

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 5, 1967 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 and TORRES; Absent: NONE.

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67-605 The invocation was given by Councilwoman Mrs. S. E. Cockrell, Jr.

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The Minutes of the Regular Meeting of September 28, 1967, were approved.

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The Mayor explained that since there are five zoning cases on the Docket that are appeal cases a time limit of 15 minutes is set for the applicant and 15 minutes for the opponents to present their reasons of for or against in order that the Council can hear all the cases.

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67-606 First heard was zoning case 3037 to rezone Lot 2, NCB 11696 from "F" Local Retail District to "R-3" Multiple-Family District located between Lockhill Selma Road and Harry Wurzbach Hwy., approximately 940' northwest of the intersection of these two roads, having 250' on Lockhill Selma Road, 281.35' on Harry Wurzbach Hwy. and a maximum depth of 735.50'.

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 and Torres; NAYS: None; ABSENT: None.

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AN ORDINANCE 35,817

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, NCB 11696 FROM "F" LOCAL RETAIL DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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67-607 Next heard was case 3069 to rezone Lots 21, 22, Blk. "A", NCB 8695 from "A" Residence to "R-3" Multiple Family District located southeast of the intersection of Eisenhower Road and 924.97' on N. Vandiver 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 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 and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,818

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 21, 22, BLK. "A", NCB 8695 FROM "A" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY DISTRICT.

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67-608 Next heard was zoning case 3071 to rezone Lot 16, NCB 12100 from "F" Local Retail District to "B-3" Business District; located 50' west of Broadway, 208.65' north of Loop 410 with a 20' strip to Loop 410, being 176.74' x 87.86' in size with a frontage of 22.31' on Loop 410.

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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. 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 and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,819

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 16, NCB 12100 FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

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67-609 Next heard was zoning case 3080 to rezone Lot 59, NCB 11876 save and except the south 188.48' of the west 101.32' which is presently zoned "E" Office District from "A" Residence District to "O-1" Office District, located between Flamingo Drive and E. Lawndale Drive, 101.6' east of Broadway, having 149.2' on E. Lawndale, 99.7' on Flamingo Drive and a depth of 331.3'.

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, Trevino, Parker and Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 35,820

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 59, NCB 11876 SAVE AND EXCEPT THE SOUTH 188.48' OF THE WEST 101.32' WHICH IS PRESENTLY ZONED "E" OFFICE DISTRICT FROM "A" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

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67-610 Next heard was case 3087 to rezone Lot 3, Blk. 17, NCB 9277 from "F" Local Retail District to "R-3" Multiple-Family Residence District, located on the east side of S. Acme Road, 80' south of Prosperity Drive, having 44.18' on Acme and a depth of 167.5'.

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. James, 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, Jones, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 35,821

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 3, BLK. 17, NCB 9277 FROM "F" LOCAL RETAIL TO "R-3" MULTIPLE-FAMILY DISTRICT.

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67-611 Next heard was zoning case 3088 to rezone Lots 16 and 17, NCB 11991 from "A" to "R-3"; Lots 14 and 15, NCB 11991 and Lot 2, NCB 12007 from "A" to "B-3"; Lots 14 through 17 are located on the north side of W. Commerce St. approximately 545' east of Dulce Street having 422.2' on W. Commerce and a depth of 1046'. The "R-3" zoning being on the east 211.1' and the "B-3" on the remaining portion. Lot 2, NCB 12007 is located approximately 1525' east of Callaghan Road and approximately 1000' north of W. Commerce, being 382.2' x 1138.6' in size.

Lots 3 through 6, NCB 12007 and Lots 1 through 4, NCB 11986 from "A", "F", and "E" to "I-1" located northeast of the intersection of Callaghan Road and W. Commerce Street, having approximately 970' on W. Commerce and approximately 1942' on Callaghan 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. James, 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 and Torres; NAYS: None; ABSENT: None.

## AN ORDINANCE 35,822

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 16 AND 17, NCB 11991 FROM "A" TO "R-3"; LOTS 3 THROUGH 6, NCB 12007 AND LOTS 1 THROUGH 4, NCB 11986 FROM "A", "F" AND "E" TO "I-1"; AND LOTS 14 and 15, NCB 11991 AND LOT 2, NCB 12007 FROM "A" to "B-3".

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67-612 Next case heard was case 3098 to rezone the east 150' of Lot 4, NCB 12160 being that portion of Lot 4 not presently zoned "F" Local Retail from "A" Single-Family Residence District to "R-3" Multiple-Family Residence District located on the south side of Loop 410, 1089.82' east of Harry Wurzbach Road, having 150' on Loop 410 and a maximum depth of 601.6'.

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 and Torres; NAYS: None; ABSENT: None.

## AN ORDINANCE 35,823

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 EAST 150' OF LOT 4, NCB 12160 BEING THAT PORTION OF LOT 4 NOT PRESENTLY ZONED "F" LOCAL RETAIL FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

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67-613 Next heard was zoning case 3099 to rezone Lot 23, NCB 10758 from "A" Residence District to "B-3" Business District located on the east side of South W. W. White Road, 378.02' north of Winneway Drive; having 161.25' on South W. W. White Road and a depth of 100'.

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. Torres, 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, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,824

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 23, NCB 10758 FROM "A" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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67-614 Next heard was zoning case 3104 to rezone Lot 6, Blk. 10, NCB 10876 from "F" Residence District to "B-3" Business District located southeast of the intersection of S. E. Military Drive and Dumbarton Street, having 70' on S. E. Military Drive and 137' on Dumbarton 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 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 and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,825

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, BLK. 10, NCB 10876 FROM "B" RESIDENCE TO "B-3" BUSINESS DISTRICT.

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67-615 Next heard was case 3109 to rezone Lot 10 (Arb. A-4) Blk. 15, NCB 373 from "E" Office District to "B-2" Business District located northeast of the intersection of W. Cypress and Lewis Street, having 83.5' on W. Cypress and 167.55' on Lewis 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. Gatti, 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 and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,826

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 10 (ARB. A-4) BLK. 15, NCB 373 FROM "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

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67-498 Next heard was case 2956 to rezone Lots 13-20, Blk. 1, NCB 13994 from "A" Residence District to "R-6" Townhouse District; located north of the intersection of Mocking Bird Road and Songbird Lane East, having 120' on Mocking Bird Road and 309' on Songbird Lane East.

Mr. Burt Lawrence, Assistant Planning Director, explained that this case was referred back to the Planning Commission on August 17, 1967 for consideration of "R-6" Townhouse District. He stated the Planning Commission recommended the proposed change of zone be approved by the City Council.

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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 and Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 35,827

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 13-20, BLK. 1, NCB 13994 FROM "A" RESIDENCE DISTRICT TO "R-6" TOWNHOUSE DISTRICT.

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67-616 Next heard was zoning case 3048 to rezone Lot 2, NCB 10310 from "B" Residence District to "R-3" Multiple-Family Residence District located on the north side of "J" Street, 100' east of Artesia Road, having 1385' on "J" Street and a depth of 340'.

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

Mr. Bernard Lifshutz, owner and applicant, explained that the sale of this tract of land hinges on the rezoning. The purchaser is a non-profit corporation which has already made a preliminary application to the Federal Housing Administration for funding and has received preliminary approval of this site as a multiple family housing rent supplement project. He then pointed out the location of the units and the utility easement which restricts a large portion of the tract. He stated that it was proposed to have a project large enough for housing 80 families and this is the only tract of any size in this particular area.

In answer to questions from the Council, Mr. Lifshutz stated that the people who qualify for this project earn too much money to qualify for Public Housing and earn too little to qualify for the Federal Housing Administration loans. The actual applicant is the Antioch Baptist Church. He explained that the Planning Department's proposed platting of this tract into 14 lots was not practical for a 10 acre tract. He hoped to retain this 10 acre tract as one lot for the proposed units to house 80 families.

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Mr. Charles W. Hill, representing the Artesia Community Guild, opposed the rezoning as they felt multiple family housing would create another ghetto, although they were not opposed to two family residences. He explained that all the members of the Artesia Community Guild have struggled all their life to buy their homes in this area and have worked hard to keep their homes in first class condition. He stated this area is predominately single family residences and they want it to remain that way. He also pointed out that while the City has government controlled housing maintained by the government he felt the proposed project would not be properly maintained and in time become a slum area.

Mr. Hill further stated that with Salado Creek on one side of the proposed project a serious drainage problem would be created. This would also mar the beauty of the neighborhood and would attract people with undesirable traits. He then urged the Council to deny the rezoning.

Mr. Henry Radcliff, Jr., 3403 Action Lane, presented a petition with 104 signatures opposing the rezoning. He explained that this area is a nice clean quiet residential area in which he is proud to rear his children. Numerous problems would be created by multiple dwellings. He then presented pictures of houses owned by the applicant which are in a deplorable state.

At this time the Mayor asked those who were present in opposition to please stand. A large number of people stood and indicated their opposition.

Mr. Nathan L. Thompson, USAF, a resident of the neighborhood, also spoke in opposition.

Mr. Lifshutz stated he was surprised at these pictures and that one house they had purchased sight unseen and offered it to Reverend Brown, one of the opposition, for \$12.00 per month rent. He explained that the proposed project would be government financed for fifty years and the government would surely supervise this type of rent supplement program.

He further stated it was not his intention to downgrade the neighborhood, but in fact he had offered to sell this tract to the Guild for Park use for two thousand dollars an acre. He explained that the rent supplement program is not commercial but strictly residential and would be inspected by the Federal Housing Administration monthly.

After discussion by the Council, Mr. James made a motion to uphold the recommendation of the Planning Commission and deny the rezoning. Seconded by Dr. Calderon, the motion prevailed and rezoning denied by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: None.

Dr. Parker suggested that the Staff look into the possibility of the City acquiring this land for use as a Park area.

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

Mayor Pro-Tem Gatti explained that since the remaining cases are appeal cases they would be postponed until the Mayor returns and a full Council is present.

67-602 The Clerk read the following ordinance.

AN ORDINANCE 35,828

APPROPRIATING \$96,100.00 OUT OF SEWER REVENUE BOND FUND NO. 404 PAYABLE TO SELIGMANN & PYLE FOR ENGINEERING SERVICES PERTAINING TO THE SALADO CREEK SEWAGE TREATMENT PLANT PROJECT AND APPROPRIATING AN ADDITIONAL \$55,000.00 OUT OF THE SAME FUND AS REIMBURSEMENT TO SEWER REVENUE FUND NO. 204.

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Councilman Torres explained that this ordinance had been postponed last week at his request and now made a motion for approval. Seconded by Mr. Trevino, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister and Parker.

67-617 Mr. Jack Shelley, City Manager explained the following ordinance and on motion of Dr. Calderon, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: Calderon, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister, Jones, James, and Parker.

AN ORDINANCE 35,829

ACCEPTING THE LOW ALTERNATE BID OF FRED CLARK ELECTRICAL CONTRACTOR, INC. FOR FURNISHING AND INSTALLING THEATER STAGE LIGHTING AND CONTROL SYSTEMS, CONVENTION CENTER; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SUCH WORK; APPROPRIATING \$130,000.00 OUT OF COMMUNITY AND CONVENTION CENTER BOND FUND NO. 489-05, PAYABLE TO SAID CONTRACTOR.

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67-618 The Clerk read the following ordinance and on motion of Dr. Calderon, seconded by Mr. Jones, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino; NAYS: None; ABSTAINING: Torres; ABSENT: McAllister:

AN ORDINANCE 35,830

AUTHORIZING THE APPOINTMENT AND REAPPOINTMENT OF MEMBERS TO VARIOUS COMMISSIONS, BOARDS AND AGENCIES. (COMMUNITY RELATIONS COMMISSION, URBAN RENEWAL AGENCY, ELECTRICAL EXAMINING AND SUPERVISING BOARD, FINE ARTS COMMISSION, BOARD OF EXAMINERS AND APPEALS, HOUSING ADVISORY AND APPEALS BOARD)

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Councilman Torres explained that he abstained on the vote because he had missed the meeting at which the Council had discussed the appointments.

67-619 The Clerk read the following ordinance.

AN ORDINANCE 35,831

ESTABLISHING SPECIAL PROJECT NO. 11-03-21 FOR THE PURPOSE OF REDEVELOPING THE BRACKENRIDGE GOLF COURSE; APPROPRIATING THE SUM OF \$168,343.00 OUT OF THE NORTH EXPRESSWAY BOND FUND AND AUTHORIZING TRANSFER OF THE SAME TO SPECIAL PROJECTS ACCOUNT 11-03-21 AND APPROPRIATING \$70,000.00 OUT OF THE UNAPPROPRIATED SURPLUS OF THE GENERAL FUND AND AUTHORIZING TRANSFER OF SAID SUM TO SPECIAL PROJECTS ACCOUNT 11-03-21.

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City Manager Shelley explained the ordinance to the Council and in answer to questions by the Council stated that this is an authorized use of Expressway Bond funds. The total cost is around \$300,000.00 but only a portion of this could be directly charged to the Expressway Bonds. There is still \$45,000.00 left for acquiring land. The scheduled construction of the North Expressway is December or January, but the first nine holes will be kept open.

Mayor Pro-Tem Gatti stated that it should be mentioned that the renovation will give the City a finer Golf Course than previously, doing away with the rubber tees, and making the course about 300 yards longer.

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

67-605 Mayor Pro-Tem Gatti stated that the Symphony will present a concert Saturday evening for the benefit of the Flood victims in the Rio Grande Valley and asked for the use of the Municipal Auditorium without charge in order that over \$200.00 could be given to the Valley residents.

Mr. Jones made a motion that the San Antonio Symphony Society be given the use of the Auditorium on Saturday, October 7, 1967 for the sum of \$1.00. Seconded by Dr. Parker, the motion prevailed by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister.

Mayor McAllister returned to the meeting and presided.

66-831 City Manager Shelley explained his recommendation regarding the two block extension of LaVillita, due to the fact that the City authorized the Urban Renewal to proceed with the plan as presently approved on the first block and the Agency be requested to go ahead and proceed with the second block as well as all the plans, including obtaining all the rehab area, which is the small homes and the purchase of that block.

Mrs. Cockrell stated she did not concur with the recommendation in its entirety. In block "C" of the LaVillita Master Plan, she would agree that the Urban Renewal Agency should acquire it, however, instead of the City purchasing it from the URA, she felt it more desirable that the Agency seek private redevelopment of the block including the five structures that have historical markers.

In block "B", she felt total acquisition is desirable except on the parcel south of the church which could possibly be developed into a parking lot by the church, that would benefit HemisFair. The northwest corner of Arciniega Street and Alamo Street is already designated for one or two level parking. She suggested that the City look into the possibility of immediately developing it before HemisFair and felt it could be built at a lower cost than the Marina Parking Structure.

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Mr. Torres agreed with Mrs. Cockrell that private developers be given the opportunity to re-develop this block. However, he felt the City should not take part of this tract and use it for parking. If one or two individuals are interested in this tract, they should be given the opportunity to re-develop and felt since this is a rehab project the individual owners should be given the opportunity to re-develop their property and realize something on their long term investment.

Dr. Calderon asked that the property owners south of Arciniega should be questioned as to their plans for redevelopment and stated he concurred with Mr. Torres.

Mr. Jones felt that Urban Renewal should be given the authority to proceed in acquiring all this property.

Mayor McAllister stated he felt the entire property south of Arciniega should be acquired by the City and then make a decision of what to do with it.

Mr. Torres explained the idea of rehab was to let the owners re-develop their property and that the property south of Arciniega should be retained as a rehab project. This would also remove their property from a slum or blighted area.

Mr. Shelley explained that restoration and rehabilitation are different and that the zoning code includes a historical zone which provides for the Council to appoint a Commission to determine what is historical or otherwise. However, this provision has not been applied in this area and has caused some confusion.

Mr. Raul Rodriguez was ruled out of order at this time by the Mayor who explained that this was not a hearing but a discussion by the Council.

After a lengthy discussion, Dr. Calderon made a motion to survey the property owners to find which ones are sincere in rehabilitating their property. The motion failed for lack of a second.

Mr. Gatti felt the City should call on the owners of property south of Arciniega and invite them to the next Council meeting so they could tell them of their plans.

Mr. Gatti made a motion to proceed on Section one of the recommendation of Mr. Shelley. Seconded by Dr. Parker, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: None.

67-620 Next heard was zoning case 3074 to rezone Tract H and part of Tract G, NCB 13827 (8.476 acres) from Temporary "A" Single Family Residence to "B-3" Business District; Tract H (5.655 acres) is located on the south side of Oak Shadows between Timber Oak and San Pedro having 914.55' on San Pedro, 443.84' on Oak Shadows and 755.45' on Timber Oak; 2.821 acres out of Tract G are located on the northside of Oak Shadows between San Pedro and Timber Oak; having 363.95' on San Pedro, 422.17' on Oak Shadows and 386.03' on Timber Oak.

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

Mr. Sterling Browning, applicant, stated he had started development in 1962 and had built a residential section leaving this 300' depth fronting on San Pedro for Commercial use. He was willing to build a fence or stone wall as a buffer on the rear of the property and felt that a Commercial Shopping Center would be an asset to the people living in Barclay Square as there are no other centers in the immediate area.

He stated this center would be one continuous building and definitely be an asset to the neighborhood. He needs the property rezoned in order to get definite commitments from prospective tenants.

In answer to questions from the Council, Mr. Browning explained he had told many people who asked, that this tract had been reserved for commercial use. The delay in beginning this project was caused by the San Pedro widening project. He felt this tract did not lend itself for residential use because San Pedro is a very busy thoroughfare.

He then showed a drawing of the proposed wall along the rear of the property.

Mr. Neal E. Litwin, 14231 Clear Creek, representing a number of residents in Barclay Square opposed the Community Center because of its appearance and the fact that it would be on a main approach route to San Antonio. Also some of the residents had not been informed that this is a Commercial tract of land. They felt there are sufficient shopping centers in this area that are less than 8 minutes away. Also the rear of a shopping center becomes unsightly and the additional noise which it creates will be a discomfort to the residents.

Mrs. E. L. Marquis, 14319 Turtle Rock, opposed the rezoning and stated this area would be ideal for a park and not a shopping center.

Mr. James Kerr, 14206 Clear Creek, presented a petition signed by additional residents of Barclay Square all opposing the rezoning.

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After a lengthy discussion, Dr. Calderon made a motion to uphold the recommendation of the Planning Commission and deny the rezoning. Seconded by Mr. James, the motion prevailed by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Parker and Torres; NAYS: Jones and Gatti; ABSENT: None.

67-621 Next case heard was case 3084 to rezone 4.108 acres out of Lot 2A, NCB 11619 from "A" and Temporary "A" Single Family Residence District to "R-3" Multiple Family District; 0.63 acres out of Lot 2A, NCB 11619 from "A" Residence District to "B-2" Business District and 1.68 acres out of Lot 2A, NCB 11619 from "A" Residence District to "B-3" Business District located on the northeast side of Babcock Road, approximately 280' northwest of Newgate Drive, having 466' on Babcock and a depth of 600'.

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

Mr. Larry Van Horn, representing the applicant, showed a large aerial map of the various land uses in the immediate area of the subject property.

He stated that this case had been approved in 1965 by the Planning Commission, however, the owner was out of the country and his attorney arrived after the Council had already acted on the case which was denied.

Mr. Van Horn explained that the Oak Hills Country Club had withdrawn their opposition. His client planned a small medical clinic in addition to the apartment complex and a private club for the apartment residents.

Mr. Leon Glasscock, representing Mr. R. J. Coffey and others opposed to the rezoning, presented a petition signed by fourteen property owners in the immediate area. He felt this would destroy the beauty of the neighborhood.

Reverend John Williams, Oak Hills Presbyterian Church, explained the church had purchased their property ten years ago and have a large investment in it. He opposed the rezoning on the grounds that he has seen no plans that are definite for this tract. Also the rear of the proposed apartments would face the church and definitely detract from the property and also cause an increase in traffic and noise.

Mr. Arne Klendshoj, Dr. Paul Klinger, Mr. Harvey Haddock, Mr. R. J. Coffey all spoke in opposition to the rezoning.

After a discussion by the Council, Mr. Gatti made a motion to uphold the recommendation of the Planning Commission and deny the request for rezoning. Seconded by Mr. James, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Torres; NAYS: None; ABSENT: None.

67-622 Next heard was case 3108 to rezone Lot 10, save and except the north 75' of the east 235', Blk. A, NCB 8695 from "A" Residence District to "R-3" Multiple Family District, located on the west side of Rainbow Drive, approximately 620' north of the Austin Hwy; having 116' on Rainbow Drive and a maximum depth of 381.4'.

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

Mr. Bill Stohlanski, attorney representing the owner, explained that this property is peculiar because of its location and shape. This tract is completely surrounded by Multiple-housing projects. His client intends to erect a twenty unit, two story apartment complex completely fenced in and four parking spaces will be provided for each unit.

No one spoke in opposition.

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

AN ORDINANCE 35,832

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 10, SAVE AND EXCEPT THE NORTH 75' OF THE EAST 235', BLK. A, NCB 8695 FROM "A" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

\* \* \* \*

67-623 Last case heard was case 3117 to rezone Lots 1 and 2, Blk. 2, NCB 6086 from "B" Residence District to "R-3" Multiple-Family Residence District located on the east side of Home Avenue, 134' north of E. Magnolia Avenue having 100' on Home Avenue and a depth of 170'.

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

Mr. Anthony J. Guajardo, applicant, explained that this property is completely surrounded by "D" Apartment District zoning. He intends to erect a twelve unit apartment complex on the subject property and will provide the necessary parking spaces. Although the Traffic Department objected to no provision for off street parking, he is willing to reduce the apartment units to ten, thereby gaining needed off street parking space. He further explained that Home Street, at this point, dead ends into an alley.

Mr. Walter Gray representing five property owners in the surrounding area, opposed the rezoning because of the added traffic and lack of sufficient parking. He pointed out that there are a number of large single family residences in this area.

Mr. G. Beck, a Mrs. McCurdy and a Mr. Cox all spoke in opposition to the rezoning.

After discussion by the Council, Mrs. Cockrell made a motion to uphold the recommendation of the Planning Commission and deny the request for rezoning. Seconded by Dr. Calderon, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James and Cockrell; NAYS: Gatti, Trevino, Parker and Torres; ABSENT: None.

67-624

The Clerk read the following ordinance.

AN ORDINANCE 35,833

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF 35.465 ACRES OF LAND BY THE CITY OF SAN ANTONIO AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING (KNOWN AS ROLLING RIDGE SUB-DIVISION, UNIT 2, OWNED BY SAUNDERS-TRIESCHMANN DEVELOPERS).

\* \* \* \*

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

67-625

Mr. Jack Shelley, City Manager, explained he had a request from the Harmony Hills Optimist Club for use of City land at 7243 Blanco Road for their Christmas Tree Sale. He stated that this land is set aside as street right of way, but it will not be needed during this time. The lease would be for \$1.00 and would contain the necessary indemnification clauses.

Mr. Jones made a motion to allow Harmony Hills Optimist Club use of the City owned land, seconded by Mr. Gatti, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Gatti, Parker and Torres; NAYS: None; ABSENT: James and Trevino.

67-403 Councilman Torres stated he had submitted a Conflict of Interest Ordinance to the Council last week and at the request of Dr. Calderon, it was postponed one week. He presented the following ordinance for action by the Council:

AN ORDINANCE

PROHIBITING CITY COUNCILMEN, OFFICERS, AGENTS AND EMPLOYEES FROM HOLDING INCONSISTENT POSITIONS, INVALIDATING ACTS RESULTING FROM CONFLICTS OF INTERESTS, AND PROVIDING A PUNISHMENT FOR VIOLATION OF THIS ORDINANCE.

\* \* \* \*

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

SECTION 1. That no member of the City Council or the City of San Antonio, or officer, agent, or employee of this City shall hold any position inconsistent with nor engage in any business inconsistent with his or her office, agency or employment.

SECTION 2. That no member of the City Council of the City of San Antonio, or officer, agent or employee of this City shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is inconsistent with his office, agency, or employment.

SECTION 3. That no member of the City Council of the City of San Antonio, or officer, agent, or employee of this City shall engage in or accept private employment or render service for private interests when such employment or service is inconsistent with his office, agency, or employment.

SECTION 4. That no member of the City Council of the City of San Antonio or officer, agent, or employee of this City shall accept any gift, whether in the form of a service, loan, thing, rebate or promise from any person, firm, or corporation, which is interested directly or indirectly in business dealings with this City if such gift is made with the intent to influence him in the discharge of his duties or have the effect of influencing him in the discharge of his duties.

SECTION 5. That no member of the City Council of the City of San Antonio or officer, agent, or employee of this City who receives any remuneration whatsoever from the City of San Antonio or from any agency of the City of San Antonio, or whose salary is paid in whole or in part by the City of San Antonio or any of its agencies shall appear in behalf of private interests before the City Council, or any board, commission, or agency of the City of San Antonio, or before any other official or official body of the City of San Antonio; he or she shall not represent private interests in any action or proceeding against the interests of the City in any litigation to which the City of San Antonio is a party; except that a Councilman may appear before the City agencies

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on behalf of constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations provided that he or she shall not accept compensation for such appearance; and it is further provided that any act, ordinance, contract passed and entered into by the City of San Antonio in violation of this section shall render the act, ordinance or contract voidable at the option of the City Manager or City Council.

SECTION 6. That no member of the City Council, or officer, agent or employee of the City of San Antonio shall vote upon any ordinance or pass upon any matter pertaining to a club, group, business or organization of which he is a member or of which he has been a member for six months prior to the action being taken where such action results in a substantial economic gain to such club, group, business or organization or where such action results in the direct appropriation of any funds to such club, group, business or organization and he shall refrain from so voting upon or otherwise participating in the transaction. No member of the City Council shall vote on any ordinance or enactment which will materially improve and directly benefit real estate owned by him or her. Any action taken, ordinance passed or enactment made in violation of this section shall render the action or ordinance voidable at the option of the City Manager or City Council.

SECTION 7. For the purposes of this ordinance an agent of the City is one who receives a retainer or compensation from the City of San Antonio or from any of its commissions, boards, or agencies, or who for six months prior to the proposed action has been on a retainer or received any compensation or remuneration from the City of San Antonio, either directly or indirectly, or one who is a member of a commission, board, or agency of this city.

SECTION 8. A violation of this ordinance shall be punishable by a fine up to Two Hundred Dollars (\$200.00), and shall be cause for removal from office or employment.

\* \* \* \* \*

Councilman Torres stated that since then, the City Attorney has elaborated on his original decisions or comments on this ordinance. In reply to Mr. Wolf's comments, he pointed out Sections 1,2, and 3 of the Ordinance wording that 'no councilman or officer holding a position with the City' is analogous to that used in Section 141 of the City Charter. He noted that the City Attorney stated that there is no objection from the Staff or his office to Section 4; yet in Section 4 a small change has been made about the fourth line down which reads 'is interested directly or indirectly in business dealings with the City if such gift is made with the intent to influence him in the discharge of his duties or have the effect of influencing him in the discharge of his duties'. That change was as a result of Mr. Trevino's comment of last week.

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In Section 6, as pointed out by Mr. Gatti and Mr. Wolf, this would effect a member of the Council when taking part in or voting on an action involving a religion, profession or political party. He stated he has seen similar ordinances from cities outside of Texas and in Section 6, to meet with the criteria of other such ordinances, he has reworded it so that when such action results in a substantial economic gain to such club, group, business or organization, or where such action results in direct appropriations of any funds to such club, group, business or organization, such Councilman or official, or employee should refrain from voting on such action. He of course recognized there are changes that could be made and he would be receptive to them before the adoption of the ordinance. He stated he was willing to answer any questions the Council might want to ask.

He further stated that he had studied the matter and felt there are enabling State statutes on the subject and there is nothing under the State Law that could preclude the Council from acting on this ordinance. The action we would take in passing this ordinance is not preempted by State Law.

He felt the City Charter gives the authority, as he had pointed out last week, and the Council could pass such an ordinance. He stated he would want, if the Council has studied the matter since it was brought up in June or July, to take action. He has, from time to time, tried to amend the proposed ordinance to meet the comments and criticism that have been made.

At this time, Councilman Torres moved for the adoption of this ordinance.

Dr. Parker stated he felt there are sufficient safeguards in the City Charter and was opposed to the ordinance.

Mr. Gatti concurred with Dr. Parker and stated the existing avenues of legislation provide sufficient safeguards. He felt this ordinance is politically inspired and is a hostile ordinance and would be violently opposed to it. He felt there is no need for such an ordinance and thought the people who have been serving the City throughout the years have manifested a deep interest in the City. He also thought it would be an affront to a large majority of people and that there are enough safeguards now for this type of thing.

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Mr. Torres stated the comment made about the ordinance being politically inspired is not correct. Several months ago Mr. Shelley referred to the Members of the Council for study several items for safeguards. He didn't think the City Manager proposed to have them enacted into an ordinance at that time, but he had tried to incorporate some of them in this ordinance. He stated much of this ordinance has been taken from that proposal and he was only trying to show the Council that this ordinance is not politically inspired.

He further stated he felt there was an impropriety in a man serving on any board of the City and then representing people in zoning or other matters before the Council. He did not agree with Mr. Wolf's opinion in this matter and that he was not trying to insult anyone nor any of the City Council members by submitting this ordinance.

Dr. Calderon stated he felt there are sufficient safeguards in the City Charter and that the punishment in the proposed ordinance which calls for a \$200.00 fine is not sufficient.

Mr. Torres' motion failed for lack of a second.

Mrs. Cockrell stated that Mr. Torres has brought up the matter of an incorrect position taken by an attorney representing the General Electric Company who is also associated with a firm representing the Water Board. Yet, she stated, he did not make any remarks when a certain County Commissioner appeared before the Council on a zoning case.

She had inquired and found that 80% of the Ad Valorem Taxes paid to the County are paid by people who are City Taxpayers. She stated it seemed to her that a Commissioner whose salary of \$12,000, of which approximately \$10,000 is paid by City Taxpayers received no helpful hint from a member of our City Council that he may be in conflict of interest. This certainly seems to be inconsistent when this Council member is taking the position that others are in conflict of interest. She thought when rules are made they must be applicable to all.

Mr. Torres stated this ordinance would only be applicable in City matters.

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67-626 Mr. Romulo Mungia of the Las Palmas Town Council, thanked the City Council for their recent tour of the western area of the City. He then introduced a group of citizens representing the Guadalupe Redevelopment Corporation and read the following proposal submitted by this group:

"For the purpose of showing the many visitors to our city, at the present time and in the immediate future, that the entire city and its residents wish to make them welcome. The Guadalupe Redevelopment Corporation is interested in developing Elmendorf Park into a unique pleasure area such as the gardens of Xochimilco and Central Park in New York City.

We feel that this project can be completed prior to the opening of HemisFair and will bring untold hours of enjoyment to the visitors to our City and an economic rejuvenation to the many interesting shops, stores and businesses in this area of the city.

Our proposal to the city is concisely as follows:

1. The City of San Antonio will lease the agreed area to the corporation for a consideration.

2. The Corporation will incorporate within the laws of the State of Texas for the purpose of raising funds and will not ask or receive any financial assistance from the City government.

3. All improvements, structures and material additions made on or to the park will revert back to the city at the termination of the contract period.

4. The City will not be financially liable for any of the contracts incurred in this venture.

Proposed Nature of Development:

1. On the area which is now being used by the City Public Works Department to store paving materials, the corporation proposes constructing a building suitable for a restaurant. This same facility would be suitable for outside dining and dancing and the presentation of entertainment.

2. In the park area proper and including the lake, the corporation proposes to construct artificial lighted floating gardens. On the banks of the lake it is projected to line the banks with decorative gas lamps.

3. As a means of developing revenue to pay for these decorations, the corporation proposes to operate a fleet of boats and launches with several unique designs, shapes and sizes. All conveyances will be subjected to strict engineering and water safety restrictions. This feature of the proposed possible entertainment has appealed to several businessmen and also to individuals. The interest of individuals revolves around the possibility that one individual can purchase, finance and operate one launch or boat.

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4. Another contemplated entertainment feature would consist of ox-cart, stage coach and surreyrides around the perimeter of the lake and park.

5. In the area of the park between Our Lady of the Lake College campus and the lake, is located an island which could be modified as a large performing stage and it is contemplated that it could be used for the presentation of programs by school groups such as orchestras and choral groups. Many of the school administrators in the area have often expressed a desire to have a facility where the theatrical and musical talents of their students could be shared with the entire citizenry.

In conclusion we would ask of the City Council that it be perfectly understood that our intentions in this matter are definitely tied to the long range improvements which the City has made recently in the area, and to the many contemplated improvements and to those already in process. It is the feeling of all the parties prepared to invest in this venture that their involvement will help to materially contribute to the success of our City as a tourist mecca.

The Corporation is prepared to make all financial considerations to the City as to concession incomes as applicable in cooperative ventures such as this."

After discussion by the Council, the Mayor instructed the City Manager to study this matter and get together with the Parks Director and Mr. Mungia and his group in order to give a report to the Council at next week's meeting.

67-605 Mr. Raul Rodriguez stated he felt the goal of the community should be the betterment of the community and did not agree with the Council's plans to take homes for parking space for HemisFair. He did not think the City should tear down the Market House.

67-389 Dr. Parker stated that the Council should now take definite action on advertising for a Cablevision franchise.

Mr. Gatti opposed action at this time as the FCC has taken under advisement proposals for Pay TV and if their decision is favorable, the City would be able to realize much more income under the Pay TV rather than this type of franchise.

After further discussion, Dr. Parker made a motion to advertise for invitations for a Cablevision Franchise. Mr. Torres mad<sup>a</sup> a substitute motion to postpone action for one week. Seconded by Mr. Gatti the motion failed by the following vote: AYES: Cockrell, Gatti and Torres; NAYS: McAllister, Calderon, Jones, James, Trevino and Parker; ABSENT: None.

The Mayor called for a vote on the original motion by Dr. Parker, seconded by Mr. Trevino, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Trevino, Parker; NAYS: GATTI; ABSTAINING: Cockrell and Torres; ABSENT: None.

Mrs. Cockrell stated that she abstained because she opposed the resubmitting of proposals.

67-627 City Manager Shelley explained that he has received two requests for permits to operate horse-drawn carriages or buggys in the downtown area.

Mayor McAllister directed Mr. Shelley to have a report ready for the Council meeting next Thursday so that action can be taken.

67-605 The Clerk read the following letter.

October 2, 1967

Honorable Mayor and Members of the City Council  
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.

9-26-67 Petition of Esteban Tamez, et al, requesting the City to annex the Meadow Cliff Community, bounded on the south by Highway 90 West, on the west by Pinn Road, on the north by Keith Blvd, and on the east by Arvil Avenue.

/s/ 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:

*W McAllister*  
M A Y O R

ATTEST: *J H Inselmann*  
C i t y C l e r k

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