

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, SEPTEMBER 28, 1967 AT 8:30 A.M.

\* \* \* \*

The meeting was called to order by the Presiding Officer, Mayor Pro-Tem John Gatti, with the following members present: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER and TORRES; Absent: McALLISTER.

67-582 The invocation was given by Reverend William M. Harris, Jefferson Methodist Church.

The minutes of the Regular Meeting of September 21, 1967, were approved.

67-582 Mayor Pro-Tem Gatti presented a proclamation to Reverend Claus H. Rohlfis and Mr. Charles Albidress proclaiming September 29, 1967 as "Methodist Day" in San Antonio.

Mr. Albidress thanked the Mayor for the proclamation and introduced other members of the Rio Grande Conference.

67-582 At this time Mayor Pro-Tem Gatti welcomed the sixth grade class of Ridgeview Elementary School and their teacher, Mrs. Monta Frost.

67-454 Mayor Pro-Tem Gatti recognized Mr. Winston Martin, Director of the Urban Renewal Agency. Mr. Martin made the following statement:

"On January 28, 1964, the citizens of the City of San Antonio approved, as a part of the proposed bond issue, the sale of two million dollars (\$2,000,000) in general obligation bonds for the purpose of "aiding in the planning, undertaking and carrying out of Urban Renewal Projects of said City".

SEP 28 1967

When it appeared that some three million dollars (\$3,000,000) in cash contribution by the City of San Antonio would be necessary to meet the City's obligation in the development of the Civic Center Project, these bonds were sold and the money delivered to the Urban Renewal Board of Commissioners for administration. One of the Commission members, Mr. Morris Collins, is here to refund to the City the amount of one million dollars (\$1,000,000), and it is anticipated there will be additional refunds to be made at a later date. Not only does this represent a savings to the City in the amount of their original obligation of \$2,662,211, but it would seem appropriate to recognize what was made possible in the way of financial benefit, new construction, job opportunities, the establishment of a much broader economic base, and progressive improvement that has warranted international attention being directed to the City of San Antonio.

Using this two million dollars (\$2,000,000) as seed money, the City has accomplished these immediately visible benefits.

1. The Urban Renewal Agency received Federal Grant money in the amount of \$10,333,614 to be expended locally.

2. With Federal Relocation Grant money in the amount of \$12,500,000, three hundred and ninety (390) families who were living in substandard conditions and in an area of obsolescence were provided with the means and opportunity to re-establish in standard neighborhoods and properties.

3. The Urban Renewal Agency, using project funds, is constructing the San Antonio River Extension and Beautification Project at an improvement cost of \$1,900,000. The Urban Renewal Agency has been able to dedicate to the citizens of San Antonio public land from the project with an evaluation of \$4,199,000.

4. Major public works improvements, such as the Durango Street, South Alamo Street, Nueva Street, etc., are being accomplished by the Urban Renewal Agency as a part of the project development at an estimated cost of \$444,580.

5. This project provided the site for the City's thirteen million dollar (\$13,000,000) Civic Center, which appeared as Proposition No. 6 in the aforementioned bond program.

6. It also provided the site and justification for the five million dollar (\$5,000,000) Chilled Water Plant being constructed by the City Water Board.

7. A part of the land dedicated to the City of San Antonio made possible the ideal location for the new Chamber of Commerce and Tourist Information Center at an estimated value of five hundred thousand dollars (\$500,000).

8. Becoming a symbol of San Antonio's movement ahead is the Tower of Americas, rising from the center of the project at a construction cost of \$5,200,000.

9. The ninety (90) acres to be temporarily occupied by HemisFair '68, its improvements and many of its structures are to be a legacy to the citizens of San Antonio. Among these are the Federal Pavilion at an estimated value of \$6,200,000, the State Pavilion, with its educational center and museum at a value of ten million dollars (\$10,000,000), a land beautification program estimated in value to be \$3,897,000, for a total combined announced Fair value of \$107,000,000.

10. San Antonio has also benefited from the standpoint of conservation, with the restoration of some twenty-three (23) structures as part of the project development, at an estimated value of \$525,000.

11. One of this City's major points of tourism, that of La Villita, will be expanded to twice its original size, both as to area and facilities.

12. Not all of the benefits of this project have been to the provision of public services, for it has also been the means of providing land for the expansion of the San Antonio Independent School District Offices at an estimated cost of one million dollars, (\$1,000,000), a new modern elementary school plant costing \$510,000, and possibly the most exciting site for the development of a 500-room major hotel, at a cost of seven million dollars (\$7,000,000), to serve the Convention Center; all of these are a part of the project land use.

The permanent community benefits could be recorded indefinitely, but there would also be the difficulty of measuring advantages to the City's economy in terms of employment, materials purchased, equipment required and services secured that are all very much a part of this recognition. Possibly the greatest and most telling advantage of all is the required and readily available cooperation between citizen support and interest, municipal government initiative, private enterprise and ability, and Federal government assistance that, in summation, has, in this one project, meant more than \$170,183,000 to the City of San Antonio.

Mr. Martin then introduced Mr. Morris Collins, of the Urban Renewal Agency Board of Commissioners. Mr. Collins then presented a check for \$1,000,000 to the City of San Antonio which represented a refund from Urban Renewal Projects.

Mayor Pro-Tem Gatti then publically thanked Mr. Martin and Mr. Collins for doing a wonderful job and stated the citizens of San Antonio should be proud of the agency. He asked Mr. Collins to express thanks from the Council to the other members of the Board of Commissioners.

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

67-583

AN ORDINANCE 35,784

ACCEPTING THE ATTACHED LOW QUALIFIED BIDS OF ASGROW SEED COMPANY AND DOUGLAS W. KING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS DEPARTMENT WITH CERTAIN GRASS SEED FOR A TOTAL OF \$3,586.25.

\* \* \* \*

67-584

AN ORDINANCE 35,785

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF SIGNAL ENGINEERING COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF TRAFFIC AND TRANSPORTATION WITH CERTAIN ITEMS OF TRAFFIC CONTROL SIGNAL EQUIPMENT FOR A TOTAL OF \$13,000.00

\* \* \* \*

67-585

AN ORDINANCE 35,786

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF GLENN SLADE'S TEXAS GUN CLINIC TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN POLICE REVOLVERS FOR A TOTAL OF \$3,636.09.

\* \* \* \*

66-1010

AN ORDINANCE 35,787

MANIFESTING AN AGREEMENT EXTENDING THE TERM OF A LEASE OF SPACE AT INTERNATIONAL AIRPORT TO AMERICAN AIRLINES, INC. FOR ONE ADDITIONAL YEAR.

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67-586

AN ORDINANCE 35,788

AUTHORIZING PAYMENT OF THE SUM OF \$1,941.20 OUT OF INTERNATIONAL AIRPORT ADMINISTRATION FUND 804 FOR ANNUAL MEMBERSHIP SERVICE FEE TO AIRPORT OPERATORS' COUNCIL INTERNATIONAL.

\* \* \* \*

708  
500

67-587

AN ORDINANCE 35,789

APPROPRIATING THE SUM OF \$16,465.80 OUT OF INTERNATIONAL AIRPORT REVENUE BONDS, SERIES 1966, FUND NO. 806, PAYABLE TO ROBERTS, ALLEN & HELMKE, ARCHITECTS, FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE DESIGN OF THE EAST SATELLITE AT INTERNATIONAL AIRPORT.

\* \* \* \*

Mayor Pro-Tem Gatti was obliged to leave the Meeting and Dr. Herbert Calderon presided.

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

67-286

AN ORDINANCE 35,790

APPROPRIATING \$2,830.00 OUT OF PARK IMPROVEMENT BOND FUND NO. 489-03 FOR THE PURCHASE OF CONSTRUCTION MATERIALS AND TO OBTAIN CERTAIN SERVICES OF THE CITY WATER BOARD IN CONNECTION WITH DEVELOPMENT OF PICNIC AREAS AT THE NORTHEAST PRESERVE.

\* \* \* \*

67-117

AN ORDINANCE 35,791

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO FOR THE PROVIDING BY THE CITY THROUGH ITS PARKS AND RECREATION DEPARTMENT OF LANDSCAPING SERVICES IN CONNECTION WITH THE BEAUTIFICATION AND LANDSCAPING OF DURANGO STREET WITHIN URBAN RENEWAL AGENCY'S PROJECT, TEX R-83; AND AUTHORIZING THE CITY MANAGER TO ESTABLISH ADMINISTRATIVE PROCEDURES FOR THE COORDINATION OF SAID PROJECT.

\* \* \* \*

SEP 28 1967

67-588

AN ORDINANCE 35,792

GRANTING PERMISSION TO WM. C. KING, JR.  
TO CONSTRUCT A 7-FOOT HIGH FENCE AT HIS  
PROPERTY LOCATED AT 527 EAST MAGNOLIA  
PURSUANT TO ARTICLE 10-10 OF THE CITY  
CODE.

\* \* \* \*

67-582 Item 10 on the Agenda was withdrawn at the request  
of the City Manager.

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

67-590

AN ORDINANCE 35,793

APPROPRIATING \$390.00 OUT OF STREET IMPROVE-  
MENT BONDS 489-01 PAYABLE TO FEDERICO G. PEREZ  
FOR PURCHASE OF A SMALL PORTION OF LOTS 25 & 26,  
N.C.B. 7480 TO BE USED AS RIGHT-OF-WAY FOR RIVAS  
STREET.

\* \* \* \*

67-298

AN ORDINANCE 35,794

APPROPRIATING \$1,600.00 OUT OF SEWER REVENUE  
BOND FUND TO BE USED AS AN ADDITION TO THE  
CONTINGENCY ACCOUNT CONTAINED IN THE MEDICAL  
CENTER OUTFALL SEWER LINE CONTRACT AS AUTHOR-  
IZED BY ORDINANCE NO. 35415.

\* \* \* \*

Mayor Pro-Tem Gatti returned to the meeting and  
presided.

67-428 Mr. Steve Taylor, Director of Planning, explained the following ordinance.

AN ORDINANCE 35,795

AMENDING CHAPTER 36 OF THE CITY CODE  
BY ADDING THERETO CERTAIN REGULATIONS  
AND RESTRICTIONS PERTAINING TO APPROVAL  
OF TOWN HOUSE SUBDIVISIONS.

\* \* \* \*

Councilman Jones suggested that the Town Houses be allowed to operate as motels during the HemisFair period.

Mr. Trevino recommended an amendment to the ordinance to include requirements for sidewalks due to the density of people who would be living in the Town Houses.

After discussion by the Council, it was agreed that the Planning Commission would study both Councilman Jones and Mr. Trevino's recommendations and that the ordinance could be amended later.

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

67-591 The Clerk read the following ordinance.

AN ORDINANCE 35,796

AUTHORIZING EXECUTION OF CONTRACTS WITH  
THE CITIES OF CASTLE HILLS, OLMOS PARK,  
ALAMO HEIGHTS AND HOLLYWOOD PARK FOR  
DISPOSAL OF WASTE FROM SAID CITIES IN  
SANITARY LAND FILLS OPERATED BY THE CITY  
OF SAN ANTONIO FOR A FEE OF \$0.20 PER  
CUBIC YARD.

\* \* \* \*

Mr. Gerald Henckel, Assistant City Manager, explained that the price of \$0.20 per cubic yard was not an increase compared to the \$4.00 per load used in previous contracts, but the change is necessary due to the fact that different cities have different size trucks and this change will make it more equitable.

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

SEP 28 1961

The Clerk read the following ordinance.

2EB 881021

AN ORDINANCE 35,797

ACCEPTING THE BID OF THE SAN ANTONIO BAR ASSOCIATION IN THE AMOUNT OF \$38,756.00 FOR THE PURCHASE OF THE FORMER CITY POLICE ADMINISTRATION BUILDING LOCATED AT THE SOUTHEAST CORNER OF DWYER AVENUE AND DOLOROSA STREET AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED THERETO.

\* \* \* \*

Mr. Gerald Henckel, Assistant City Manager, explained that two bids had been received on the building and the Staff recommended the acceptance of the high bid of the San Antonio Bar Association. He stated that approximately a year ago bids were received on the same building and at that time the highest bid received was \$10,000, which was rejected.

Mr. Lionel Goodstein, President of the San Antonio Bar Association, explained that it has been the dream of the San Antonio Bar Association for years to have their own headquarters building. He urged the Council to accept the Bar Association Bid.

Judge Solomon Casseb stated that the Bar Association would demolish the present building and erect a modern type building containing rooms for the Bar Library, meeting rooms and quarters for visiting judges. He felt this was an ideal location for the Bar Association, being close to the Court House and also the new main Library.

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

Mayor Pro-Tem Gatti was obliged to leave the meeting and Dr. Herbert Calderon presided.

66-400 The Clerk read the following ordinance which had been explained by the Staff last week.

AN ORDINANCE 35,798

APPROPRIATING \$117,000.00 OUT OF COMMUNITY AND CONVENTION CENTER BONDS TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT TO COVER THE COST OF VARIOUS ITEMS CONTAINED HEREIN.

\* \* \* \*

Councilman Torres voiced his objections to Item 1, 16, 17, and 18 of the list of additions to the Convention Center which are as follows:

Item 1: Additions and revisions to main pump and distribution facilities to provide for air conditioning, hot and chilled water services as required by City Water Board for connection to Central Plant. - \$16,873.00

Item 16: Provide walnut veneered wall paneling in Theater lobby areas in lieu of wood grained vinyl wall covering. \$6,394.00

Item 17: Provide bronze Duranodic finish on stair and balcony railings in lieu of polished aluminum. \$8,950.00

Item 18: Provide four Theater lobby chandeliers. \$16,000.00

City Manager Shelley explained that all these items were necessary and constituted changes and additions since the original letting of the bid.

After further discussion by the Council, on motion of Dr. Parker, seconded by Mr. Jones, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Trevino, Parker; NAYS: Torres; ABSENT: McAllister, Gatti.

67-592 The Clerk read the following ordinance and on motion of Dr. Parker, seconded by Dr. Calderon, the ordinance was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Trevino, Parker and Torres; NAYS: None; ABSENT: McAllister and Gatti.

AN ORDINANCE 35,799

AUTHORIZING THE FINANCE DIRECTOR TO PURCHASE CERTAIN CRISS CROSS DIRECTORIES FOR USE OF THE VARIOUS DEPARTMENTS OF THE CITY OF SAN ANTONIO FROM THE CRISS CROSS SERVICE FOR A TOTAL OF \$1,155.00.

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Mayor Pro-Tem Gatti returned to the meeting and presided.

SEP 28 1967

66-1028 City Manager Jack Shelley explained the following ordinance and on motion of Dr. Parker, seconded by Mr. Jones, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Parker; NAYS: None; ABSENT: McAllister, Trevino and Torres.

AN ORDINANCE 35,800

AUTHORIZING PAYMENT OF \$1,600.00 TO NATIONAL LEAGUE OF CITIES OUT OF THE GENERAL FUND AS AN ANNUAL MEMBERSHIP FEE.

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67-593 The Clerk read the following resolution and on motion of Mrs. Cockrell, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker; NAYS: None; ABSENT: McAllister and Torres.

A RESOLUTION

REQUESTING THE CITY PUBLIC SERVICE BOARD TO CONSTRUCT A 500 CAR MULTI-LEVEL PARKING GARAGE ON ITS VILLITA STREET PROPERTY LOCATED BETWEEN SOUTH PRESA AND NAVARRO STREETS.

\* \* \* \*

67-594 Assistant City Manager Gerald Henckel explained the following ordinance and on motion of Mr. Jones, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister and Parker.

AN ORDINANCE 35,801

AMENDING CHAPTER 37 OF THE CITY CODE PERTAINING TO TOURIST COURTS AND TRAILERS BY REDUCING CERTAIN AREA REQUIREMENTS DURING THE PERIOD MARCH 1, 1968, TO NOVEMBER 30, 1968.

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67-582 Dr. Calderon stated he would like to receive copies of any proposed code amendments prior to the Council meeting to enable him time to study the amendments.

Mr. Harper Macfarlane, attorney for the City Public Service Board, explained the following ordinances and on motion made and duly seconded were each passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister and Trevino.

67-595 AN ORDINANCE 35,802

AUTHORIZING THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO TO REPLACE AN EXISTING 138 KV ELECTRIC TRANSMISSION LINE WITHIN THE OLMOS BASIN AREA OF THE CITY OF SAN ANTONIO BETWEEN McCULLOUGH AVENUE AND JONES-MALTSBERGER ROAD.

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67-596 AN ORDINANCE 35,803

PROVIDING FOR THE SALE AND CONVEYANCE OF CERTAIN PROPERTY IN BEXAR COUNTY, TEXAS. 1.50 ACRES OF LAND FROM THE CITY PUBLIC SERVICE BOARD TO ALBERT AGUILAR, TRUSTEE FOR SOCIEDAD MUTUALISTA GUADALUPANA.

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67-597 The Clerk read the following resolution 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 and Torres; NAYS: None; ABSENT: McAllister and Parker.

A RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL TO LEASE THE LAND AND IMPROVEMENTS OF THE PEARL BREWING COMPANY AND AN ADDITIONAL ADJACENT AREA AFTER HEMISFAIR TO THE UNITED SERVICES ORGANIZATION OF METROPOLITAN SAN ANTONIO.

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Mayor Pro-Tem John Gatti presented the Clerk with a number of letters from various local military commanders urging Council action on the above resolution.

SEP 28 1967

66-343 Mr. Jack Shelley, City Manager, explained the following ordinance, and on motion of Mrs. Cockrell, seconded by Mr. Jones, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino; NAYS: Torres; ABSENT: McAllister and Parker.

AN ORDINANCE 35,804

AUTHORIZING PURCHASE OF A PARCEL OF PROPERTY IN URBAN RENEWAL CIVIC CENTER PROJECT, TEX. R-83 FROM THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO FOR A CONSIDERATION OF \$64,368.39; APPROPRIATING FUNDS THEREFOR; AUTHORIZING PAYMENT OF \$64,368.39 OUT OF URBAN RENEWAL BONDS, FUND NO. 489-07, TO THE ALAMO TITLE COMPANY AS ESCROW AGENT IN CONNECTION THEREWITH; AND AUTHORIZING THE EXECUTION OF CONTRACT FOR REDEVELOPMENT PERTAINING TO SAID PROJECT.

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67-598 Mr. Sandy Clark, Land Division Chief, explained the following ordinance, and on motion of Mr. Torres, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister and Parker.

AN ORDINANCE 35,805

APPROPRIATING \$20.85 OUT OF HIGHWAY 90 WEST EXPRESSWAY BONDS PAYABLE TO JAMES W. KNIGHT FOR COURT COSTS INVOLVED IN RIGHT-OF-WAY ACQUISITION AND AMENDING ORDINANCE 35753.

\* \* \* \*

67-599 Mr. Sandy Clark, Land Division Chief, explained the following ordinance, and on motion of Dr. Calderon, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister, Jones and Parker.

AN ORDINANCE 35,806

APPROPRIATING \$109,015.00 OUT OF VARIOUS FUNDS FOR ACQUISITION OF RIGHT-OF-WAY AND EASEMENTS PERTAINING TO U.S. 281 NORTH EXPRESSWAY, MISSION PARKWAY, STORM DRAINAGE PROJECT #84, PACIFIC AVENUE PAVING AND EAST HOUSTON STREET SANITARY SEWER PROJECT #67-95.

\* \* \* \*

67-600 Mr. Jack Davenport, Chief Building Inspector, explained the following ordinance and on motion of Dr. Calderon, seconded by Mr. Torres, was passed and approved by the following vote: AYES: Calderon, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSTAINING: Jones; ABSENT: McAllister and Parker.

AN ORDINANCE 35,807

DESIGNATING TUPELO LANE TO BE THE NAME OF THE NEWLY CONSTRUCTED STREET BETWEEN MOCKINGBIRD LANE AND CALLAGHAN ROAD AND CHANGING THE NAME OF KENNY ROAD TO CALLAGHAN ROAD AND ALSO DESIGNATING THE NEWLY CONSTRUCTED STREET FROM FREDERICKSBURG ROAD TO I. H. 10 TO BE CALLAGHAN ROAD AS RECOMMENDED BY THE CITY PLANNING COMMISSION.

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67-601 Mr. Jack Davenport, Chief Building Inspector, explained the following ordinance and on motion of Mr. Torres, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister and Parker.

AN ORDINANCE 35,808

MANIFESTING A PERMIT TO THE VENICE ITALIAN RESTAURANT, INC. FOR CONSTRUCTION OF A MANHOLE IN THE SIDEWALK OF THE 200 BLOCK OF SOUTH BROADWAY.

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67-602 The Clerk read an ordinance 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.

Councilman Torres requested the Council postpone this proposed ordinance for one week.

The above ordinance will be heard on October 5, 1967.

67-603 The Clerk read the following resolution and on motion of Mrs. Cockrell, seconded by Dr. Calderon, was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Torres; NAYS: None; ABSENT: McAllister and Parker. 2E6 38 1001

A RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL TO LEASE THE LAND AND IMPROVEMENTS OF THE RADIO CORPORATION OF AMERICA AFTER HEMIS-FAIR TO THE INTER-AMERICAN EDUCATIONAL CENTER.

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67-604 The Clerk read the following ordinance and on motion of Dr. Calderon, seconded by Mr. Trevino was passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister and Parker.

AN ORDINANCE 35,809

AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH THE UNITED STATES OF AMERICA IN CONNECTION WITH A WATERWORKS SYSTEM IMPROVEMENT PROJECT.

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Mr. Steve Taylor, Planning Director, explained the following proposed annexations which the Clerk read for the first time, and on motion made and duly seconded, were each passed and approved for publication only by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino and Torres; NAYS: None; ABSENT: McAllister and Parker.

67-532

AN ORDINANCE 35,810

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 5.915 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (KNOWN AS ROLLING RIDGE SUBDIVISION, UNIT 1-A, OWNED BY SAUNDERS TRIESCHMANN DEVELOPMENT CORPORATION.)

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718

67-533

AN ORDINANCE 35,811

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 2.438 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (KNOWN AS ROLLING RIDGE SUBDIVISION, UNIT 1-B, OWNED BY SAUNDERS-TRIESCHMANN DEVELOPMENT CORPORATION)

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67-534

AN ORDINANCE 35,812

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 8.712 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (KNOWN AS SHENANDOAH SUBDIVISION, UNIT 3, OWNED BY COMMUNITY PROPERTIES, INC.)

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67-535

AN ORDINANCE 35,813

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 1.149 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (KNOWN AS SHENANDOAH SUBDIVISION, UNIT 5, OWNED BY COMMUNITY PROPERTIES, INC.)

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67-536

AN ORDINANCE 35,814

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 43.356 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (KNOWN AS MOUNTAIN LAUREL SUBDIVISION, UNIT I, OWNED BY THE ARTEM CORPORATION)

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SEP 28 1967

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 23.426 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (KNOWN AS SHENANDOAH SUBDIVISION, UNIT 4, OWNED BY COMMUNITY PROPERTIES, INC.)

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67-538 The proposed annexation of 1.03 acres of land located in County Block 500 was withdrawn at the request of Mr. Paul Jordon, owner.

67-268 At 10:00 A.M. Mayor Pro-Tem John Gatti the hearing open on the petition of Alamo Guided Tours requesting an amendment to its license to permit licensee to solicit business in the vicinity of the Alamo.

Mr. Brooks Barker, Administrative Assistant, distributed maps showing the position of Gray Line Tours Parking spaces and Alamo Guided Tours parking spaces at the Alamo.

Mr. Emilio Kifuri, owner of Alamo Guided Tours, stated he wished to be allowed to solicit business at the Alamo in order to be competitive with the Gray Line Tours. He explained that at present Gray Line Tours have at least two limousines as well as a private car parked at the Alamo and is very active in soliciting business from visitors to the Alamo, whereas, he is not allowed to do this and on several occasions Gray Line has had him removed from the Alamo area by the Police. He further stated that his is an independently owned business and he is definitely giving a service to the City as far as visitors are concerned and if his request is not approved, it will mean he will have to abandon his business.

Mr. Norman Hill, General Manager for the Transit Company, who operate the Gray Line Tours, stated he was not against competition, but felt that since Gray Line has had the privilege of parking at the Alamo for a number of years and there have been no complaints whatsoever, that granting a permit to Alamo Guided Tours would disrupt business, as well as open the door for other companies to request parking and solicit business at the Alamo.

After lengthy discussion by the Council, with each member asking various questions of Mr. Hill and Mr. Kifuri, Mr. Fred Mohme of the Red Ball Cab Company and Red Ball Limousine Company, said that his Companies are satisfied with only Gray Line Tours being located at the Alamo as it has been in the past. He stated if the permit to solicit business is granted to Alamo Guided Tours, he would definitely request the same privilege for his Companies and felt that other Limousine Services would do likewise.

After further discussion, Dr. Calderon made a motion to deny the request of Alamo Guided Tours. Seconded by Mrs. Cockrell, the motion prevailed and request denied by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti; NAYS: Trevino; ABSTAINING: Torres; ABSENT: McAllister, Parker. (Verbatim Report of this hearing is on file with the Office of the City Clerk)

67-403 Councilman Torres then made the following statement regarding the proposed Conflict of Interest Ordinance:

"I originally presented this ordinance on June 29, 1967. Some changes have been made to meet criticism of our City Attorney. For example, original ordinance, Section 4, provided that no officer, etc, could disclose confidential information. Also, I omitted original Section 7 that officers could not deal with each other.

The design of the ordinance is in order that a Councilman, officer, agent or employee of the City shall not engage in an activity which is hostile or adverse to his official position and authority and, secondly, to insure that he will not take an unfair advantage by virtue of his position. It is established and makes good sense that one as an agent should act with the utmost good faith and loyalty for the furtherance and advancement of the taxpayers of this community. Thus, the proposed ordinance would require that one as an agent or employee not enter into any transaction concerning the subject matter of the agency in which he has individual interests or represents interests adverse to those of the City. This is an ancient precept in our system of government (McAllister vs. Eclipse Oil Company, 79SW<sup>2</sup>892) By the same token, laws prohibit one from acting as an agent for both parties to the same transaction in matters involving the exercise of discretion where there exist conflicting interests between the parties (3CJSpl5) It is well established also that municipal officers who become interested in contracts with the City are subject to removal (State ex rel Schroeder vs. McAllister, 365 SW<sup>2</sup>696).

SEP 28 1967

Mr. Wolf stated that it was questionable whether an ordinance could make a judicial determination that a contract was null and void. I have changed that wording so that the ordinance follows the working in Section 141 of our City Charter, ie, the declaration that the ordinance is voidable at the option of the City Manager or the Council.

Mr. Wolf also called our attention in his memorandum to various statutes, constitutional and charter provisions conveying generally these same subjects. The provisions which he cites are in no way in conflict with this proposed ordinance and in fact would seem to lend credence to the proposition that those are, if nothing else, enabling statutes.

It is interesting to note that in his opinion of July 11, 1967, Mr. Wolf pointed out that legal counsel for one of our City agencies was not prevented from representing private interests before the City or any other agency of the City. I called this matter to the attention of the Council when Mr. Troilo and Mr. Sawtelle, attorneys for the City's Urban Renewal Agency and the City Water Board, represented the General Electric Corporation or its subsidiary before this Council. I am not convinced that there is no impropriety in this kind of activity. I am, on the other hand, quite satisfied that these City retained lawyers have been quite influential by virtue of their position with the City agencies in question in having us advertise for bids and proposals for a closed circuit television system. In his opinion of July 26th, Mr. Wolf says "the subject matter of basic provisions of the proposed ordinance are adequately covered by the cited statutes...." His two decisions cannot be reconciled and it is precisely because there is an enforcement mechanism needed in the available legislation that I am proposing the ordinance in question.

For those who doubt that the City has the legal authority to enact such an ordinance, I cite Section 3, paragraph 1 of our City Charter which provides in part that the City may "establish such acts and regulations and ordinances not inconsistent with the constitution and laws of this state and this charter as shall be needed for the government, interest, welfare and good order of the city and the interest, welfare, health, morals, comfort, safety and convenience of its inhabitants."

In closing, I may point out that there are no inconsistent provisions cited in Mr. Wolf's opinion nor has pre-emption been shown."

Councilman Torres then made a motion to approve the proposed ordinance.

Dr. Calderon asked that Council action be delayed one week in order to give him time to study the proposed ordinance.

Councilman Torres withdrew his motion and stated he would definitely bring the proposed ordinance up at the next Council meeting.

(The proposed Conflict of Interest Ordinance is on file in the Office of the City Clerk)

67-497 Mrs. Cockrell advised the Council that it has a report pending which has not yet been acted on regarding the Community Relation-City Council Liason Committee's report. An ordinance has been prepared which embodies the changes necessary to accommodate the recommendations of this Committee. She added there is one point on which needs further discussion by the Council. In making its recommendation, the Committee felt that the Community Relations Commission should be the one to contract for employment of the Executive Director. She stated the City Manager has a few points which should be given consideration and thought discussion should be held before the ordinance is brought up for final action.

Mr. Shelley stated his basic recommendation to the Committee was with the thought that if the Staff of the Commission were municipal employees there could probably be a closer liason with all of the departmental operations. He assumed that the Community Relations Commission and its Staff would be working with various groups in the City and would certainly be involved in questions pertaining to municipal operation in the various departments. He felt they would have a better liason if it were a municipal staff. However, if the majority of the Commission felt otherwise, he could see where there might be some conflict on this and thought it is a matter of which way the Council wants to operate it.

He added that some additional financing will be necessary because there is no space available at this time to locate the office and some consideration must be given for leasing office space somewhere. Also there is no room large enough to hold a Committee of fifteen and hold hearings. There is \$10,000 provided in the budget for this program.

Mrs. Cockrell pointed out that the reason the subcommittee recommended the employment of the Director be handled by the Community Relations Commission is because they thought they would have a more direct relationship and would feel that the Commission was not operating as simply a spokesman for City Hall, but serving a role in the community of mediations, conciliations and that type of activity.

Mayor Pro-Tem Gatti advised that his feeling is that this is an Agency of the City and that the City Council through the City Manager is perfectly qualified to select a Staff that can be perfectly objective. He felt to remove this responsibility from the City Council would not be the right thing to do.

Mr. James, a member of the subcommittee, thought the feeling of the subcommittee was that in setting up and enlarging the Commission, and in giving it the power to employ the Director, they were meeting a specific need and a specific issue in the community. In doing this the Director would be a detached person, not identified with City Hall in the typical sense, and would be objective and utterly impartial and to some extent sit in judgement on City Hall.

SEP 28 1967

286 37 001

Councilman Torres, also a member of the sub-committee stated that Rev. Don Baugh, the present Chairman of the Community Relations Commission, had indicated to them that he felt the Commission itself desires to select the new Director for several reasons that have already been stated here.

After considerable discussion as to the manner in which an Executive Director of the Community Relations Commission is to be hired, the Council agreed that Section 2 of the proposed ordinance should read as follows:

SECTION 2. The Commission is hereby empowered to select a Chairman from its membership; and to recommend a suitable staff, including a director and secretary, to the City Manager and the City Council.

In connection with Section 1 which states the Commission will be enlarged to fifteen members, Dr. Calderon stated that he noticed in the report submitted by the Committee that the Commission be composed of five Negroes, five Anglos and five Mexican-Americans, Mr. Torres had cast a dissenting vote and might make a minority report on this, but none had been received.

Councilman Torres stated that his feeling was that the break down of the Community Relations Commission should not be along a racial line, but rather by the qualifications necessary.

After further consideration by the Council, the Clerk read the following ordinance:

AN ORDINANCE 35,816

ENLARGING THE COMMUNITY RELATIONS COMMISSION TO FIFTEEN (15) MEMBERS; PROVIDING FOR SELECTION OF A CHAIRMAN; PROVIDING FOR OFFICE SPACE AND STAFF, INCLUDING A DIRECTOR AND SECRETARY.

\* \* \* \*

WHEREAS, the City Council by Ordinance No. 38363 dated November 11, 1965, and as amended by Ordinance No. 34303 dated April 21, 1966, ratified and reestablished the Community Relations Commission making it unlawful to discriminate against any person in places of public accommodation because of race, color or religion; and

WHEREAS, it is now deemed advisable and in the public interest to enlarge said Commission to fifteen (15) members and to provide personnel and funds for necessary expenditures; NOW, THEREFORE:

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

SECTION 1. The Community Relations Commission is hereby enlarged to fifteen (15) members.

SECTION 2. The Commission is hereby empowered to select a Chairman from its membership; and to recommend a suitable staff, including a director and secretary, to the City Manager and City Council.

SECTION 3. Suitable office space shall be furnished the Commission and its staff members.

PASSED AND APPROVED this 28th day of September, 1967.

M A Y O R

ATTEST: City Clerk

APPROVED AS TO FORM: City Attorney

\* \* \* \* \*

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

67-582 The Clerk read the following letter.

September 26, 1967

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

Gentlemen and Madam:

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

SEP 28 1967

SEP 28 1967

9-19-67

Petition of Victoria Fontana, Venice Italian Restaurant requesting the construction of a small man hole in the sidewalk in the 200 block of South Broadway for the passage of a line to the petitioner's grease trap which is now inaccessible. The expense of such construction will be incurred by the petitioner.

/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:

  
M A Y O R

ATTEST:   
City Clerk