

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MAY 1, 1969, AT 8:30 A.M.

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The meeting was called to order by the City Clerk with the following members present: McALLISTER, CALDERON, BURKE, JAMES, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; Absent: NONE.

69-21 The invocation was given by Right Reverend Harold C. Gosnell, D.D., Bishop of Episcopal Diocese of West Texas.

69-21 The Honorable Charles W. Barrow, Chief Justice, Court of Civil Appeals, 4th Supreme Judicial District of Texas, administered the Oath of Office to the duly elected Members of the City Council.

69-21 The Clerk then announced it was in order to have nominations for the Office of Mayor.

Reverend S. H. James nominated Walter W. McAllister.

The nomination was seconded by Mr. Trevino.

Councilman Torres nominated Dr. D. Ford Nielsen for Mayor.

The nominations were declared closed.

The Clerk announced that a vote would be taken on the nominations in the order made and the first one receiving a majority vote would be designated as Mayor.

On roll call Walter W. McAllister was elected Mayor by the following vote: AYES: Calderon, Burke, James, Cockrell, Trevino, Hill; NAYS: Nielsen, Torres; ABSTAINING: McAllister; ABSENT: None.

The above vote carried with it the adoption of the following resolution which was introduced by Councilman S. H. James and seconded by Councilman Felix B. Trevino:

A RESOLUTION

DESIGNATING WALTER W. McALLISTER AS  
THE PRESIDING OFFICER OF THE CITY  
COUNCIL OF THE CITY OF SAN ANTONIO  
AND CONFERRING UPON HIM THE TITLE OF  
MAYOR AND PROVIDING THAT HE SHALL  
SERVE AS SUCH DURING THE PLEASURE  
OF THE SAID CITY COUNCIL.

\* \* \* \*

Judge Barrow then administered the Oath of Office  
to Mayor Walter W. McAllister.

Mayor McAllister took the gavel and presided.

69-21 The Mayor announced that he would accept nominations  
for the Office of Mayor Pro-Tem.

Dr. Calderon nominated Mrs. Lila Cockrell for Mayor  
Pro Tem.

The nomination was seconded by Councilman Ed H. Hill.

The nominations were then declared closed.

On roll call, Mrs. Lila Cockrell was elected Mayor  
Pro-Tem by the following vote: AYES: McAllister, Calderon,  
Burke, James, Nielsen, Trevino, Hill; NAYS: None; ABSTAINING:  
Torres; ABSENT: None.

The above vote carried with it the adoption of the  
following resolution which was introduced by Councilman Herbert  
Calderon and seconded by Councilman Ed H. Hill:

A RESOLUTION

DESIGNATING MRS. LILA COCKRELL AS MAYOR  
PRO-TEM OF THE CITY OF SAN ANTONIO TO  
SERVE DURING THE PLEASURE OF THE CITY  
COUNCIL OF THE CITY OF SAN ANTONIO.

\* \* \*

Judge Barrow administered the Oath of Office to  
Mayor Pro-Tem Lila Cockrell.

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ZONING HEARING:

a. First heard was Zoning Case 3438 to rezone Lot 41, NCB 12116 from "A" Single Family Residence District; "E" Office District; "F" Local Retail District to "B-3" Business District having frontage on northeast Loop 410 and Perrin-Beitel Road and located 57.44' west and 121' north of the cut-back between Loop 410 and Perrin-Beitel Road, having 301.66' on Northeast Loop 410 and 108.74' on Perrin-Beitel Road.

Mr. Steve Taylor, Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

## AN ORDINANCE 37,454

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 41, NCB 12116 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT, "E" OFFICE DISTRICT, "F" LOCAL RETAIL TO "B-3" BUSINESS DISTRICT.

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b. Next heard was Zoning Case 3559 to rezone Lot 13, NCB 11622 (0.378 Ac.) from Temporary "A" Single Family Residence District to "B-2" Business District located on the northeast side of Fredericksburg Road, 920.11' north of Donore Place, having 83.30' on Fredericksburg Road and a depth of 200'.

Mr. Steve Taylor, Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 37,455

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 DES-  
CRIBED HEREIN AS LOT 13, NCB 11622  
(0.378 AC.) FROM "TEMP. A" SINGLE FAMILY  
RESIDENTIAL DISTRICT TO "B-2" BUSINESS  
DISTRICT.

\* \* \* \*

c. Next heard was Zoning Case 3590 to rezone the north 200' of Lot 9, NCB 10600 from Temporary "A" Single Family Residence District to "B-3" Business District; Lot 9, NCB 10600, save & except the north 200' from Temporary "A" Single Family Residence District to "I-1" Light Industry District located on the west side of Eddie Road, 550.15' north of the cut-back to I. H. 10 (U.S. Hwy. 90 East), having 566.80' on Eddie Road and a maximum depth of 236.91'; the "B-3" zoning being on the north 200' and "I-1" zoning on the remaining portion.

Lot 8, NCB 10600 from "A" Single Family Residence District to "I-1" Light Industry District located northwest of the intersection of Eddie Road and I.H. 10, having 250.15' on Eddie Road, 222.12 on I. H. 10 and 43.77' on the cut-back between these two roads.

Mr. Steve Taylor, Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Dr. Calderon asked if the Planning Commission had recommended that a road be dedicated in the north part of the property extending through the property through Eddie Road.

Mr. Steve Taylor explained that the Traffic Department had studied this and recommended against having the property owner dedicate land for a road as this would cause a traffic hazard on Eddie Road.

No one spoke in opposition.

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

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AN ORDINANCE 37,456

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 THE NORTH 200' OF LOT 9, NCB 10600 FROM "TEMP. A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; LOT 9, NCB 10600 SAVE AND EXCEPT THE NORTH 200' FROM "TEMP. A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; LOT 8, NCB 10600 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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69-21 At this time Mayor McAllister stated that there were twenty representatives from twelve foreign countries in the Council Chamber accompanied by First Lt. Robert McChesney, Foreign Country Liaison Office at Fort Sam Houston, Texas. The Mayor asked the visitors to stand and be recognized.

d. Next heard was Zoning Case 3595 to rezone the west portion of Lot 12, NCB 10047, having 31.14' on Jackson-Keller Road, 47.64' on the cutback to San Pedro and being that portion not presently zoned "F" Local Retail District from "D" Apartment District to "B-3" Business District located southwest of the intersection of Jackson-Keller Road and the cut-back to San Pedro Avenue, having 31.14' on Jackson-Keller Road and 47.64' on the cut-back to San Pedro Avenue.

Mr. Steve Taylor, Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Mrs. Cockrell felt that this zoning would be detrimental to Lot 5 which adjoins on the southwest property line on subject property. She stated she would defer to Dr. Calderon and as to proper screening of the subject property.

Dr. Calderon concurred with Mrs. Cockrell that a six-foot solid screen fence should be placed on the Southwest and Northwest lines of the property.

No one spoke in opposition.

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After consideration, on motion of Mrs. Cockrell, 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, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,457

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 THE WEST PORTION OF LOT 12, NCB 10047, HAVING 31.14' ON JACKSON-KELLER ROAD, 47.64' ON THE CUT-BACK TO SAN PEDRO AND BEING THAT PORTION NOT PRESENTLY ZONED "F" LOCAL RETAIL, FROM "D" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT. (SUBJECT TO THE ERECTION OF A SIX-FOOT SOLID SCREEN FENCE ALONG THE SOUTHWEST PROPERTY LINE OF SUBJECT PROPERTY.)

\* \* \* \*

Mr. William A. Bedell, applicant in the case just heard, asked the Council if the screening was necessary on the northwest side of this property, as the owner of that property, Mr. Houlahan, was going to ask for the same type of zoning on his property very shortly and had no objection to Mr. Bedell's request for rezoning.

After discussion, the Council stated that screening would be only necessary on the southwest side of the subject property.

e. Next heard was Zoning Case 3383 to rezone Lots 9, 10, 11, and 12, NCB 12886 from "A" Single Family Residence District to "R-2" Duplex Residence District located on the east side of Semlinger Road, 300' north of Uecker Road, having a total frontage of 329.19' and a depth of 120'.

Lot 13, NCB 12886 from "A" Single Family Residence District to "R-3" Apartment District located on the west side of Loop 410, 300' north of Uecker Road, having 400' on Loop 410 and a depth of 326.67'.

Mr. Steve Taylor, Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Mr. Gordon Davis, Attorney for the applicant, Sam C. Janysek, stated that he understood a petition had been submitted

in opposition to the request for rezoning, however, he felt that the petition should not be accepted. The hearing had been closed previously and the Council had directed that the applicant inquire of the State as to the possibility of having an entrance from his property to the access road for I H 410.

Mr. Howard Walker, City Attorney, pointed out on a map those who had signed the protest petition and stated that there were sufficient number of property owners living within the 200-foot area and it requires seven affirmative votes to approve the request for rezoning.

Mrs. A. C. Tuttlebee opposed the rezoning. However, she had signed the petition in favor of the rezoning but was led to believe that there would be no apartments built facing Semlinger Rd.

Mr. Davis then presented a copy of the petition that had been circulated by his client, Mr. Janysek.

Mr. Torres stated he was very concerned about the statement made by Mrs. Tuttlebee and asked the City Attorney if there was some way that in the future this could be worked out where individuals would have to make a sworn statement. This way he felt that the individuals would read more carefully what they had signed.

Mr. Walker stated that the State Law does not require a sworn statement and felt that a legal point may be raised if the City required a petition letter to be sworn to.

In answer to questions from Mr. Torres, Mr. Janysek stated he had circulated the petition and had made it very clear to the owners just what he intended to do with the property. He had maps and plans he showed to all the people.

Dr. Nielsen asked Mrs. Tuttlebee would she rather see businesses on this particular property or duplexes or town house complex.

Mrs. Tuttlebee stated that she opposed apartments as well as town houses and felt that this was not a town house neighborhood.

After discussion by the Council, Mayor McAllister asked Mr. Davis if his applicant would accept "R-1" on Lots 9, 10, 11 and 12 NCB 12886 and "R-3" on Lot 13, NCB 12886, with a non-access easement on the west 120' of the property facing Semlinger Road along the rear of Lots 9, 10, 11 and 12, NCB 12886.

This was acceptable to the applicant.

Mrs. Cockrell made a motion to approve the recommendation of the Planning Commission subject to a non-access easement along the rear property lines of Lots 9, 10, 11 and 12, at a depth of 120' west from Semlinger Road. Seconded by Mr. Torres, the following ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

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## AN ORDINANCE 37,458

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 9, 10, 11 AND 12, NCB 12886, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL AND LOT 13, NCB 12886 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT. (SUBJECT TO A NON-ACCESS EASEMENT ON THE EAST PROPERTY LINE OF LOTS 9, 10, 11, AND 12, NCB 12886.)

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f. Last heard was Zoning Case 3564 to rezone the south 80.7' of Lot 10, Blk. 4, NCB 3136 from "C" Apartment District to "B-2" Business District located northeast of the intersection of Tilden Street and Stafford Street, having 48.7' on Stafford Street and 80.7' on Tilden Street.

Mr. Steve Taylor, Planning Director, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. Felipe Ojeda, representing the applicants, explained that the Health Department has requested them to improve their sanitation and refrigeration equipment. They have been at this location for twenty-two years. There is no need for off-street parking as this is a neighborhood walk in store. The expansion will consist of an addition of eight feet towards Stafford Street.

Mr. Taylor then explained that the immediate neighborhood contained homes in fair to good condition. He explained the Staff had recommended denial of this due to the fact that the applicant cannot provide off-street parking.

Mr. Trevino felt that the zoning should be granted as the applicant has lived on this property for twenty-two years and now is being forced by the Health Department to provide better sanitation.

Dr. Calderon felt there must be some way that the applicant could comply with the Health Department Ordinance.

Mr. Torres felt that the zoning should be granted if the people can still live on their property.

Mr. Burke pointed out that immediately across the street was industrial zoning.

After discussion by the Council, Mr. Torres made a motion to overrule the recommendation of the Planning Commission and grant the rezoning. Seconded by Dr. Nielsen, the motion prevailed and the rezoning was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,459

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 THE SOUTH 80.7' OF LOT 10, BLK. 4, NCB 3136 FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT.

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69-21 Mrs. Cockrell read the following Resolution:

A RESOLUTION  
CHOOSING J. H. INSELMANN AS THE CITY CLERK OF THE CITY OF SAN ANTONIO TO SERVE DURING THE PLEASURE OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO.

\* \* \*

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

1. That J. H. Inselmann is hereby chosen as City Clerk of the City of San Antonio.
2. That J. H. Inselmann shall serve as City Clerk during the pleasure of the City Council of the City of San Antonio.

\* \* \* \* \*

Mrs. Cockrell explained that the City Clerk is appointed by the Council for an indefinite period of time and it has been some years since Mr. Inselmann's appointment was made a matter of record.

In making the motion to pass this Resolution, Mrs. Cockrell advised the new members of the Council that Mr. Inselmann was a recipient of a high honor just this past November. In a meeting of the Texas Municipal League, the Association of City Clerks and Secretaries, designated Mr. Inselmann as outstanding City Secretary for the State of Texas this past year.

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

69-21      SUMMER RECREATION PROGRAM

Mr. Ed Copeland, Youth Coordinator for the Mayor's Committee on Youth Opportunity, stated that there had been some misunderstanding on the use of schools for the summer recreation program.

He stated agreements are being worked out which will create all the facilities and the school district is cooperating in every way it can.

In answer to questions from Mr. Torres, he stated the agreement would be worked out for the use of the schools very shortly. SANYO will submit a list of schools that they want to use. There are a number of agencies that will operate a summer recreation program and the City Parks Department has agreed to move out of any area where summer recreation program already exists and they will move into areas that do not have summer recreation programs.

Mr. Trevino stated all efforts should be made to fully utilize these facilities.

Councilman James stated there was nothing on the east side of town, however, Mr. Trevino stated there are a number of schools that will be utilized for summer recreation programs on the east side.

Mr. Copeland explained that agreements will be worked out for the schools on the east side as soon as matter of protection of property is decided on.

Mr. Douthit said there is a map in the Council's Office which shows all the schools that will be utilized for the Summer Recreation Program.

Dr. Nielsen inquired as to recreation programs in the Kenwood area.

Mr. Copeland stated that Headstart had set up a program in Kenwood and several other organizations have done the same. The summer recreation program will be utilized by 15,000 students per day.

Mayor McAllister thanked Mr. Copeland for his presentation.

69-21      EODC DISCUSSION

Mr. Trevino stated another pressing matter is the re-organization of EODC. He would like to get an opinion from the

City Attorney, Mr. Howard Walker, what the City has to do in order to exercise authority over EODC under the Green Amendment, as Mr. John Gatti has recommended. He would like to have, if the Council agrees, EODC put on notice so that they know that the City will do something. On a memorandum sent out by Mr. Richter, there were quite a few recommendations and additions that the San Antonio EODC must do before they are funded.

Some of the recommendations have to do with having geographical elections within the City for area representation.

Mr. Trevino felt that the EODC is spending half their time getting ready for these elections and this is causing some dissension. The people whom EODC are supposed to help are not being served. The fiscal year for the EODC ended in March and now they have to meet many recommendations before they can be funded again.

Mayor McAllister requested the City Attorney to look into the Green Amendment and the relationship that exists and see what authority there is for the City to assume operation of it. This does not mean that the City will do so. He asked the City Manager to advise the Council on the pros and cons that are involved.

Dr. Nielsen stated that he would like to make it very clear that if this were to happen, it would not be called a takeover on poverty but an attempt to make more effective the war on poverty.

Mr. Torres stated that it was well in good to have the City Attorney, Mr. Howard Walker, check the Green Amendment, yet he was apprehensive of Mr. Trevino's remarks. He had seen in the news media that efforts are being made to comply with the OEO Directives. He didn't want the people who participate in the various EODC Programs by virtue of their representation of the areas and cooperation to get the impression that they are under threat on the part of the Council. As he saw it, the residents who are participating are making genuine effort to comply.

Mr. Trevino stated that he has attended several meetings of EODC and various groups within the organization are already fighting and getting prepared for these geographical elections. They have been doing it for the past year.

Mayor McAllister stated that this was not a commitment as far as the Council is concerned. The request of Mr. Trevino for a legal opinion has been directed to the City Attorney and City Manager.

Mr. Torres asked who the representatives on the EODC Board were besides Mr. Gatti.

Mr. Ancil Douthit, Assistant City Manager, said a copy of the appointments will be furnished later.

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

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69-21 Mayor Pro-Tem Mrs. Cockrell stated that since the regular routine of the Council meeting was different today, she would entertain a motion for the approval of the minutes of April 10th and April 17th Council meetings.

Mr. Torres requested that the approval of the minutes be delayed until next week in order for him to speak to the City Clerk, Mr. Inselmann, regarding several omissions.

Mrs. Cockrell then stated that the approval of the minutes would be delayed until this coming week in order for any councilman to make any suggestions to the City Clerk regarding the minutes.

69-21 Mrs. Cockrell then announced that she had a list of the Council appointments to the City-County Cooperative Committee.

Dr. Calderon suggested that copies of the appointments be made a part of the City Manager's report.

69-21 At this time Mrs. Cockrell stated she had two items to discuss with the Council. The first item, she stated that the local press had reported that the grant requested by AACOG for a helicopter was rejected. She stated this was not so and the helicopter grant was approved for use by the City and Bexar County for the purpose of crime reduction and secondly for the purpose of traffic control. The grant amounted to \$50,000.00.

The second item was one that had been proposed by AACOG on which the Council had never taken any firm action was in regards to the joint appraisal system to call for the consolidation of the data processing equipment by the City and Bexar County. We have been waiting for a study and a report of this from the City Manager. She asked if it meets with concurrence of the Council, she would request the City Manager to review the position which the City had taken some years ago, at least study how the City can cooperate with the County Tax Assessor, City Appraisals, and save much duplication. She felt that the study should include the joint use of the Data Processing equipment which was recommended by the City Water Board.

Mrs. Cockrell stated that a Resolution presented to the Council some time ago called for the consolidation of the City and Bexar County Tax Departments and under the direction of the County Tax Assessor and Collector which she felt that after discussion with the Staff, this approach was not acceptable.

69-21 The Clerk read the following Ordinance:

AN ORDINANCE 37,460

SETTING A DATE, TIME AND PLACE FOR A  
PUBLIC HEARING ON THE PROPOSED ANNEX-  
ATION OF 23.511 ACRES OF LAND BY THE

CITY OF SAN ANTONIO AND AUTHORIZING  
AND DIRECTING THE CITY MANAGER TO  
PUBLISH NOTICE OF SUCH PUBLIC HEARING.

\* \* \* \*

Mr. Torres inquired if there was a way or any provision for having the developers dedicate a certain percentage of the land for park use. He felt that depending on the size of the tract, percentage could be set aside and dedicated as park land.

Mr. Howard Walker, City Attorney, stated that he felt that the City would not be able to require the developer to set aside land for park purposes as this would be considered unlawful taking.

However, Mr. Torres felt that since we are providing so many facilities to the developer we should be able to require him to dedicate the land legally.

Mr. Bob Frazer, Director of Parks and Recreation, stated that a number of years ago, five percent of the land area of any individual developer was required to be dedicated as park land; however, this did not work out as most developers would set aside unuseable land in the area for park development.

At present the City has acquired approximately sixty odd tracts of land which the Parks Department has to maintain that were dedicated by the developers. Mr. Frazer explained that locations for future parks are contained in the Parks Master Plan.

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

69-21 The Clerk read the following Ordinance for the first time:

AN ORDINANCE 37,461

PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LINES OF THE CITY OF SAN ANTONIO  
TEXAS AND THE ANNEXATION OF CERTAIN TERRI-  
TORY CONSISTING OF 33.753 ACRES OF LAND,  
WHICH SAID TERRITORY LIES ADJACENT TO AND  
ADJOINS THE PRESENT BOUNDARY LIMITS OF  
THE CITY OF SAN ANTONIO.

\* \* \* \*

Mr. Steve Taylor, Director of Planning, explained the proposed annexation and stated this land is known as

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Park North, Unit 1 and a portion of Perrin-Beitel Road and owned by Denton Development Company who requested the annexation.

No one spoke in opposition.

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

69-21 The Clerk read the following ordinance for the second and final time.

AN ORDINANCE 37,372

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 21.547 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Director of Planning, stated this land is known as Whispering Oaks Units 3 & 4 and is owned by Oak Glen Park Development Company who requested the annexation.

No one spoke in opposition.

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

69-21 Mrs. Cockrell asked Mr. Harold Keller, Chairman of the City-County Cooperative Committee, to comment on the proposed consolidation of the City and County Tax Office.

Mr. Keller stated he was not prepared to report on this proposed consolidation, however, he stated there are 209,000 pieces of property in the City that the County could use instead of duplicating 209,000 appraisal cards and in turn the City could use 35,000 appraisal cards of the County's which represents the property outside of the City but within the limits of Bexar County.

Mr. Keller felt sure that the various school districts in Bexar County would be anxious to cooperate with the City and Bexar County Tax Offices.

Mr. Keller then suggested that Mr. John Shields of the City Water Board brief the Council on savings that could be made from doing away with duplication of the City and County Tax records.

69-21      EMERGENCY RELIEF FOR DEPENDENT CHILDREN

Mr. Trevino stated that four to five thousand families will need emergency funds for dependent children due to the cut which was put in effect by the State Welfare. He then introduced Mr. Dan Medina, of the Wesley Community Center.

Mr. Medina explained that he works on an area on the West side with families that have dependent children and are receiving welfare checks. He explained that he visited the Food Stamp Center and in a very short time talked to sixty-seven families that were receiving cuts in welfare and would need additional help. For instance one family referred to as Mrs. L is sick in the hospital at present and received maybe \$2.00 or \$3.00 per week for child support from her divorced husband and this she does not receive regularly. Her welfare check was for \$123.00, this has been cut to \$102.00.

The other example is that of an elderly woman who is taking care of three children and was receiving \$102.00 per month which will be cut to \$88.00 per month. Her electricity has been cut off in her home for the last three months because she could not afford to pay her bill. He stated that these people have been receiving aid from the Center, such as extra food various times during the month. The center will not be able to take care of all the families receiving cuts in welfare. In addition, with school closing, the free lunch program will be stopped. Children on welfare that were receiving the free lunch in most cases, this was their main meal for the day.

Mr. Medina then asked the Council to look into this most urgent matter to see if these people can look towards the City for some relief.

Mrs. Cockrell stated that prior to the meeting, the City Council members had informally discussed aid to dependent children and all expressed grave concern as to the situation. The Staff along with the City Council Representative, Mr. Trevino, will be asked to pursue all avenues open, local, State, or Federal to see if funds could be secured.

At this time Mayor McAllister returned and presided.

Mr. L. Tarver, Representative of the United Fund, stated the problem with aid to dependent children has been not only recognized by professionals but the average citizen has been aware of it. Eighteen thousand children will face serious shortages.

Mr. Tarver stated an example of one of his clients who was receiving \$102.00 a month in welfare payments would be reduced to \$61.00 a month. He requested the Council to get behind the constitutional amendment that will be voted on August 5, 1969 increasing the payments to dependent children. He also asked the Council to help handle the present emergency.

In answer to questions from Mr. Torres, Mr. Tarver stated that if the amendment is passed August 5th, funds would be available effective the first of September. Every agency represented in the Council Chamber will help in this emergency but which still would not be sufficient. He asked the Council to provide emergency funds.

Dr. Calderon then asked how much money it would take to maintain the dependent children between now and the first of September.

Reverend Cannon McAllister stated that it costs approximately \$400,000.00 a month and the cut by the State amounted to thirty percent.

Mr. Olin Lee Baron stated the actual cost due to the cut in welfare funds would amount to \$74,584,000.00 a month.

Mr. Torres asked what portion of this would be shared by the United Fund.

Mr. Tarver stated that most of the agencies in the United Fund gave direct aid to the families on individual basis.

Mayor McAllister informed Mr. Tarver that earlier he had appointed Mr. Trevino to be a Council Representative and work with the City Manager and report to the Council as quickly as possible on the avenues open from which funds may be secured to take care of this emergency for aid to dependent children. It would be hard at this time to estimate how much or what their portion amounted to.

Mr. Tarver then also asked a number of people in the audience to stand and stated they represented various agencies in the United Fund.

69-21 Mr. Bob Frazer, Director of Parks and Recreation briefed the Council on the following ordinance and on motion of Dr. Calderon, seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,462

ACCEPTING THE BID OF LESLIE S. HUTTON FOR CONSTRUCTION OF A FLIGHT CAGE FOR KIDDIE ORNER IN HEMISFAIR PLAZA; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK; AUTHORIZING PAYMENT OUT OF THE GENERAL FUND OF \$10,160.80 PAYABLE TO SAID CONTRACTOR; AND AUTHORIZING \$300.00 TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT.

\* \* \* \*

69-21

The Clerk read the following Ordinances:

AN ORDINANCE 37,463

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TOWER FOODS, INC. FOR THE INSTALLATION AND OPERATION OF A SOUVENIR CONCESSION CONTRACT FOR THE RETAIL AND WHOLESALE DISTRIBUTION OF SOUVENIR ITEMS, INCLUDING ITEMS UTILIZING THE NAME AND REPRODUCTION OF THE TOWER AND CONVENTION FACILITIES BUILDINGS AND OTHER CITY-OWNED BUILDINGS, WITHIN THE TOWER BUILDING AND UPON THE LAND AREAS COMPRISING HEMISFAIR PLAZA AS SHALL BE DETERMINED BY THE CITY OF SAN ANTONIO.

\* \* \* \*

AN ORDINANCE 37,464

MUTUALLY TERMINATING THE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND TOWER FOODS, INC. FOR THE COMPLETE INSTALLATION AND OPERATION OF THE SOUVENIR CONCESSION CONTRACT FOR THE RETAIL AND WHOLESALE DISTRIBUTION OF SOUVENIR ITEMS UTILIZING THE NAME AND REPRODUCTION OF THE TOWER AND CONVENTION FACILITIES BUILDINGS AND OTHER CITY-OWNED BUILDINGS.

\* \* \* \*

Mr. Torres: Is this for six months?

Mr. Douthit: This is for six months. As the Council recalls, we had entered into an agreement with Mr. Bargreen of Century Souvenirs to sell souvenirs on the HemisFair grounds. We negotiated. He made us a final offer of \$5,540.00 for the

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next five months or twenty per cent of the gross.

Mr. Hasslocher is offering \$30,000.00 for six months. Now you recall we did have a contract with Mr. Hasslocher for selling the souvenirs in the Tower. There was a disagreement. He felt like he was bidding on the grounds as well as the Tower. Our contention was that he bid on the Tower only. Due to ambiguity, the contract was never enforced and he never lived up to it. Mr. Walker, City Attorney, advises that we would be in a very poor position to try to enforce it in court. We feel this is the best way out. In the meantime we will advertise and take bids for the whole thing. Before the end of these six months, then, enter into the new contract with the highest bidder.

Mayor McAllister: Now let me understand. You are proposing a deal with Mr. Hasslocher for payment of \$30,000.00 and a percentage of sales?

Mr. Douthit: No sir, just a flat guarantee of \$30,000.00.

Mayor McAllister: Doesn't Mr. Hasslocher have a contract with us to pay the City \$66,000.00?

Mr. Douthit: No sir. I explained that he never entered into the contract because he felt like he bid on the whole grounds and the Tower.

Mayor McAllister: This means that the City didn't get anything at all out of this contract to sell at HemisFair.

Mr. Douthit: He never sold souvenirs in the Tower.

Mayor McAllister: Who did sell souvenirs in the Tower?

Mr. Douthit: No one.

Mr. James: Well they were there, I saw them.

Mayor McAllister: Bargreen sold them probably.

John Brooks: Mr. Mayor, Century Souvenirs had a contract with HemisFair during that period. The City did not have any souvenirs for sale during HemisFair period.

Mr. Torres: When did this conflict between Bargreen and Mr. Hasslocher develop Ancil? In other words, do we have a present contract with him?

Mr. Douthit: At present time we do not have a contract with Mr. Bargreen. His contract expired when we decided to go on and negotiate for a shorter period.

Mr. Torres: I see, and in general, who has been handling the concessions?

Mr. Douthit: Century Souvenirs, on the grounds. We have a letter from him saying that if we do not accept his terms, he is willing to close and move out as of April 30th.

Mrs. Cockrell: Mr. Mayor, I feel that this needs more Council consideration. It seems to me that there are some aspects of this that we ought to clear up.

Mayor McAllister: I would say that I am not willing to make a contract with Mr. Hasslocher unless he puts up the \$30,000.00 in cash, period.

Mr. Douthit: It requires that he put up a Performance Bond.

Mayor McAllister: If you put up cash you don't have to worry about a bond. If the Council doesn't care to take action on it at the present time, I don't think that it will hurt to study the facts and consider it next week.

Mr. Torres: I think also that we ought to know who has been selling souvenirs in the Tower since the Fair closed.

Mayor McAllister: There is no doubt about that. We are not informed on that just yet Mr. Douthit.

Mr. Douthit: All right sir, we will get that in to you.

Mayor McAllister: Mr. Douthit will you make a point of this to contact the Mayors of the major cities of the State and find out what action, if any, they are taking with regard to the reduction in the State aid to dependent children.

Mr. Douthit: Yes sir, I will be happy to. I would like to point this out for the Council's information. I think this is something the Council should be aware and should be proud of. We are the only City in the State that participates in the Food Stamp Program.

Mr. James: The only City in the State?

Mr. Douthit: That's right. It is the County's responsibility by law.

Mr. Torres: There is a matter of confusion here Ancil, on whose been handling that concession we just talked about, since we have closed the fair. Who has had that until now?

Mr. Douthit: John, can you answer that?

Mr. John Brooks: Since the fair closed, the only place the souvenirs have been sold is in the Tower in the restaurant area. There has been none sold on the other levels. Mr. Hasslocher has sold these souvenirs and the Internal Audit people have his monthly financial reports. Those funds are more or less in escrow pending the outcome of the Council action.

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Mr. John Brooks: Mr. Bargreen has everything in the HemisFair Plaza with the exception of the Tower of the Americas.

Mr. Torres: And his contract was for how long?

Mr. John Brooks: For a ninety day period ending January 6th.

Mr. Torres: What kind of a guarantee to the City?

Mr. John Brooks: I'll have to get that information.

Mr. Henckel: He has paid us since August 6th, \$5,538.65. I don't recall the guarantee.

Mr. John Brooks: As per his contract.

Mr. Torres: So under his contract for more than a six month period he has paid us \$5,000.00 and under this proposed contract for six months we have a guarantee of \$30,000.00.

Dr. Calderon: My question is this. Will Mr. Bargreen continue to operate souvenir concessions during this April period.

Mr. Henckel: No. He said he would stop as of April 30th. We did not accept his proposal. So in other words during this six month period, there will be no souvenir concessions on contract.

Mrs. Cockrell: Mr. Mayor it seems to me that this is a matter which the Council Committee should investigate. I think that there are a number of facts pertinent to it that we would want to know. So I move that we have a Council Committee look into the matter.

Mayor McAllister: Now it seems there will be no sales of souvenirs and the weeks are going by, this proposal is only for six months which you might say is twenty-six weeks and one week less would mean about four percent in his guarantee. Would it be agreeable to the Council to appoint a Committee from the Council.

Mr. Douthit: Mayor I believe that the Council appointed a Committee on this previously.

Dr. Calderon: Mr. Gatti and Mr. Jones and myself were appointed to the Committee to work out the souvenir concession contract. We met approximately a month ago. In view of the fact that Mr. Gatti and Mr. Jones are no longer on the Council, a new Committee should be appointed or replacements appointed. The Committee could study and investigate this concession contract and be able to act on this matter.

Mayor McAllister: If the Council cares, the Committee could be authorized to approve the contract as quickly as possible, perhaps by Monday and then the following Thursday, the Council could ratify their action. Otherwise, we are going to lose out on sales of souvenirs for a week.

Dr. Nielsen: What is meant by approval of the Council?

Mayor McAllister: The Committee have a right to go ahead and act on the contract and we will approve it next Thursday.

In answer to questions by the Council, Mr. Walker stated the City Council cannot delegate its legislative authority.

Mr. Ancil Douthit: Mr. Mayor, what would you intend this committee to look into. There is enough information available so that we can act on to approve the contract today, if possible.

Mayor McAllister: What is the nature of the guarantee Mr. Douthit?

Mr. Douthit: The guarantee by Mr. Hasslocher was \$30,000.00 per six months period.

Mayor McAllister: What kind of a guarantee?

Mr. Douthit: A performance bond.

Mayor McAllister: Who is going to make the bond.

Mr. Douthit: Well, he will have to make the bond.

Mayor McAllister: Well that wasn't the answer to it. I mean this. That if I enter into a contract with somebody and I am going to make my own bond, there is no use in giving a bond.

Mr. Douthit: Oh no, it will be a surety bond.

Mayor McAllister: All right that is what I am trying to get from you.

Mrs. Cockrell: I see, this proposal from Mr. Bargreen then will be completely out.

Mr. Torres: Well if that is the only hang-up with his performance or the validity of the bond of course. If he is going to put up a surety bond, it seems like we ought to be able to act today.

Mr. Douthit: Of course if he is not going to put up a surety bond we just don't enter into a contract.

Mr. Burke made a motion to approve the ordinances. Mr. Torres seconded the motion.

Mr. Torres: Well wait a minute. I haven't heard the other side. What is the other side?

Mrs. Cockrell: Has Mr. Bargreen wished to be heard on this matter.

Mr. Douthit: I don't know Mrs. Cockrell, we received a letter from him stating that we had asked him for at least a guarantee of \$40,000.00 and his letter stated that obviously we were very far apart that he would make an offer of a guarantee of \$5,407.00 for five months and that we did not accept it, then he would be glad to leave.

Mrs. Cockrell: Has he been advised that the Council was being asked to take action today?

Mr. Douthit: I have no knowledge.

Mr. Torres: He had the lawyers get in touch with you.

Mr. Douthit: Mr. Daniels will handle it for him.

Mr. Torres: John Daniels? I see.

Mrs. Cockrell: Has Mr. Daniels had any notification that the matter would be coming up for council action today?

Mr. Douthit: Not to my knowledge.

Mr. Torres: Wasn't he in here this morning?

Mr. Douthit: He was in here earlier, yes.

Mayor McAllister: We have a motion and second, call the roll.

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

69-21 Mr. Torres asked who will be in control of the helicopter secured through the Action Grant, AACOG.

Mrs. Cockrell stated this was one of five items recommended for action grant. This was given priority number two. If we receive the helicopter, it will be a joint venture with the City Police Department and the Bexar County Sheriff's Department. It will be primarily for crime control and also for traffic control. She cited an example of how effective a helicopter can be in crime control. The incident took place in Los Angeles, California.

Mr. Torres stated that he was thinking that perhaps the helicopter could be used on expressways where surface ambulances could not reach the scene of an accident.

Mrs. Cockrell also stated that there would be an action grant for additional social work for pre-delinquent children.

Councilman James then asked the City Manager to firm up the report on the East side Health Center.

Assistant City Manager, Ancil Douthit, stated the report would be compiled this coming week.

Mr. Torres stated that according to editorials in the newspapers, the City was dragging its feet in complying with the Pollution Act and the City had asked for an extension in order to comply.

Mr. Sam Granata, Public Works Director, stated that no extension has been requested. The City will receive the necessary equipment Monday and will be able to comply with the Air Pollution Act.

69-21 The Clerk read the following Letter:

April 29, 1969

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

Gentlemen and Madam:

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

4-29-69            Petition of Mr. T. R. Gallagher, South Texas Salvage Pool, requesting that parts of Lots 7B & 8 and all of Lots 9, 10, & 11, Block 7, NCB 8733, Artesia Gardens Subdivision, located at 182 Fay Street, which are presently zoned "L" Manufacturing be granted special approval for the storage of wrecked vehicles.

J. H. INSELMANN  
City Clerk

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

A P P R O V E D:

ATTEST:

*J. H. Inselmann*  
CITY CLERK

*J. M. Gullett*  
MAYOR

May 1, 1969

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