

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 12, 1970.

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The meeting was called to order by the presiding officer,
Mayor W. W. McAllister, with the following members present:
McALLISTER, CALDERON, BURKE, JAMES, HABERMAN, NIELSEN, TREVINO, HILL,
TORRES; Absent: NONE.

70-50 The invocation was given by Rev. T. Ervin Veale, Marbach
Christian Church.

Consideration of the minutes of November 5, 1970 was post-
poned to November 19, 1970.

70-50 The following Ordinances were read by the Clerk and explained
by Mr. John Brooks, Purchasing Agent, and after consideration, on motion
made and duly seconded, were each passed and approved by the following
vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen,
Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,047

ACCEPTING THE LOW QUALIFIED BID OF
MOORE BUSINESS FORMS, INC. TO FURNISH
THE CITY OF SAN ANTONIO WITH CERTAIN
MOVING VIOLATION TICKETS FOR A TOTAL
OF \$1,487.00.

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AN ORDINANCE 39,048

ACCEPTING THE LOW QUALIFIED BID OF
AUTOMOTIVE TRUCK PARTS TO FURNISH
THE CITY WITH VARIOUS TYPES OF
AUTOMOTIVE EQUIPMENT ON AN ANNUAL
CONTRACT BASIS.

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AN ORDINANCE 39,049

ACCEPTING THE LOW QUALIFIED BID OF
KOTZEBUE DISTRIBUTING COMPANY TO
FURNISH THE CITY WITH FOUR AIR
COOLED CONDENSERS FOR A TOTAL OF
\$2,532.00.

* * * *

November 12, 1970
nsr

AN ORDINANCE 39,050

AUTHORIZING PAYMENT OF \$1,277.00 TO FRIDEN DIVISION, THE SINGER COMPANY FOR MAINTENANCE OF CALCULATORS FOR A ONE YEAR PERIOD.

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AN ORDINANCE 39, 051

ACCEPTING THE LOW QUALIFIED BID OF GIRARD MACHINERY AND SUPPLY COMPANY TO FURNISH THE CITY WITH ONE GRADALL EXCAVATOR, LESS TRADE-IN, FOR THE SUM OF \$55,025.00.

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70-50 Item No. 6 of the agenda being an Ordinance authorizing construction of a chain link fence for San Pedro Hills Sewage Treatment Plant was withdrawn from consideration at this meeting.

70-50 The following Ordinance was read by the Clerk and explained by Mr. Mel Sultenfuss, Assistant Director of Public Works, and after consideration, on motion of Dr. Nielsen, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,052

AUTHORIZING A CONTRACT WITH BROWN ENGINEERING COMPANY TO FURNISH PROFESSIONAL SERVICES FOR THE CONSTRUCTION OF NACOGDOCHES NORTH SUBDIVISION SANITARY SEWER OUTFALL MAIN; APPROPRIATING \$1,065.00 PAYABLE TO SAID CONCERN OUT OF SEWER REVENUE BOND FUND NO. 204 AND \$250.00 OUT OF THE SAME FUND AS A CONTINGENCY ACCOUNT.

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70-50 The Clerk read the following Ordinances:

AN ORDINANCE 39,053

ACCEPTING THE LOW BID OF TEZEL & COTTER AIR CONDITIONING COMPANY FOR CERTAIN MECHANICAL AIR CONDITIONING MODIFICATIONS IN LEVELS 5 AND 6 OF THE TOWER OF THE

AMERICAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK; AUTHORIZING PAYMENT OF \$6,573.00 OUT OF THE GENERAL FUND TO SAID CONTRACTOR AND \$300.00 TO BE USED AS A CONTINGENCY ACCOUNT ALSO AUTHORIZING A TRANSFER OF FUNDS.

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AN ORDINANCE 39,054

ACCEPTING THE LOW BID OF LOYD ELECTRIC CO., INC., IN THE AMOUNT OF \$1,640.00 FOR CERTAIN ELECTRICAL AIR CONDITIONING MODIFICATIONS ON LEVELS 5 AND 6 OF THE TOWER OF THE AMERICAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT COVERING SAID WORK; AUTHORIZING PAYMENT OF \$1,640.00 TO SAID CONTRACTOR OUT OF THE GENERAL FUND AND \$80.00 TO BE USED AS A CONTINGENCY ACCOUNT ALSO AUTHORIZING A TRANSFER OF FUNDS.

* * * *

Mr. Mel Sultenfuss, Assistant Director of Public Works, stated that these Ordinances cover the mechanical and electrical work for installation of air conditioning equipment in the Tower of the Americas. The area being air conditioned was originally set aside for storage but now houses city owned radio equipment as well as elevator equipment and gets considerably overheated at certain times.

After consideration, on motion made and duly seconded, each were passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-59 The Clerk read the following Ordinances which were explained by members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,055

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS FOR THE INSTALLATION OF HIGHWAY TRAFFIC SIGNALS BY THE STATE AT CERTAIN LOCATIONS IN SAN ANTONIO.

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AN ORDINANCE 39,056

APPROPRIATING \$7,170.00 OUT OF SEWER REVENUE BONDS FOR A TEMPORARY PERMIT, AN EASEMENT AND PAYMENT FOR CROP DAMAGE PERTAINING TO THE SALADO CREEK OUTFALL PROJECT.

* * * *

70-50 On the recommendation of City Manager Henckel, items 12, 13, and 14 being Ordinances concerning Model Cities Projects were withdrawn from consideration but are to be resubmitted to the Council on November 25, 1970. It was explained that Model Cities funds will have to be reallocated due to directives to be received from HUD within the next few days. Until these directives are received it would be prudent to suspend any action.

70-50 MODEL CITIES HOUSING REPORT

Councilman Burke said that last week when the monetary figures were deleted from the Task Force Report the Council did not go into the substantive matter of the report. He asked that the report be discussed in depth when the items deleted from this week's agenda are again brought before the Council.

70-50 The Clerk read the following Ordinance which was explained by Mr. Bob McDonald, Inter-governmental Coordinator, and after consideration, on motion of Mrs. Haberman, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 39,057

AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPLICATION TO THE TEXAS CRIMINAL JUSTICE COUNCIL FOR A \$387.00 GRANT TO COVER EXPENSES OF A MUNICIPAL COURT JUDGE TO ATTEND THE ANNUAL CONFERENCE OF THE NORTH AMERICAN JUDGES ASSOCIATION.

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70-50 The Clerk read the following Ordinance:

AN ORDINANCE 39,058

GRANTING THE EDGEWOOD HIGH SCHOOL STUDENT COUNCIL PERMISSION TO HAVE A BONFIRE ON THE SCHOOL GROUNDS ON THURSDAY, NOVEMBER 12, 1970 AT 7:30 P. M.

* * * *

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

70-50 Mrs. Haberman asked that the Council consider changing the dates of meetings which conflict with holidays during November and December. After discussion, Mrs. Haberman made a motion that the Clerk prepare a resolution changing the dates of the meetings regularly scheduled for Thursday, November 26, 1970, December 24, 1970, and December 31, 1970 to Wednesday, November 25, 1970, December 23, 1970, and December 30, 1970, respectively. The motion was seconded by Rev. James and was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-50 Mayor McAllister introduced the following Resolution which was read by the Clerk:

A RESOLUTION
NO. 70-50-58

WHEREAS, 1,500 Americans are listed as Missing in Action or Prisoner of War in Southeast Asia, eighteen of which are from the San Antonio area, with five known to be Prisoners of War, and

WHEREAS, the Government of North Vietnam will not release the names of any persons, which they hold as Prisoners of War, NOW, THEREFORE,

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

SECTION 1. That this City Council does hereby petition and request the Government of North Vietnam and its allies to:

- a. Treat all prisoners held in Southeast Asia humanely as specified in the Geneva Convention;
- b. Publish a list of all prisoners and those known to be dead;
- c. Release the sick and seriously wounded; and
- d. Allow a free flow of mail between prisoners and their families.

* * * *

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

November 12, 1970
nsr

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70-50

HOLY CROSS HIGH SCHOOL - CAPITAL OUTLAY PROGRAM

Dr. Calderon referred to a letter addressed to Mayor McAllister dated November 4, 1970 from HUD which mentions the fact that by revamping the Holy Cross Project there is a possibility that the school could be made eligible for Model Cities funds. Dr. Calderon recommended that the staff be instructed to meet with Holy Cross officials to assist in restructuring of the proposal.

The other members of the Council concurred with this idea, and the staff was so instructed.

70-50

CHERRY STREET IMPROVEMENT - MR. G. J. SUTTON

Assistant City Manager, Ancil Douthit, stated that the Council had asked that he investigate the curb problem in the 400 block of North Cherry Street. He said that Mr. Stewart Fischer, Traffic Engineer, had recommended that the street be widened two feet rather than attempt to reroute truck traffic. It was estimated that materials would cost \$200 with approximately \$400 for labor to do the work, for a total of \$600.

After discussion, the Council instructed Mr. Fischer to contact Mr. G. J. Sutton, the complainant, to ask that he agree to pay for the materials while the City furnishes the labor to widen the street and replace the curb.

70-50

MODEL CITIES - LOCAL CONTROL OF FUNDS

Mr. Torres spoke of a letter Mayor McAllister had received from Mr. Floyd Hyde, an assistant secretary of HUD, saying that there is going to be an inter-agency selection committee to determine which cities will be selected to participate in an experimental program to provide local control of Model Cities funds. It was Mr. Torres suggestion that representatives of San Antonio seek an appearance before the selection committee to make a presentation on behalf of San Antonio being selected.

After general discussion of the subject, it was agreed that the staff should attempt to arrange to have a presentation made to the committee.

70-50

RUBELLA VACCINE

Dr. Nielsen asked that the City Manager determine from Dr. Ross if Rubella vaccine can be made available free of charge to Edgewood and San Antonio Independent School Districts.

Assistant City Manager Douthit stated that this matter is being studied and that he would advise the Council when a determination is made.

ADDITIONAL HEALTH SERVICE FOR EAST SIDE

Dr. Nielsen discussed the Health Director's recommendation that: 1) a budget of \$31,039.00 to establish a two examining room clinic be provided; 2) that an additional \$3,570.00 be provided to allow for equipment and operation costs for 52 Maternity Conferences per year at Sutton Homes; and 3) that flexibility be permitted should it provide too costly to establish a new location.

Assistant City Manager Douthit advised they are still working on this project and an Ordinance to fund this operation will be presented in two weeks.

CHAMBER OF COMMERCE QUARTERLY REPORT

Mr. Pleas Naylor appeared before the Council speaking for Mr. Bill Ochse, President, who is out of town. Mr. Naylor read a prepared statement outlining the activities of the Economic Development Department during the first quarter of fiscal year 1970-71. (A copy of the report is on file with the papers of this meeting.)

Following Mr. Naylor's presentation there was a general discussion concerning the efforts being made to retain the Swift and Remco operations.

Mr. Jack Gilmore of the Chamber of Commerce also discussed steps being taken to have San Antonio declared an Economic Development Area.

With reference to the Swift Plant and Remco operations, Mayor McAllister stated that, with Council's consent, he would instruct the City Manager and the Chamber of Commerce to get together and write a letter which might be of benefit.

CITY PUBLIC SERVICE BOARD

Mayor McAllister stated that as a result of a discussion at the last Council meeting regarding the expenditures to be made by the City Public Service Board, he had asked Mr. Locke to discuss with the Council his estimate of expenditures for the next five year period.

Mr. Jack Locke, Chairman of the City Public Service Board, submitted a detailed estimate in writing of the estimated annual requirements for the next five years. (A copy of the budget is included with papers of this meeting.)

FRONT YARD FENCESPETITION OF BORDER FENCE COMPANY, FENCE CONTRACTORS, AND CITIZENS

The City Council discussed the subject petition requesting amendment of Section 42-87 (D).1 of the City Code which provides that no fence or wall shall be erected or altered in any front yard to exceed a height of three feet. Petitioners request that this be

amended to allow the erection of a fence or wall in a front yard not to exceed six feet.

The Administrative Staff recommended against the proposed amendment for the following reasons:

1. The amendment would be in general conflict with the purpose of the Zoning Ordinance which as stated, is to provide adequate light and air, preserve safety, and insure adequate transportation.
2. Vision problems could often be created adjacent to drive-ways, etc., thus creating potential hazards for pedestrians and particularly children using the sidewalk or parkway in front of the house.
3. The Zoning Board of Adjustment has the authority under the present Ordinance to grant variances and they do, particularly in those areas where the "pattern has been established" over the years through legal non-conforming installations. Such Board procedure provides the adjacent owner a right to be heard and would appear to be an equitable solution to the question.

Mr. Moses Goldberg, Attorney representing the petitioners, stated that the petition represents 90-95 per cent of the fence contractors in the City. The majority of the fence contractors agree, based on desires of customers, that front yard fences should be allowed to at least 48 inches in height for security purposes. He understood that the standard and minimum height of chain link fencing manufactured is four (4) feet. He said San Antonio is the only City with a maximum height of three (3) feet. Most other cities allow higher fences.

At the present time if a person wants a fence higher than three (3) feet they must apply to the Board of Adjustment for a variance.

Dr. Calderon asked Mr. Goldberg if his group would be agreeable to a 48 inch limit rather than the six (6) feet requested to conform with the statement that the standard chain link fencing manufactured is four (4) feet.

Mr. Goldberg stated that he thought this would be agreeable for residential front yard fences. However, he requested that on commercial property that six (6) feet fences be allowed.

Discussion brought out that Mr. Goldberg had not received a copy of the staff's recommendation. The Mayor asked Mr. Goldberg to review the recommendations made by the staff, and if he any comments to present them in two weeks when the matter will again be placed on the agenda for consideration.

70-50

CITIZENS TO BE HEARD

NARCOTICS REHABILITATION CENTER - PATRICIAN MOVEMENT

Mrs. John F. Dutmer, 739 McKinley Avenue, stated that since the Council has tabled the appropriation of funds for the Model Cities Second Action Year, she would reserve comments until it is considered again. She inquired if any further developments have occurred concerning the Patrician Movement's request for a certificate of occupancy

or rezoning of property for the location of the Narcotics Rehabilitation Center.

Planning Director, Mr. Steve Taylor, advised that the Patrician Movement has applied for change in zone and has also appealed to the District Court the decision of the Board of Adjustment in denying them to use the property as a Narcotics Rehabilitation Center.

70-50

MR. CLAYTON RUSSELL - 1430 SAN RAFAEL

Mr. Russell spoke on education and gave a background on the boycott activities in the Southside School District.

70-50

The Clerk read the following letter:

November 6, 1970

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

Gentlemen and Madam:

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

11/3/70

Petition of Ms. Lillian Taubert, 3902 Skylark, in behalf of Southeast Boys Baseball and Highland Rockets Pop Warner Football. Ms. Taubert request that street lights be installed on Hiawatha-Stringfellow Avenue between Meadowlark and Kashmir.

/s/ J. H. INSELMANN
City Clerk

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

A P P R O V E D

W. H. [Signature]
M A Y O R

ATTEST:

J. H. Inselmann
C i t y C l e r k

November 12, 1970
nsr

