of vacation benefits do they have?

MR. SPEARS: I am not sure, but I don't feel their vacation benefits are any better than ours. I have all those things. I just don't have them with me, Mr. Torres.

MAYOR McALLISTER: There is one additional point I want to bring out. One week's vacation is provided after a shorter period of service than three years.

MR. SPEARS: I believe it was four years at one time and we have improved it to that effect. If I am correct, employees are given one week after the first year.

MAYOR McALLISTER: We have offered them one week's vacation after one year of service.

DR. NIELSEN: The spread time is now to 12 hours, now. That's the latest discussion point?

MR. SPEARS: That was our offer. Twelve hours.

MR. TORRES: In making your offer, Mr. Spears, you dealt strictly with Mr. Parker, is that correct?

MR. SPEARS: Well, Mr. Hill and Mr. Tapp have dealt with Mr. Parker and his representatives, his committee. I don't know what they call it.

MR. TORRES: As you recall, I appeared at your Board meeting last week. Of course I appreciate your concern and everyone in this community is concerned about getting this matter resolved. Of course I personally offered to go in front of these employees. There were a couple of changes, one on the sick leave policy and this is by way of suggesting, Mr. Spears, that I kind of think that this matter could be readily resolved if the Transit officials appeared before the workers as a group. I think this would have a very, very salubrious effect. I think we could get the matter resolved real fast. I think all we have to do, I am oversimplifying this thing, but to come to a meeting of the minds as you know, you meet with the people you dispute with. Of course you have been meeting with the officials, but of course if the union leadership cannot sell the package to the employees then I think a meeting with the employees themselves would be helpful. Again I say that merely by way of suggesting the matter could be resolved and I would offer my assistance in going before the employees with you. Of course with an opportunity first to study these figures.

MR. SPEARS: I was just going to suggest, Mr. Parker and his committee made this recommendation twice to their members and the members have turned it down, and it seems to me---

~~DR.~~ NIELSEN: Well, maybe Mr. Torres' suggestion is valid.

MR. SPEARS: Yes, well I have no objection to that Dr. Nielsen.

MR. TORRES: I would point out that one of the things that has solidified the mass of the employees, has been the action that was taken last week on the vote for the injunction. Of course, as I recall, the matter or the resolution of the Council was that prior to the injunction action being taken, and I am reading from the minutes - the statement by Councilman Burke. He says we are asking the Transit System to voluntarily attempt to get the buses running and failing in that, then we move to get the injunction. So I had assumed that a predicate to moving for the injunction was that we were going to try to take all efforts before filing a suit for the restraining order or the injunction. Two hours later, after the Council passed the resolution, of course you all moved to go ahead without any intermediate steps. I point this out to try to show to you that I think more than anything else that the action on the injunction and the restraining order antagonized the employees. Of course this is neither here nor there except to show what the feelings are among the mass of the workers. As I said, I'd be happy to appear with you before the workers tonight if I could have an advance notification of the proposals so I could study it and take it to the employees.

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MR. SPEARS: There has been some misunderstanding and I'm glad you brought that up, Mr. Torres. I was told, by the way, just to go back to the beginning, I was in Corpus Christi when I heard the news stating the action the City Council had made and saying there would be a meeting of the San Antonio Transit Board at 3 o'clock. I got in my car and drove back to San Antonio and got here five minutes before the meeting. I asked Mr. Tapp if he had been in touch and he said he had attempted to be in touch with Mr. Parker and was told that Mr. Parker made the statement that if we had anything further to offer, he'd be glad to have it but he didn't feel a discussion was in order at that time. That clears up some things. There has been a misunderstanding.

MR. TORRES: Yes, there has been a misunderstanding because Mr. Parker says that he wasn't contacted during the interim.

MR. SPEARS: I am just repeating what Mr. Tapp told me numerous times or someone in his office.

MR. TORRES: I was just repeating what Mr. Parker told me. So this is why I say, you know we don't accomplish anything by repeating what other people told us, but sit down and meet with these people direct.

MR. SPEARS: You were the one that brought it up.

MR. TREVINO: May I ask a question, Mr. Spears? Is Mr. Parker selected by the members of the union?

MR. SPEARS: It is my understanding, that's correct. It's my understanding they have a vote and elect the president.

MR. TREVINO: Is the committee also selected, or is it selected by Mr. Parker?

MR. SPEARS: I believe the committee is selected also. I'm not sure.

DR. NIELSEN: He was asking is the committee selected by the members or by Mr. Parker.

MR. SPEARS: By the members.

MR. TREVINO: It seems to me, if this is the case the negotiations that have been going on so far have been proper because that is usually the way negotiations are done.

MR. SPEARS: That is certainly true. As Mr. Torres suggested, we will do anything to arrive at a proper solution to the bus strike. I think all of us are most concerned about it. But we have been following the procedure that we thought we were supposed to follow and that is the elected representatives of the union had charge of the meetings.

DR. CALDERON: I personally feel the union committee highly qualifies to represent the thinking and the sentiment to represent its membership. I also feel that the Transit officials, through Mr. Felix Tapp, are highly qualified to represent management and the City Council. I will not go along with any deviation from this structure that has been utilized. I think you people have proceeded to represent the City Council, the riders of the buses and the people of San Antonio and I think you have, over a period of 2½ months, have been talking to union officials who have on two occasions accepted your offer but the membership has rejected them twice.

Dr. Calderon---continued---

So I think our problem is one of internal conflict within the membership itself. If the membership is not satisfied with those people on the executive committee, let them replace them. But if there is to be any changes made in this question of negotiation, it must be on their part and not for the city to change what we have considered. This is the proper procedure.

MRS. COCKRELL: Mayor, I concur with what Dr. Calderon has said. The City Council has reaffirmed its support of the Transit System as the properly designated party to be conducting the discussions on behalf of the City and on behalf of the Transit Board. They are discussing at anyone's call really, a constant call, trying to reach an agreement. It is proper that they meet with the representatives of the employees, who, the employees themselves have elected and designated. It certainly is not good procedure to conduct negotiations with many different factions and many different parties. I think you are proper in meeting with those representatives who the drivers and employees themselves have selected. For individual members of the Council to inject themselves into the dispute or for the Board to meet with individual factions is simply going to confuse rather than work toward a solution. So I want to agree with what Dr. Calderon has said and state that I appreciate the fact that you have been continuing to meet and that your attitude is quite obviously one of desiring very earnestly to get to a solution and I know we all hope a solution can be reached.

MR. SPEARS: Thank you, Mrs. Cockrell.

DR. NIELSEN: Mrs. Cockrell, I didn't understand anywhere along the line where anyone was talking about any drastic change in procedure when the ox is in the ditch. There's a workable alternative to get what everybody seems to be saying should be accomplished and that is an equitable settlement and the buses running. We are not deviating from procedure and I have not heard anyone suggest we go to small factions or anything like that. I have heard one Council member suggest a possible alternative and I am sure you will seriously consider that and the Transit Authority will act wisely.

MR. TORRES: Of course, with remarks not directed to Mr. Spears but to Dr. Calderon and Mrs. Cockrell, we are talking about here a curtailment of bus service and you all are talking about protocol. I certainly think that restoration of bus service should certainly take precedent to the attainment to the highest protocol in these matters. Secondly, if the workers, Dr. Calderon, have to approve the agreement, the entire body of them have to approve the agreement and because the agreement the union leadership has not been approved, this is why it is suggested that the Transit officials take their proposal directly to the workers with the idea of trying to get the matter resolved. Up until last Thursday, although you say that all efforts have been taken for 2½ months, and that Mr. Hill has met with these people for 2½ months, when I was at your meeting last Thursday, Mr. Hill had not met with the union officials or the union membership. As I mentioned last week, I think a little bit of humility is in order. I realize he has a big position over there, a big job, but I also realize we have something of a crisis on our hands.

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COUNCILMAN HILL: What kind of consideration has been given to the sick leave where you have the two days before it starts?

MR. SPEARS: It is just like it was.

COUNCILMAN HILL: Has there been any discussion on this?

MR. SPEARS: I don't believe there was any discussion yesterday regarding that. Of course I wasn't in on the discussion, but the way it was repeated to me there was no discussion regarding that.

COUNCILMAN HILL: I was curious, because the Union had certain fringe benefits they had been talking about and now they say forget the fringe benefits and give us three dollars.

MR. SPEARS: Yes they did.

MR. TORRES: This two day waiting period, before a driver can go on sick leave, if it were removed do you have a cost analysis of what this would run to the System, the kind of problems it would create?

MR. SPEARS: Yes, I believe, it was either \$13,000 or \$26,000. I have so many figures in my mind I can't keep them straight and I don't have them written down.

MR. TORRES: Is finances the only compelling reason for requiring that two day waiting period or is there a far more compelling reason for this archaic situation.

MR. SPEARS: You call it an archaic situation. Then I guess all the transit systems in the United States are archaic because they all operate on the same system. We have one of the most liberal of all the transit systems regarding leave.

MR. TORRES: I'm glad to hear that, but is there a compelling reason for a two day waiting period before you can go on sick leave?

MR. SPEARS: Yes sir there is. Mr. Tapp could explain this far better than I. My understanding is that the primary reason is that we would have to keep too many people standing by to work in case they had an illness. We have no way of knowing who is going to be ill today and I think it works better with a two day waiting period for the City and the Transit System.

DR. NIELSEN: Have you tried at any time in a selected case to reduce it?

MR. SPEARS: Not that I know of.

MAYOR McALLISTER: If you try a thing of that kind, Dr. Nielsen, once it's gone, its gone forever.

DR. NIELSEN: I just meant a pilot study. You know we have pilot studies in all kinds of areas and I just wondered if anyone here or anywhere else had tried it.

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MR. TORRES: Mr. Spears, of course I referred to the system as archaic, not in the terms of analogy or a comparison with any other system, but archaic in the sense that it is almost ridiculous and it is almost one of these remnants that were common to all forms of employment at the turn of the century sir, where a man had to give advance notice that he was going to be sick. I find that to be a little bit ridiculous.

MR. SPEARS: Well, I think you are twisting words there, Mr. Torres. That's beside the point. Mayor do you have anything else.

MR. TORRES: It's not beside the point, Mr. Spears. I was not twisting words, sir. I was pointing out a situation which exists over there.

MR. BURKE: I wanted to ask Mr. Spears a question about the fares in San Antonio. I'd just like to know how the bus fares compare with other cities in Texas.

MR. SPEARS: We are lower than any other city I know anything about.

MR. BURKE: Well, if you increase the fares from \$.20, the base fare, to \$.25, how would you then compare with Austin, Dallas, Houston and Fort Worth?

MR. SPEARS: Dallas at the present has a \$.25 fare. I believe that Houston has \$.35. I believe Houston just went to \$.35. I know Dallas is \$.25 and Houston is \$.35. I believe some of the smaller cities have a \$.20 fare now. I know no one has any less than \$.20.

MR. TORRES: Is that a publicly owned system in Houston, Mr. Spears?

MR. SPEARS: No, it is not.

MR. TORRES: Is the Dallas system publicly owned?

MR. SPEARS: Yes, sir, it is.

MR. TORRES: How do our fares compare with the Dallas system?

MR. SPEARS: Our fares are less at the time being than the Dallas System.

69-40  
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69-50 The following ordinances were explained by Purchasing Agent, John Brooks, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

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AN ORDINANCE 37,867

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF DOUGLASS W. KING COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PARKS AND RECREATION WITH CERTAIN GRASS SEED FOR A NET TOTAL OF \$4,755.00.

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AN ORDINANCE 37,868

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF ANCHOR POST PRODUCTS INC. OF TEXAS, ANCHOR FENCE DIVISION TO FURNISH THE CITY OF SAN ANTONIO INTERNATIONAL AIRPORT WITH CERTAIN STEEL FENCING MATERIALS FOR A NET TOTAL OF \$25,520.64.

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AN ORDINANCE 37,869

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF MUNI QUIP CORPORATION TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH THREE RADAR UNITS FOR A TOTAL OF \$2,370.00.

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AN ORDINANCE 37,870

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF THE NATIONAL CASH REGISTER COMPANY TO FURNISH THE CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH ONE CASH REGISTER FOR A TOTAL OF \$2,727.00.

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The Clerk read the following ordinance.

AN ORDINANCE 37,871

ACCEPTING THE BID OF E. N. DEAN SHEET METAL AND ROOFING COMPANY FOR RE-ROOFING OF LAKE PAVILION AND PRESS CENTER AT HEMISFAIR PLAZA; AUTHORIZING CITY MANAGER TO EXECUTE A CONTRACT FOR SUCH WORK AND AUTHORIZING PAYMENT OF \$10,900.00 TO SAID CONTRACTOR OUT OF THE GENERAL FUND TOGETHER WITH \$500.00 TO BE USED AS A CONTINGENCY ACCOUNT.

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Mr. Melvin Sueltenfuss, Assistant Director of Public Works, explained that four bids were received ranging from \$10,900 to \$16,490. The roof is guaranteed for twenty years. When Hemis-Fair built the structures they placed only temporary roofs on the buildings. They are now in need of repair to protect not only the City's property but that of the lessees.

He recommended the Council accept the low bid.

In answer to questions from Mr. Torres, Mr. Henckel stated the will have to re-roof all the temporary buildings. The present policy is that if anyone wants to lease the entire module they will be responsible for maintenance of the entire building. If they just rent a part of the building the City assumes responsibility for maintenance, but the rent is higher.

Councilman Torres asked that the Staff make a study to see how many of these buildings are going to need new roofs and the approximate cost of same.

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

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The Clerk read the following ordinance.

AN ORDINANCE 37,872

AMENDING ORDINANCE NUMBERS 30964 AND 31029  
BY EXEMPTING STINSON MUNICIPAL AIRPORT, LIMIT-  
ING APPLICATION TO INTERNATIONAL AIRPORT LEASES  
EXCEPT CERTAIN AIR LINES LEASES; ESTABLISHING  
A FIXED ADJUSTED RENTAL RATE FOR FISCAL YEARS  
AUGUST 1, 1969 THROUGH JULY 31, 1974; CHANGING  
EFFECTIVE DATE OF RENTAL ADJUSTMENT AND THE BASE  
YEAR AND AUTHORIZING EXECUTION OF LEASE AMENDMENTS.

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Mr. Thomas Raffety, Director of Aviation, explained that the present leases have provisions for annual adjustments of rentals. He explained that this ordinance provides that rental adjustments be changed from an annual basis to a five year basis. This will freeze rentals at the 1969 rate. The next adjustment will be in 1974. Adjustments will be limited, up or down, to 25% of the adjusted rate in effect during the previous five-year period.

He stated that this had been discussed with the lessees and they are in agreement with the proposal and has also been approved by the Airport Advisory Committee.

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The ordinance exempts Stinson Municipal Airport from these provisions. They were previously exempt through administrative directive. He felt the new provisions would be helpful to the lessees as well as the City because it is a very complicated matter to make annual adjustments.

Mr. John Carl Stromberger, attorney for Forrest Oil Corporation, who is a lessee, felt it would be advantageous to both the City and Forrest Oil. However, he did not know whether his client would be willing to renegotiate and go along with the ordinance.

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

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The Clerk read the following ordinance.

AN ORDINANCE 37,873

GIVING THE REVEREND FATHER DOUGLAS FREDERICK STYLES PERMISSION TO USE 2 ROOMS IN TERMINAL BUILDING, SAN ANTONIO INTERNATIONAL AIRPORT, AS A "CHAPEL OF THE AIRWAYS" UPON CERTAIN CONDITIONS.

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Mr. Thomas Raffety, Director of Aviation, explained that this lease consists of two rooms east of the ticket counter in space formerly occupied by Mexicana Airlines. A request to lease space to establish a chapel has been made by Reverend Douglas Frederick Styles, an Episcopal minister. The chapel will be used to assist travelers and employees at the airport.

Occupancy of this space is temporary as the terminal building is being remodeled. Either party may cancel the lease by giving 15 days notice. The leased area consists of two rooms, one 10'x 14' and one 14' x 8' with a total floor space of 250 square feet of space. Rental is at the standard rate which is \$94.00 per month. This particular space will be needed for airport expansion and the use is temporary and contingent upon space being available.

Discussion brought out that a precedent was being set and there will likely be similar requests from other denominations.

Reverend Styles advised the Council that they plan to have only one service a week. If the Council of Churches feel they would like to use the facilities they could do so. Counseling work will be referred to local ministers.

Councilman Torres made a motion that the ordinance be approved. The motion was seconded by Mr. Hill.

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Dr. Calderon made a substitute motion to postpone action on the ordinance as he felt there was a need to spell out the conditions of the lease. The motion was seconded by Mr. Trevino.

On roll call, the motion failed by the following vote: AYES: Calderon, Trevino; NAYS: McAllister, Burke, Cockrell, Nielsen, Hill, Torres; ABSENT: James.

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

69-40 - 40  
69-50 The following ordinance was explained by Mr. Thomas Raffety, Director of Aviation, and after consideration, on motion of Mr. Torres, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 37,874

AMENDING SECTION 1-16 OF THE CODE TO AUTHORIZE USE OF A CERTIFICATE OF DEPOSIT IN LIEU OF CASH DEPOSIT OR SURETY BOND TO GUARANTEE PERFORMANCE BY LESSEES AND CONTRACTORS UNDER CITY LEASES AND CONTRACTS.

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69-40 - 40  
69-50 The following ordinance was explained by Mr. Thomas Raffety, Director of Aviation, and after consideration, on motion of Mr. Hill, seconded by Dr. Calderon, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 37,875

AUTHORIZING PAYMENT TO AIRPORT OPERATORS COUNCIL INTERNATIONAL, INC. FOR ANNUAL MEMBERSHIP SERVICE FEE FOR SAN ANTONIO INTERNATIONAL AIRPORT IN THE SUM OF \$2,526.98.

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The Clerk read the following ordinance.

AN ORDINANCE 37,876

MANIFESTING AN AGREEMENT WITH SWEARINGEN AIRCRAFT, A PARTNERSHIP CONSISTING OF SWEARINGEN CORP. AS LESSEE TO AMEND SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 151 BY ADDING GROUND SPACE AND INCREASING AMOUNT OF PERFORMANCE BOND AND TO AMEND ORDINANCE AGREEMENT NO. 36968 BY DELETING PARAGRAPH "b" OF SECTION 1.

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Mr. Thomas Raffety, Director of Aviation, explained that this adds 168,245 square feet of ground space at an annual rental of 4¢ per square foot or \$6,729.84 per year payable \$560.82 monthly. It also provides for increasing the amount of the performance bond to \$5,500.00.

Councilman Burke inquired as to whether this firm was satisfied with the facilities at the airport.

Mr. Raffety advised that they are satisfied with the location but they are having difficulty in acquiring and keeping skilled labor. One of the problems is that Kelly Air Force Base, being one of the biggest aircraft maintenance depots in the country, gets the people.

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

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69-50 The following ordinance was explained by Aviation Director, Thomas Raffety, and after consideration, on motion of Mr. Trevino, seconded by Mr. Hill, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSENT: James, Torres.

AN ORDINANCE 37,877

AMENDING ORDINANCE #19447 OF AUGUST 15, 1953 AND ORDINANCE #31251 OF APRIL 10, 1963 BY CHANGING THE FUEL FLOWAGE FEE TO BE PAID AT SAN ANTONIO INTERNATIONAL AIRPORT FROM 2¢ TO 3¢ AND CHANGING THE WORDS AVIATION GASOLINE TO AVIATION FUEL.

\* \* \* \* \*

REPORT ON RUNWAY CONSTRUCTION - INTERNATIONAL AIRPORT

Mr. Thomas Raffety, Director of Aviation, advised the Council that he had met with the contractor, Killian-House, concerning completion of the project. The contractor advised that he has a completion date of November 30, however certain phases of the work, such as electrical, may need to be extended to January. He is holding to the November 30 completion date, however, and has assured the City he will expedite the work to the utmost.

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

AN ORDINANCE 37,878

FOR ACQUISITION OF RIGHT-OF-WAY AND EASEMENTS PERTAINING TO THE SALADO CREEK SEWER OUTFALL PROJECT AND U. S. 281 NORTH EXPRESSWAY PROJECT.

\* \* \* \*

The Clerk read the following ordinance.

AN ORDINANCE 37,879

AMENDING ORDINANCE 37618 THAT CLOSED AND CONVEYED A PORTION OF EMILE STREET TO FLORES S. W. MILITARY COMPANY BY CHANGING THE SALE PRICE FROM \$4,925.00 TO \$7,550.00.

\* \* \* \*

Mr. W. S. Clark, Land Division Chief, stated the Council previously authorized the sale of Emile Street. The Planning Commission had required an extension of Emile Street into Green Oak which was to be dedicated and built by the petitioner. The Planning Commission later changed its mind on the extension and as a result of this, the approved amount of property to be conveyed to the petitioner changed. The consideration was revised upwards and is now \$7,550.00.

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

69-40

69-50

The Clerk read the following ordinance.

AN ORDINANCE 37,880

CHANGING THE NAME OF A PORTION OF QUARRY AVENUE TO LARK AVENUE.

\* \* \* \*

Mr. George Vann, Director of Housing and Inspections, explained that Quarry Avenue is in the City and extends west from Lark Avenue to Brendell Boulevard. The Planning Commission has recommended that this name be changed to Lark Avenue.

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

69-40

69-50

The Clerk read the following ordinance.

AN ORDINANCE 37,881

CHANGING THE NAME OF BRYAN PARKWAY TO CITIZENS PARKWAY.

\* \* \* \*

Mr. George Vann, Director of Housing and Inspections, explained that the Council recently changed the name of this street to Bryan Parkway. The Post Office advised that there already is a Bryan Street in San Antonio and it conflicts with the existing street name. The Planning Commission has recommended that Bryan Parkway be changed to Citizens Parkway, which name has been approved by the Post Office Department.

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

69-40

69-50

The Clerk read the following ordinance.

AN ORDINANCE 37882

CHANGING THE NAME OF A PORTION OF EAST COMMERCE STREET TO HIGHWAY 90 EAST AND ALSO CHANGING THE NAME OF A PORTION OF EAST COMMERCE STREET TO EMIL ROAD.

\* \* \* \*

Mr. George Vann, Director of Housing and Inspections, explained that the part of East Commerce Street where the north portion extends to W. W. White Road and the south portion extends to Loop 410 is being changed to Highway 90 East. The portion of East Commerce Street from the Southern Pacific Railroad tracks to Loop 410 is being changed to Emil Road.

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

69-40 -40  
69-50

The following ordinance was read by the Clerk.

AN ORDINANCE 37,883

MAKING AND MANIFESTING A CONTRACT WITH RUDD AND WISDOM CONSULTING ACTUARIES, TO PERFORM ACTUARIAL SERVICES FOR THE SAN ANTONIO FIREMEN AND POLICEMEN PENSION FUND FOR A PERIOD OF ONE (1) YEAR BEGINNING AUGUST 1, 1969.

\* \* \* \*

Mr. Arthur Brown, City Controller, explained that this is the firm who has been performing actuarial services for the Pension Fund. The charge for their services is a retainer fee of \$50.00 per month. The fee for their actuarial work is \$120.00 per day plus \$24.00 per day for clerical time. Such fee not to exceed \$1500.00.

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

69-40 -40  
69-50

The Clerk read the following ordinance.

AN ORDINANCE 37,884

AUTHORIZING PAYMENT OF THE SUM OF \$6,084.00 TO THE BRUSSELLS INSURANCE AGENCY FOR FIRE AND EXTENDED COVERAGE INSURANCE BINDER COVERAGE PROVIDED BY THE AMERICAN AND FOREIGN INSURANCE COMPANY ON HEMISFAIR PLAZA PROPERTIES.

\* \* \* \*

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

69-40 The Mayor was obliged to leave the meeting temporarily and Mayor Pro-Tem Cockrell presided.

69-40 The Clerk read the following ordinance.

AN ORDINANCE 37,885

LEVYING AN INCREASED OCCUPATION TAX ON COIN OPERATED MACHINES AND PROVIDING FOR A CITY LICENSE FEE ON HOLDERS OF RETAIL DEALER'S ON-PREMISE LATE HOURS LICENSES, PURSUANT TO STATE LAW; AND DECLARING AN EMERGENCY.

\* \* \* \*

Mr. Leonard Baker, Tax Assessor-Collector, explained that the Legislature has increased the occupation tax on coin operated machines to \$15.00 a year. The City is authorized to collect one-half of this amount. The ordinance increases the City's fee from \$5.00 to \$7.50.

The Legislature also passed a bill providing for a Retail Dealers On-Premise Late Hours License with an annual state fee of \$100.00. The City is authorized to collect one-half of this amount and the ordinance provides for a \$50.00 fee to be collected for the late hours license.

Discussion brought out the increased fees will help to defray the cost of supervising operations.

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

69-40 The Clerk read the following ordinances which were explained by Mr. Bill Lindquist, Assistant Director of Municipal Facilities and after consideration on motion made and duly seconded, each were passed and approved by the following vote: AYES: Calderon, Cockrell, Nielsen, Hill, Torres; NAYS: None; ABSENT: McAllister, Burke, James, Trevino.

AN ORDINANCE 37,885-A

CANCELLING A LEASE AGREEMENT WITH ALBERT  
BARSION D/B/A BOUTIQUE VENDOME FOR LEASE  
OF SPACE AT HEMISFAIR PLAZA EFFECTIVE  
MAY 27, 1969.

\* \* \* \*

AN ORDINANCE 37,886

MANIFESTING AN AGREEMENT BETWEEN THE CITY  
AND GUADENCIO PONCE DBA PONCE'S CREATIONS TO  
MUTUALLY TERMINATE THE PRESENT TWO AGREEMENTS  
FOR LEASE OF SPACE IN HEMISFAIR PLAZA.

\* \* \* \*

69-40

The Clerk read the following ordinance.

AN ORDINANCE 37,887

AUTHORIZING FREE USE OF THE MUNICIPAL AUDI-  
TORIUM BASEMENT TO THE CENTRAL INDEX OF  
SAN ANTONIO FOR THE PERIOD OF NOVEMBER 17  
THROUGH DECEMBER 29, 1969.

\* \* \* \*

Mr. Francis Vickers, Director of Municipal Facilities,  
advised that the Christmas Clearing Bureas is sponsored by the  
Central Index of San Antonio and is a United Fund Agency and provides  
food, clothes and toys for the needy at Christmas time.

The Christmas Clearing Bureau is set up to avoid du-  
plication of giving through close cooperation with agencies, clubs,  
organizations and individuals who assist in providing the items to  
be given away.

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

The Mayor returned to the meeting and presided.

69-40

The Clerk read the following ordinance and resolution.

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## AN ORDINANCE 37,888

AUTHORIZING THE SALE OF TWO PARCELS OF LAND  
LOCATED IN COMAL COUNTY CONTAINING 44.42 ACRES  
TO THE CITY OF NEW BRAUNFELS FOR MUNICIPAL PUR-  
POSES FOR A CONSIDERATION OF \$50,000.00.

\* \* \* \*

## A RESOLUTION

WITH REFERENCE TO THE SALE OF CERTAIN PROPERTY  
IN COMAL COUNTY CONSTITUTING A PART OF THE  
ELECTRIC AND GAS SYSTEMS UNDER THE JURISDICTION  
OF THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO.

\* \* \* \*

Mr. Harper Macfarlane, attorney for the City Public Service Board, stated that the City Public Service Board owns two tracts of land near New Braunfels. There are no plans for development of this property and it has been declared surplus. The City of New Braunfels is willing to pay \$50,000 for the site. The property was appraised at \$45,000. No bids were taken as this is a transfer from one municipal corporation to another. The Harris Trust and Savings Bank has executed a release enabling the property to be sold. The money to be received is to go into the building fund as provided for in the indenture.

He explained that the property in question was leased by the City of San Antonio to Guadalupe-Blanco River Authority which in turn sublet the property to the Lower Colorado River Authority. Both Authorities have agreed to release the property from the terms of the lease. The resolution is necessary in order to execute an instrument of acquittance and release by the parties to the lease agreement.

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

69-40

The Clerk read the following ordinance.

## AN ORDINANCE 37,889

AMENDING THE CURRENT BUDGET BY CREATING TWO  
ADDITIONAL EMPLOYEE POSITIONS IN THE CONVENTION  
BUREAU AND APPROPRIATING \$19,012.00 OUT OF THE  
UNAPPROPRIATED SURPLUS OF THE CONVENTION BUREAU  
FUND # 206.

\* \* \* \*

City Manager Henckel stated that this provides for the change in operation of the Tourist Bureau from the Chamber of Commerce to the City of San Antonio. The Bureau will be staffed by two employees who will work under the supervision of Mr. Wally Hall and Mr. Walt Warner.

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

69-40

The Clerk read the following ordinance.

AN ORDINANCE 37,890

AMENDING THE PROVISIONS OF ORDINANCE NO. 37525 RELATING TO THE FUNCTIONS OF THE CONVENTION ADVISORY COMMITTEE.

\* \* \* \*

City Manager Henckel advised that Section 2 of the ordinance is amended to read as follows:

"SECTION 2. The committee shall advise and make recommendations to the City Council and City Manager on methods of promoting conventions and tourism in the City in order to enhance the prosperity and growth of the City."

He stated that the word 'tourism' has been added to this section so that the Advisory Committee will have jurisdiction over conventions and tourism.

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

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69-40

The Clerk read the following Ordinance:

## AN ORDINANCE 37,891

MANIFESTING AN AGREEMENT WITH THE SAN ANTONIO CHAMBER OF COMMERCE FOR OPERATION OF AN ECONOMIC, INDUSTRIAL AND DEVELOPMENT PROGRAM IN CONSIDERATION OF AN AMOUNT NOT TO EXCEED \$100,000.00 PER ANNUM.

\* \* \* \*

Mr. Torres: I have a question. In going over the ordinance, Crawford, I feel like I still have a legal hang-up over this thing. Where's the consideration to the City under the new contract, legally?

Mr. Crawford Reeder: I read that ordinance, tob, Mr. Torres, and I couldn't see any consideration to the City, but it may be just the way that it's drawn.

Dr. Nielsen: Specifically, I got the idea that there was going to be some kind of accountability called for?

Mr. Henckel: Yes, there will. The fee is not to exceed \$100,000.00. This is what the Council set up in the budget. However, on all items of expenditure in this program they will submit invoices to the City and submit to the City the payrolls for these employees. Then we will pass ordinances for the advertising and the expenses that will come to the Council with it so that you are advised of it. In other words, it is not a blanket sum we are giving the Chamber.

Mr. Torres: Of course I'd like to go along with this and I still don't see where we're getting anything that the Chamber of Commerce would not do in any event without the passage of this ordinance because they do have an economic, industrial and development program in effect, do they not?

Mr. Henckel: Well they do have a program. However, it is funded by the City, Pete. I would say if we withdraw our funds, the program would fold.

Mr. Torres: This is correct. That is exactly my point, that the program would fold and that the only thing that we're doing is, and I've said this before, I'll repeat it again--I think sometimes I need emphasis, Mr. Mayor, that we are strictly subsidizing the Chamber, because here is a Chamber function, a function the Chamber is supposed to be performing anyway as an organization and we turn around and we're giving them \$100,000.00 which is nothing more than a subsidy. Frankly, under the ordinance I see no consideration coming back to the City and as I understood Mr. Reeder, he agrees with me that nothing is being done which they wouldn't be doing anyway. What's the total salary of these employees, Jerry?

Mr. Henckel: The four, as I recall, amounts to something in the neighborhood of \$32,000.00 or \$35,000.00. There's a director, a secretary, and two other employees. Their job is to promote industry into San Antonio, The benefit we get from the program, of course, is what industry they bring here would go on the tax rolls.

Mr. Torres: Of course, I well understand that and your efforts in trying to work up a good contract, Jerry, but in spite of your efforts, this is just a remedial situation. You can't do it until you take the bull by the horns. Of course you need the Council's authority for you to take it over your self. If we're paying their salaries, I submit to my colleagues on the Council we're paying their salaries, why can't we just get them in here and have them work under Mr. Henckel's direction and just have our own Economic, Industrial and Development Department with the City of San Antonio? And this is the whole point I have been trying to make. Again, I want to say that I think Mr. Henckel has made a good situation out of a bad contract and out of internal problems they've got over there with the Chamber of Commerce. But we still have a bad contract here. We still have what amounts to a subsidy. We're all for tourism, industrial development, but we're not going to accomplish it by subsidizing an agency for self-serving ends and this is what we're doing.

Dr. Nielsen: Pete, how could the contract be strengthened? Just moving them over here would't change the contract.

Mr. Torres: You have a situation where you don't have any contract.

Dr. Nielsen: Is the ordinance a contract or not? Or do you spell out another contract if we approve the ordinance? You know, spelling the payroll comes through here and all this sort of thing.

Mr. Henckel: That would be administrative, and this, of course, what I have worked out with the Chamber. I advised them that all payments to the Chamber would be made on the submission of invoices for value received. I feel that under the situation this is the best that we can do. It will give us and the Council, some authority to pass on these as they come up. The difference being here from the original intention at the time of the budget. At that time, it was stated that no administrative expenses would be charged to these programs. It has come to light there was no provision by the Chamber for the salaries for the people working in this program as well as the tourist program. So, the compromise agreement was that the City would take over the tourism department completely. They would be City employees and the City would then reimburse the Chamber for the salaries of the employees in the economic and industrial development. It being felt that the Chamber would do a better job because of the work with committees and the contacts through businessmen of the community who are members of the Chamber in securing additional business.

Mr. Torres: Well you're not losing that contract because they had operation anyway irrespective of what we give them.

Mr. Henckel: Pete, I just don't know whether they would or not. They came to me and said they didn't have any money to pay the salaries.

Mr. Torres: So, because they don't have any money they come to us and say they don't have any money. So any other club or organization in this community comes to the City Council and says "We don't have any money to perform a function that would have other charitable and salubrious ends." Of course then we would have to subsidize them too by this line of reasoning.

Dr. Nielsen: Should they be City employees or should they be employees of the Chamber? That might be really what we're talking about.

Mr. Henckel: Members of the Council, I base this on the action taken by the Council at budget time at which time the Council passed a resolution that the Chamber would perform this particular function this year, the economic and industrial development. And as I recall, also, we increased the appropriation because of the Council's concern of the fact that we needed additional work in this field for San Antonio for \$80,000.00 to \$100,000.00. So I'm just following what I thought was the Council's intention.

Mr. Torres: Well of course, at that time, I, too, Jerry--I'm not arguing. You know what my exceptions were at that time, and I am merely trying to make an impression on my fellow Council members. I know that this is a matter of policy. I'm not arguing with you but I'm looking at Section 2 of the ordinance, both Section 1 and 2. The Section 1 stresses that the ordinance makes the manifesting contract between the City of San Antonio and the San Antonio Chamber of Commerce and then Section 2 says that the "Chamber shall receive an amount not to exceed \$100,000.00 per annum to conduct such a program", a program of economic and industrial development, that amount to include salaries of four Chamber employees including a director, secretary, and two other employees. The City is to reimburse the Chamber for employee salaries on a monthly basis. Now, there is no provision as to what we get back. Of course, it's a problem we've had before. It's a problem I've been trying to point out to the Council. I think that the era of subsidization of such a self-serving organization should end.

Mr. Henckel: Well, I think I can help clarify the situation that may make it more palatable. I have advised the executive director of the Chamber that all payments from the City to the Chamber on this program will be based on the submission of programs. This is the thing we have never done in the past, and this is what they're preparing at the present time. They will also give status reports monthly on what they're doing and what they have done. Then the travel and expenditures that's made in this program will be submitted to us by invoice.

Then we will make our appropriations at that time. So, we will have rigid control from the administration viewpoint.

Mr. Torres: My point is, Mr. Mayor, we're not requiring them to do anything. If they do these things and if they come back and they give us these reports it's because they want to. But I cannot, or any member of the staff, cannot go to the Chamber and say, specifically, ask for any kind of work performance because there is no work performance criteria specified. It never has been specified. So I think this is what the problem is.

Mrs. Cockrell: As a practical matter, Mr. Henckel, if you do not receive the plans, proposals, the budget, the work program, is it mandatory that the check be issued to the Chamber?

Mr. Henckel: There won't be any check issued without approval, Mrs. Cockrell.

Mrs. Cockrell: In other words, there are controls.

Mr. Henckel: We will have that clarified.

Mr. Torres: You're missing my point, Mrs. Cockrell, and with all due respect, I think that the point that I'm trying to make is that any contractual relationship demands something of both parties and where in this case they're demanding \$100,000.00 of us, the contract itself specifies what it is that we do get back in return, in specific terms. And there is nothing, I don't know if you have seen the ordinance, Mrs. Cockrell, I have it in front of me. I shall be glad to show it to you. The ordinance does not specify what the Chamber is going to do in any specific terms.

Mr. Henckel: I would recommend that we pull the ordinance and that if the Council wants it specified in the contract, well we'll draw up an agreement that does.

Mr. Torres: I'm not talking about general statements. I'm talking about something specific, like what we're going to get back of of this thing.

Mrs. Cockrell: This of course, is a matter that has been reviewed by the Council over a long period of time. We have felt that it was in the public's interest to carry out programs in field of tourist advertising and in the field of industrial advertising. My decisions, as just one member of the Council, have always been based on where I felt the City's money could be spent so that the City got the best advantage from the money. In the past the tourist promotion has been handled by the Chamber. Now recently the City has organized the Convention Bureau which is functioning very effectively. Through the further study and negotiations the management has recommended that this portion of the program be handled by our

Convention Bureau and so I have acquiesced in this recommendation feeling that this was again based on where the City could get the best value for the money. The City has determined that it desires a service of promotions of the industrial development of San Antonio and that this is in the public interest and that we wish to stress this. We are of course, getting from the Chamber a service. If it will influence Mr. Torres' vote, I will be very happy to see the fact included in the contract that we are expecting from them the service of industrial promotion. I am not entirely sure that alteration would affect Mr. Torres' vote. However, as an individual member of the Council, I would like to say that I vote for this only because I feel that this is a service which the City can and really should perform and have performed for it and that we are getting our money's worth and is why we are going with this particular contract.

Mr. Burke: I move the passage of this ordinance, Mr. Mayor.

The motion was seconded by Mr. Hill.

Mr. Torres: I have a substitute motion Mr. Mayor that no member of the Council who is a member of the Chamber of Commerce be permitted to vote on this ordinance.

Dr. Nielsen: I second that motion.

Mrs. Cockrell: I have on previous occasions consulted with the City Attorney as to whether certain things constituted conflict of interest. I am a member of organizations which have from time to time asked for certain things. The advice which I was given at the time, which I assumed would hold true for others, is that if you are not an officer or policy making member of the organization, it does not constitute a conflict of interest. I would assume that it would hold true here.

Mayor McAllister: I presume that that indicates Dr. Nielsen and Mr. Torres are not members of the Chamber of Commerce.

Mr. Torres: Oh, I think that is a very strong presumption, Mr. Mayor.

Dr. Nielsen: I happen to be a member of the Chamber of Commerce, that is why I feel a conflict of interest.

Mayor McAllister: I see, Okay. Substitute motion. Call the roll.

Dr. Calderon: I might just mention Mr. Mayor, that the motion seems of course in conflict with what he did. About a year or so ago when we sold a piece of land to the Bar Association Mr. Torres voted in favor of the action. He is a member I assume of the Bar Association, are you not, Pete?

Mr. Torres: I am a member of the Bar Association. If you had been wise enough at that time to have come up with a similar motion, I would have acquiesced with the majority thinking of the Council, Dr. Calderon.

Mayor McAllister: In other words, at that time because it was your selfish interest to go ahead and see the motion passed you were willing to not disclose the fact. Alright, call the roll on the substitute motion. We are voting on the substitute which means that no one who is a member of the Chamber of Commerce can vote.

On roll call the motion failed by the following vote: AYES: Nielsen, Torres; NAYS: McAllister, Calderon, Burke, Cockrell, Trevino, Hill; ABSENT: James.

Mayor McAllister: Substitute loses. Call for a vote on the original question.

On roll call the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Trevino, Hill; NAYS: Torres; ABSTAINING: Nielsen; ABSENT: James.

Dr. Nielsen stated he abstained because he felt the contract could be spelled out more clearly.

Mr. Torres stated he voted no on the grounds that the ordinance is a violation of Article 3, Section 52, of the Texas Constitution which provides the Legislature shall have no power to authorize any County, City, Town or other political corporation of the State to lending its credit to grant public money or thing of value in aid of or between individual association or corporation and this is what we are doing.

69-40

The Clerk read the following ordinance:

AN ORDINANCE 37,892

MANIFESTING AN AMENDMENT TO THE EXISTING CONTRACT WITH THE CHAMBER OF COMMERCE PERTAINING TO OCCUPANCY AND USE OF THE NEW CHAMBER BUILDING BY PROVIDING THAT THE CHAMBER BE PAID \$24,000.00 ANNUALLY BY THE CITY FOR OPERATION OF A TOURIST INFORMATION CENTER.

\* \* \* \*

Mr. Henckel: This is the last change and this is in the contract that we have with the Chamber for the lease of the property where the Chamber offices are. As you recall, it was built on City property. Consideration of the lease, a twenty-five year lease to the Chamber, was the improvements that were put on the property. In the same lease the City leased back six thousand square feet at \$4.00 a square foot for the use of the operation of the tourist information center. This amends that portion of the contract and eliminates the lease factor and provides that the Chamber operate a tourist information center for \$24,000.00 a year which is to include the staffing, the equipment and the space.

Mr. Torres: Do they pay us for the use of the land on that?

Mr. Henckel: No, the consideration of the 25-year lease is the improvements that were put on the property. \$350,000.00 worth.

Mr. Torres: Improvements do come back to the City.

Mr. Henckel: Improvements became the property of the City. Once they were put on City property. They paid for them and we gave them a 25-year lease for the consideration of the improvements that they put on City property.

Mr. Torres: I see. So actually this is a sub-lease back to the City of San Antonio.

Mr. Henckel: Yes sir. This changes the sub-lease of the space that we had and provides that they operate the tourist information center. Under the old lease, we just merely paid for the space. Under this arrangement here, they provide the space; they provide the employees; they provide the utilities and the maintenance. We have no responsibility other than the payment of the consideration for this service of \$24,000.00 a year.

Dr. Nielsen: The two girls that work in the front are not paid out of this \$24,000.00 a year?

Mr. Henckel: They will be, once this is passed.

Mr. Torres: So how much of this center is on the sub-lease? Out of that \$24,000.00?

Mr. Henckel: There won't be any more sub-lease.

Mr. Torres: We are buying the service back from them?

Mr. Henckel: We are eliminating the sub-lease and for the \$24,000.00 we are having them operate the Tourist Information Center. Previously we were merely leasing space for a Tourist Information Center, and the employees were paid out of a different fund.

Dr. Nielsen: Out of their fund.

Mr. Henckel: Well it was in essence of one of our funds.

Mr. Torres: Let's see on that sub-lease we were paying them how much money?

Mr. Henckel: \$24,000.00 a year. Same amount. So we are actually gaining.

Mr. Torres: Once again Jerry, in order to understand this, these are strictly salaries and the performance of the tourist information service, is that right?

Mr. Henckel: The completed operation of the tourist information service, yes sir.

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

69-40 The Clerk read the following ordinance and after consideration, on motion of Dr. Calderon, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 37,893

AUTHORIZING PAYMENT OF \$1,600.00 TO THE NATIONAL LEAGUE OF CITIES COVERING MEMBERSHIP DUES FOR THE PERIOD OCTOBER 1, 1969 THROUGH SEPTEMBER 30, 1970.

\* \* \* \*

69-40 CITIZENS TO BE HEARD:

Mr. E. R. Pruneda, representing the Greater San Antonio Federation of Neighborhood Councils, read the following resolution to the City Council regarding Housing in the Model Cities Area:

WHEREAS, The Edgewood Independent School District has a large number of students in its schools, and

WHEREAS, the school district is overcrowded and unable to provide enough classrooms for its enrollment, and

WHEREAS, the building of more low-rent housing in the Model Neighborhood Area would increase the population of the MNA and result in an increase of enrollment in the school district, and

WHEREAS, an overcrowding of conditions would lower the quality of education in the district as it would possibly force scheduling of students attending school on a half-day basis,

THEREFORE BE IT RESOLVED THAT

The Greater San Antonio Federation of Neighborhood Councils be on record that it is against the building of additional low-rent housing in the MNA until the Edgewood Independent School District is able to provide additional classrooms.

BE IT FURTHER RESOLVED

That it be understood that the Greater San Antonio Federation of Neighborhood Councils is not against the building of homes in the Model Neighborhood Area, and that copies of the resolution be forwarded to the San Antonio City Council.

September 11, 1969

Mr. Pruneda stated that it is his personal opinion that the problems of the Economic Opportunity Development Corporation cannot be blamed on one agency or individual alone. He felt the agencies under the EODC are not trying to gain power or dominate the war on poverty and have shown that they are there to help the poor and nothing else. He added that the Council is the only body that can solve the problems of the EODC.

69-40            Mrs. N. Hill, 223 Belmont Street, Co-Chairman of the East San Antonio Citizens Committee, stated that at their meeting on Monday night they were beautifully protected by an over amount of police officers. She did not feel the east side has given the City a sufficient amount of trouble to warrant this protection.

She stated they caucused prior to the meeting and cautioned their people that any excitement or disturbance is what some factions within the City would like to happen on the east side.

She asked the Council to look into police matters and see just why the east side of town has to have an excessive amount of policement and show of protection.

69-40            Mr. Edwardo Morales, 512 Torreon Street, complained of the brush pick-up service in his area of the City.

69-40            The Clerk read the following letter.

September 8, 1969

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

Gentlemen and Madam:

The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council.

9-8-69            Petition of citizens requesting the City to consider installation of airconditioning in the Lion's Field Adult Center at 2809 Broadway.

9-8-69            Petition of Mr. George Forster appealing the denial of the City Attorney to pay a claim for alleged damages to his residence at 302 North Star Drive due to sewer stoppage.

/s/ J. H. INSELMANN  
City Clerk

\* \* \* \* \*

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

A P P R O V E D:



M A Y O R

ATTEST:

C i t y C l e r k