

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 16, 1968 AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: McALLISTER, CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; Absent: NONE.

68-347 The invocation was given by Reverend Dennis Vath, Northeast Christian Church.

The minutes of the May 9, 1968 Council Meeting were approved.

68-348 First heard was Zoning Case 3265 to rezone Lot 34, NCB 11155 from "B" Residence District to "B-3" Business District located on the east side of Pleasanton Road, 115' north of E. Petaluma Blvd; having 90.6' on Pleasanton Road & a depth of 285'.

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.

On motion of Dr. Calderon, seconded by Dr. Parker, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino, Parker; NAYS: None; ABSTAINING: Jones; ABSENT: Torres.

AN ORDINANCE 36,492

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE ZONING ORDINANCE
OF THE CITY OF SAN ANTONIO BY CHANGING
THE CLASSIFICATION AND REZONING OF CER-
TAIN PROPERTY DESCRIBED HEREIN AS LOT 34,
NCB 11155 from "B" RESIDENCE DISTRICT TO
"B-3" BUSINESS DISTRICT.

* * * *

68-349 Next case heard was Case 3271 to rezone Lot 43, NCB 10760 from "A" Single-Family Residence District to "B-3" Business District located southwest of the intersection of south W. W. White Road & Elaine Road; having 314.15' on W. W. White Road & 99.03' on Elaine Road.

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

No one asked to speak in opposition.

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

AN ORDINANCE 36493

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 43, NCB 10760, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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68-350 Next heard was Zoning Case 3277 to rezone Lot 15, NCB 11268 from "B" Residence District to "B-1" Business District located southwest of Golden Avenue & Somerset Road; having 344.32' on Golden Avenue & 344.32' on Somerset Road.

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.

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

AN ORDINANCE 36,494

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 15, NCB 11268 FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

* * * *

68-351 Next heard was Zoning Case 3290 to rezone Lot 1, NCB 13804 from Temp. "A" Single-Family Residence District to "I-1" Light Industry District located on the northwest side of U.S. Highway 81 North, 1333.41' southwest of the cutoff to Weidner Road; having 77.0' on U. S. Highway 81 North & a maximum depth of 296.32'.

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.

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

AN ORDINANCE 36,495

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 1, NCB 13804 FROM TEMPORARY "A" SINGLE
FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT
INDUSTRY DISTRICT.

* * * *

68-352 Next heard was Zoning Case 3297 to rezone Lot 6, NCB 10780, save & except a 30' strip extending from Sinclair Road, south a distance of 295.15' from "A" Single-Family Residence District to "I-1" Light Industry District located on the west side of Loop 410, 295.15' south of Sinclair Road; having 304' on Loop 410 & a depth of 1018.97'.

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.

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

AN ORDINANCE 36,496

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 6, NCB 10780, SAVE & EXCEPT A 30'
STRIP EXTENDING FROM SINCLAIR ROAD, SOUTH
A DISTANCE OF 295.15' FROM "A" SINGLE-
FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT
INDUSTRY DISTRICT.

* * * *

68-353 Next heard was Zoning Case 3300 to rezone 1.220 acres out of Lot 12, NCB 11686 from "A" Single-Family Residence District to "B-2" Business District; and 9.576 acres out of Lot 12, NCB 11686 from "A" Single Family Residence District to "B-3" Business District located between State Loop 410 & Vance Jackson Road, approximately 184' northeast of the intersection of these two roads; having 489.81' on Vance Jackson Road & 1117.46' on State Loop 410; the "B-2" zoning being on the north 270.94' of the west 195.71' of this lot & "B-3" zoning on the remaining portion. (Being further described by field notes.)

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

Mr. Pat Legan, representing the applicant, stated that his client desired to build a Handy-Dan "do-it-yourself" type of store containing approximately 43,000 sq. ft. He explained that although the property consists of 10.874 acres, there is a large drain, approximately 135' wide that divides the property on the north side and which cannot be used for building purposes. The remainder of the property is to be used for parking purposes.

Mr. Byron Steele, owner of property that is surrounded on three sides by the subject property opposed the rezoning because of the numerous uses that "B-3" zoning allows.

After discussion by the Council, Mr. Pat Legan stated he would be agreeable to rezoning that portion of the property north of Mr. Steele with a depth of 208' to "B-2" and the property south of Mr. Steele with a depth of 150' to "B-2" and the remainder to "B-3".

Mr. Steele then withdrew his opposition.

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Mr. Jones made a motion to approve the recommendation of the Planning Commission as amended by the Council. Seconded by Dr. Calderon the following ordinance was approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker; NAYS: None; ABSTAINING: Torres; ABSENT: None.

AN ORDINANCE 36,497

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 ALL OF LOT 12, NCB 11686 TO "B-3" EXCEPT THAT PORTION NORTH OF LOT ARB. 3 TO "B-2" WITH A DEPTH OF 208' FROM VANCE JACKSON ROAD AND THAT PORTION SOUTH OF LOT ARB. 3 TO "B-2" WITH A DEPTH OF 150'.

* * * *

(The field notes for this ordinance are filed with the original
_of these minutes) - -

68-354 Next heard was Zoning Case 3306 to rezone Lots 2 & 3, NCB 8669 from "B" Residence District to "I-2" Heavy Industry District located south of U.S. Highway 90 West and west of S. W. 36th Street; having 740.48' on Highway 90 West & 883.33' 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.

No one spoke in opposition.

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

AN ORDINANCE 36,498

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 2 & 3, NCB 8669 FROM "B" RESIDENCE DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT.

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68-355 Last heard was Zoning Case 3317 to rezone Lot 25, NCB 10849 from "A" Single Family Residence District to "R-2" Two Family Residence District located on the south side of Alma Drive, 716.26' west of S. E. Loop 410; having 93.14' on Alma Drive, and a depth of 233.84'.

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.

On motion of Dr. Calderon, 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, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 36,499

AMENDING CHAPTER 42 OF THE ZONING 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 25, NCB 10849 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT.

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The Mayor welcomed a group of students from Our Lady of Perpetual Help School.

68-356 The Clerk read the following ordinance.

AN ORDINANCE 36,500

APPROVING THE DEDICATION OF A CERTAIN TRACT AND PARCEL OF PROPERTY FOR STREET RIGHT-OF-WAY AND OTHER RELATED PUBLIC PURPOSES.

* * * *

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

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Members of the Administrative Staff explained the following ordinances and on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Gatti, Trevino, Parker, Torres; NAYS: None; ABSENT: Cockrell.

68-357

AN ORDINANCE 36,501

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF A. B. DICK COMPANY TO FURNISH THE CITY OF SAN ANTONIO FINANCE DEPARTMENT WITH ONE OFFSET DUPLICATING MACHINE, LESS TRADEIN, NET \$3,203.70.

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68-358

AN ORDINANCE 36,502

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WHEREBY A TRACT OF LAND AT INTERNATIONAL AIRPORT IS LEASED TO THE UNITED STATES OF AMERICA, FEDERAL AVIATION ADMINISTRATION, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUPPLEMENT NO. 3 TO LICENSE NO. FA SW 1210, AN EXISTING LEASE AGREEMENT, WHICH SUPPLEMENT DELETES A TRACT OF LAND NO LONGER REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION.

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68-358 The Clerk read the following resolution, and on motion of Dr. Calderon, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: Parker.

A RESOLUTION

EXPRESSING APPRECIATION TO THE CIVIL AERONAUTICS BOARD FOR ITS ACTION IN GRANTING PERMISSION FOR ADDITIONAL FLIGHTS TO SAN ANTONIO TO ACCOMMODATE VISITORS TO HEMISFAIR '68.

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66-1175 Mr. Howard Walker, City Attorney, explained the following ordinance, and on motion of Mr. Trevino, seconded by Mr. Jones, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Torres; NAYS: None; ABSENT: Parker.

AN ORDINANCE 36,503

AMENDING ORDINANCE NUMBER 36,432 PASSED ON THE 11TH DAY OF APRIL, 1968, BY INSERTING BETWEEN SECTIONS 4 AND 6, THEREOF, A SECTION DESIGNATED AS SECTION 5, REQUIRING EMPLOYERS TO KEEP RECORDS ON HOURS OF WORK AND WAGES PAID TO EMPLOYEES AND TO FURNISH THE DIRECTOR A STATEMENT OF SAME ON REQUEST, AND TO POST IN A CONSPICUOUS PLACE A DIGEST AND SUMMARY OF SAID ORDINANCE AS FURNISHED BY THE CITY; DECLARING A PENALTY FOR VIOLATION THEREOF, AND PROVIDING FOR THIS ORDINANCE TO BECOME EFFECTIVE ON THE 27th DAY OF MAY, 1968.

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The Mayor was obliged to leave the meeting, and Mayor Pro-Tem John Gatti presided.

68-235 The Clerk read the following ordinance and on motion of Dr. Calderon, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: McAllister, Parker.

AN ORDINANCE 36,504

AMENDING THE CURRENT BUDGET BY ESTABLISHING TWENTY-TWO (22) ADDITIONAL EMPLOYEE POSITIONS PERTAINING TO THE MODEL CITIES PROGRAM AND PROVIDING NECESSARY FUNDS FOR THE BALANCE OF THE 1967-68 FISCAL YEAR.

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68-259
final time.

The Clerk read the following ordinance for the

AN ORDINANCE 36,431

PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,
TEXAS AND THE ANNEXATION OF CERTAIN TERRI-
TORY CONSISTING OF 18.32 ACRES OF LAND,
WHICH SAID TERRITORY LIES ADJACENT AND
ADJOINS THE PRESENT BOUNDARY LIMITS OF THE
CITY OF SAN ANTONIO. (SHENANDOAH SUBDIVISION
UNIT 6).

* * * *

Mr. Steve Taylor explained that the annexation
was at the request of the owner-developer, Community Properties,
Inc. and is know as Shenandoah Subdivision, Unit 6.

No one asked to speak in opposition.

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

Mayor McAllister returned to the meeting and pre-
sided.

68-359 The Mayor declared the hearing open on the appeal of
Mr. Cesar Castillo from the decision of the Chief of Police to sus-
pend Billiard License No. 3019 A .

Chief of Police George Bichsel explained that a
detective and a Texas Liquor Control Board agent entered Mr. Castillo's
Pool Room at 8:45 P.M. on October 5, 1967 and found three boys playing
pool. The officers asked for their identification which showed they
were not of legal age and Mr. Castillo's license was revoked for the
period of November 19 to December 3, 1968. He stated that Mr. Castillo
immediately appealed the revocation.

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Mr. Bob Vale, attorney representing Mr. Castillo, explained that the case had been dismissed in Corporation Court that had been brought against Mr. Castillo for allowing minors to play pool. He stated that this was Mr. Castillo's first offense and he is the sole owner and has no employees. He further explained that he had maintained order in his place to the best of his ability and had not had time to check the ages of the boys. They had not paid for the pool game and were not drinking beer.

After further discussion by the Council, Mr. Gatti made a motion that the suspension of Mr. Castillo's license be dismissed. Seconded by Mr. Trevino, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Gatti, Trevino, Parker; NAYS: Cockrell; ABSTAINING: Torres; ABSENT: None.

The Mayor directed the City Manager to discuss the Billiard Room Ordinance with the Chief of Police to see if it might need amending to make it more restrictive.

68-347 Councilman Torres, with the Council's permission, presented to the City Clerk for the record, a copy of his letter of April 23, 1968 to Members of the City Council regarding the Parking Garage. (A copy of which is on file with the original of these minutes.)

The following ordinances were explained by Members of the Administrative Staff, and on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino; NAYS: None; ABSENT: Parker, Torres.

68-347

AN ORDINANCE 36,505

APPOINTING M. J. GONZALEZ AND JOHN MACHADO
AS MEMBERS OF THE COMMUNITY RELATIONS COM-
MISSION. (FOR A TERM EXPIRING JULY 31, 1968).

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68-347

AN ORDINANCE 36,506

APPOINTING MEMBERS OF THE BOARD OF REVIEW
FOR HISTORIC DISTRICTS.

* * * *

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68-347 Mrs. Nancy Phillips, Chairman of the San Antonio Civil Liberties Union, made the following statement:

"Some months ago, after repeated charges of police brutality in this city, the San Antonio Civil Liberties Union petitioned the San Antonio City Council to set up an independent Citizens Police Review Board for the protection of both the public and members of the police force, but we were informed that the existing Police and Fire Commission was adequate and qualified to handle any problems. Since that time complaints of illegal police practices have continued and, so far as we can ascertain, no corrective action has been taken. In fact, recently it became necessary for the Mayor of San Antonio to apologize publicly for excesses of policemen who were attempting to control what they evidently regarded as a "riot".

Most recently, Bobby Joe Phillips, a twenty-eight year old resident of the east side, was beaten to death by San Antonio Police Officers using pistols, blackjacks, and nightsticks. The newspapers reported that five policemen were involved, although there may have been more. We have been informed that the beating continued after the victim had been handcuffed. One policeman has stated that undue force was used. The victim suffered a broken neck, broken ribs, a punctured lung, and multiple head injuries.

Chief Bichsel exonerated and commended the police, stating that the police had handled the situation real well.

We believe that undue force was used. If five policemen cannot subdue one man without beating him to death, then something is radically wrong with both the training and the morality of our police force. The public should feel protected and safe with the police, not terrorized by them.

We urgently request that the City Council take the following steps immediately: (1) undertake a full scale investigation of the homicide of Bobby Joe Phillips, publish the results of the investigation, and take appropriate action. (2) investigate all other charges of police brutality which are pending, publish the results of such investigations and take appropriate action. (3) notify Chief Bichsel and the Police Department that brutality will no longer be tolerated and (4) set up an independent Citizens Police Review Board to deal with future complaints."

After discussion by the Council, it was agreed to request an official report and meet with the Fire and Police Civil Service Commission on these matters.

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68-347 Mrs. Violet Ray, President of the Eastside Civic Organization, presented a petition to the City Council requesting a traffic light at Clark and Nebraska, improved drainage in the area bounded by Clark Street on the West, Yucca Street on the South, Nebraska Street on the North and Ambrosia Street on the East. Also presented were letters concerning the traffic light at Nebraska and Walters from the Carmelite Center and Day Nursery; St. Philip's College and Help Perpetual Guild Neighborhood Organization.

Mrs. Irene Cordova, Mrs. Celia Salado, Mr. Alfred Leon, and Reverend Steffes all requested the Council to install the traffic light at Clark and Nebraska which was requested in the petition submitted by Mrs. Violat Ray.

After discussion by the Council, the Mayor instructed the City Manager to look into the petitioners requests and see if some of these problems could be alleviated.

The City Manager stated he would have the Staff make a report on the petitioner's requests.

68-347 Reverend R. A. Callies, Sr., submitted a petition from the James Whitcomb Riley Junior School. The petition had been submitted previously to the Council several weeks ago.

Mr. Gatti stated that it was unnecessary for Reverend Callies to read the petition again and he informed the Council that the following Saturday he and Reverend Callies would make a tour of the area and check into these problems. He brought out that several of the items are already underway. The footbridge over the Salado Creek is now under construction and Mr. Sam Granata, Director of Public Works has instructed his crews to cut the weeds along the sidewalks.

Mrs. Mary Garcia and Mrs. Ramas also spoke regarding the petition requests.

68-347 Dr. Robert Hausmann, County Medical Examiner, stated he endorsed the statement by Mrs. Nancy Phillips which was given earlier in the meeting.

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68-347 Mrs. W. E. Leczner, President of the League of Women Voters, presented a survey of San Antonio and Bexar County to the Council, entitled 'Human-Resource-Utilization Programs'.

The Mayor thanked Mrs. Lectner for the survey.

68-347 Mr. Bob Bouble stated that the City Water Board is using the 1965 wage scale for their projects, whereas the City is using the current 1967-68 wage scale. He asked the Council to check into this.

He then reviewed the Trades Council Apprentice Training Program and in particular the Electricians. He suggested that the Trades Council be represented on the Electrical Examining and Supervising Board.

Mayor McAllister stated they would check into the matter at the Water Board.

68-347 The Mayor requested the City Manager to have Mr. Martin Goland, Chairman of the Citizens Advisory Commission on Municipal Employees make an oral report on their findings at the next Council meeting.

68-347 Councilman Torres, with the consent of the Council, submitted, for the record, a copy of his letter to Members of the Council on May 13, 1968 regarding the proposed increase in Sewer Service Charge. (A copy of which is on file with the original of these minutes).

68-347 The Clerk read the following letter.

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

Gentlemen and Madam:

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