

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPT. 25, 1969 AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor Pro-Tem Lila Cockrell, with the following members present: CALDERON, BURKE, JAMES, COCKRELL, NIELSEN, TREVINO, HILL, TORRES; Absent: McALLISTER.

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69-42 The invocation was given by Reverend James Giddings, Holy Cross Episcopal Church.

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The minutes of the September 18, 1969 Council Meeting were approved.

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69-42 DISCUSSION REGARDING TURNKEY III HOUSING UNITS

MAYOR PRO-TEM LILA COCKRELL: This morning, with the consent of the City Council, we are going to take up first for consideration the matter of the Turnkey III proposal which were authorized by the City Council last spring and which have recently been reviewed by the Council with a report by the Housing Authority on the implementation of the Turnkey proposal. Does any member of the Council wish to be heard?

COUNCILMAN CALDERON: I would like at this time, in the form of a motion, to recommend to the Housing Authority that it abandon all Turnkey III projects and that it report back to the Council with recommendations as to the development of the remaining balance of the authorized units under existing federal programs.

MAYOR PRO-TEM COCKRELL: May I ask for a clarification? Under existing programs, you mean rental programs?

COUNCILMAN CALDERON: Yes, rental programs.

MAYOR PRO-TEM COCKRELL: Is there a second to the motion?

COUNCILMAN JAMES: Madam Chairman, I am not at the point where I want to abandon Turnkey III. I am at the point of wanting to ask the Housing Authority----

MAYOR PRO-TEM COCKRELL: Just a moment, is there a second to the motion?

COUNCILMAN HILL: Well, I'll second it, but I have some comments.

MAYOR PRO-TEM COCKRELL: Alright, the motion is on the floor for discussion, Mr. James.

COUNCILMAN JAMES: I am not at the point where I want to abandon Turnkey III. My major point of concern is the proposals cost-wise. I would like to recommend that we ask the Housing Authority to proceed along the line or try to reconstruct the cost so far. I think the cost can be revised downward even if it means the elimination of some of the bedrooms involved. So my point is not the total rejection of Turnkey III. I am sympathetic with the basic philosophy. My point is I think the cost is simply too much.

COUNCILMAN TORRES: Of course, Madam Chairman, if we hadn't been sympathetic with the basic philosophy of the program, I don't think we would have adopted it in the first instance. I still don't think, I agree with Rev. James, that we have to look at the cost on these things. I think that we have mentioned in Council session before the restricted HUD requirements. I think that you Madam Mayor, brought this up at one time. I think that we should look at the possibility of alternate proposals. Frankly, Herb, I think that your action would be premature in abandoning a program before we actually see what direction we are going to take. I can express my own misgivings about this program, with the idea of modifying it as Rev. James has suggested. But I do think I would speak against the motion at this time for that reason.

COUNCILMAN HILL: Let me inject my thoughts here. I recommend that no further action be taken on Turnkey III project at this time and that the Council ask the San Antonio Housing Authority to prepare a study giving the status of projects in being and the requirement of additional housing by type; the total availability of money for housing in San Antonio and that the result of the study be presented to the Council. This is necessary in order that each member of the Council has complete information as it pertains to housing whereby future decisions can be made considering the total housing problem rather than one project at a time. Taking an approach to the housing problem on this basis will assure the best type housing at the lowest possible cost, providing improved housing facilities for more citizens including those whose income is less than \$3,000 and as well as those in the \$3,000 to \$6,000 category.

DR. CALDERON: Are you asking for a departmental determination as to Turnkey III projects or what.

COUNCILMAN HILL: Well, I don't think we ought to abandon it. I think we ought to ask the San Antonio Housing Authority to hold off any further action and let's have a complete review of all the housing projects, the dollars involved, and look at the status, the requirement for housing and then after we have a complete look at the whole thing, decide whether we go into a portion or a pilot project on Turnkey III or what our action will be. But we will be dealing with the complete housing situation rather than talking about just one specific project.

COUNCILMAN NIELSEN: Well we have been somewhat brought up to date at a number of times if you looked at the minutes of the 22nd and 29th of May. There was a somewhat in depth study presented to us at that time. I think there is a couple of previous questions that we have to deal with as a Council and as a City.

Councilman Nielsen...continued...

One of them is that we've done nothing, if nothing, in human resource planning in San Antonio. This is a typical example of what happens if we don't do that. We do not as a City know our goals or priorities or we have very little in the way of mechanism, much less an effective one, to set the priorities and goals. We basically react to problems. That's what happened here. We took I think, a unanimous vote previously and has been studied by a group of responsible citizens and they had recommended it and we had went along with it and then something happened along the way. What is important is that people did get involved and I am very glad for that. I am also very much aware that the involvement has become very emotional and we need to get out some facts and information. I'd like to see that we consider, not hastily, but on the other hand you can't drag your feet too long, or the basic economic considerations and so on that went into these determinations will have to be totally re-evaluated. I would suggest that what we do is reaffirm our stand taken and proceed in whatever means possible in terms of education, information, planning. One thing that we could do is to get the Housing Committee back at work. I am sure they are all vitally interested in this, along with the City Council. I have had a number of talks with a number of the individuals in the northeast area, northwest area and when you can sit down in a rational, reasonable sort of way, you can get around these fears and questions.

For the record, let me read the stand of the League of Women Voters of San Antonio, and I would like to submit this into the record. "The League of Women Voters believes that there is a significant need for improved housing for low income people in the San Antonio area and that this need is not being met.

The San Antonio Housing Authority estimates that there are over 20,000 families at present meeting the eligibility requirements of the Housing Authority and who live in substandard housing or will be displaced by acts of nature or by urban renewal. Our city's proposed 2,000 units for low income housing for the 1968-70 biennium will barely dent the total number who need adequate housing. Yes, there is a significant need for housing of the economically deprived.

Secondly, the League of Women Voters of San Antonio feels that government at all levels as well as the private sector of the American economy share responsibility to work toward meeting this housing need through programs and financing.

Thirdly, the League feels that housing for low income people should be an integral part of the community's effort to improve living standards for all families. There should be access to community services which serve such social needs as health, transportation, education, citizenship, and creative leisure activities.

Turnkey III meets these criteria and therefore we support it."

One last thing. As far as the economics is concerned, I am sure the Housing Authority will do all possible and there has been enough discussion at the moment to make us very aware, as Rev. James said, that we do need to be economy wise certainly.

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Dr. Nielsen---continued---

But to say there is a taxpayer revolt, and to say they are using this as an object of their revolt, but it strikes me, for instance in the time I have been talking, they have spent that much money in Viet Nam. If we are talking about tax investment, I see this as a darn good tax investment in San Antonio.

COUNCILMAN HILL: I agree that we had a presentation as such, basically for Turnkey III, but with the various housing projects, can you tell me, I don't have the information, throughout the City for single family or rental or rehabilitation of houses and the various aspects?

COUNCILMAN NIELSEN: Oh no, the Housing Authority is only one aspect of total housing and once again back to total planning and nobody has made this kind of a survey.

COUNCILMAN HILL: This is why I say that I think we ought to look at the complete picture.

COUNCILMAN TREVINO: I think that first of all we have to raise the idea of everybody within the poverty criteria wants to go into any type of housing that would be, in sense, supplemented or given to them in a free way. I think we have to erase this concept. I have talked to a lot of people within that criteria and a lot of them are willing to go into a possibility of buying something they can afford. One of the ideas that has been expressed in many locations is the fact, for example at the last meeting, Mr. Jones stated that the Housing Authority at this time go to all aspects, the lending of the money and everything else. If some of this money that is to be spent for these homes can be converted to loans because one of the problems of people in this criteria is they cannot borrow money at any rate of interest. Simply because their income is too low. If we could find a way to lend money to these people at a reasonable rate of interest and let them find a home that they themselves could afford, I think they would be happy. It is erroneous to think that everyone of them is willing to go in there to something that they themselves think they cannot afford. So basically the difference here is one of economics and I wouldn't say do away necessarily with the whole idea and concept of Turnkey III. I would say to revamp it, give us some new ways.

COUNCILMAN TORRES: First, preface my remarks by a question to the City Attorney. Howard, would it be possible to amend this ordinance, No. 37545 of May 29th which states a limitation limiting the authority of the Housing Authority that we gave them by that ordinance?

CITY ATTORNEY WALKER: Not without the consent of the Housing Authority and the FHA.

COUNCILMAN TORRES: The Housing Authority? You have thrown me off.

CITY ATTORNEY WALKER: The Housing Administration. Now this is an extremely complex legal problem. It would take some time to explain it. At the time the Council asks me to explain it, I will be happy to do so.

COUNCILMAN TORRES: Well, I'm receptive. I of course assume that if we give them authority by virtue of that ordinance, the authority can be either rescinded or modified. Is that correct?

CITY ATTORNEY WALKER: That is not correct.

COUNCILMAN TORRES: Well, that is not the impression I received Monday night when I heard comments from Mr. Jones that the Housing Authority is a creature of the City Council subject to the wishes of the City Council.

CITY ATTORNEY WALKER: That also is not correct.

COUNCILMAN CALDERON: What he was saying was that Dick Jones was willing to lay aside that usual authorization and honor our wishes. In other words they are not obligated to change their plans, but would do so if the Council desired.

COUNCILMAN TREVINO: In light of that interpretation, was Dr. Calderon's motion out of order then?

MAYOR PRO-TEM COCKRELL: The motion was to ask the Housing Authority to eliminate all action on Turnkey III and to come back with proposals for the use of the remaining units under one of the rental programs.

COUNCILMAN CALDERON: It would have to be in the form of a recommendation to them.

COUNCILMAN NIELSEN: You said H.A., do you mean the Housing Act or are you talking about HUD?

CITY ATTORNEY WALKER: I mean the Federal Housing Administration. The Federal Housing Administration is also involved in this thing now.

COUNCILMAN NIELSEN: They are? I thought this was strictly between the Housing Authority and HUD?

CITY ATTORNEY WALKER: That's not true.

COUNCILMAN HILL: Would you like for me to re-read my recommendation?

COUNCILMAN CALDERON: Would you like for me to re-read mine? I am speaking of my motion. I am at this time going to stick my neck out and state my reasons for the motion. The opposition to this program is rooted in one, or a combination of three basic objectives. Namely, objection to the philosophy of home ownership by the poor; objection to the cost of these houses; objection to the proximity of these houses to one's neighborhood. It is my sincere opinion that all three objections have merit. The assertion that the proximity of these houses to one's back yard would adversely affect the tranquility, safety, and welfare of the neighborhood shared by many people from the upper strata to the low income to the high income group. From the Spanish speaking to the English speaking. This objection is nothing more than the manifestation of the protective instinct of man that seeks to protect man and his loved ones.

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Dr. Calderon...continued...

The selection of scatter sites by the Housing Authority has posed a unique problem to these people who, perhaps for the first time, have had to choose between the welfare of themselves and the welfare of others, both ends good in themselves but in apparent conflict one with the other. I personally do not believe in test tube integration. Social integration, to be successful, must be the end product of a natural process, not a synthetic one. The objection raised by some regarding the high cost of the Turnkey III houses, likewise has merit. It is indeed difficult to justify the construction of houses for ownership by the poor that in many instances are to be of a far better quality than the houses owned by the taxpayers themselves.

Of the three objections that I mentioned initially, the one that has the greatest merit in my opinion is the one regarding the philosophy of home ownership for the poor. I do not rate home ownership high on the priority list of human needs. Home ownership, to be meaningful, must be the end result of personal endeavor, not public. Home ownership for a few discriminates against the many who cannot qualify for it, but who continue to endure hardships with little or no shelter.

My feeling is that we should focus our attentions on the basic needs of the people. They be provided shelter and provided the social services they need. I don't think the government can afford the luxury to experiment in programs prior to having coped with the basic problems and the basic needs of people. We are talking in the terms of numbers, of many who have so little and we are seeking to concentrate on a few who have some. I think there are inequities and we, once again are bypassing the course of the poor.

COUNCILMAN NIELSEN: Somewhat in response, but also at the point of not being real sure of what Dr. Calderon is saying, for instance, he raises the question of synthetic integration. This is not a synthetic integration program at all. It is an opportunity for cultural interchange and if you think that is synthetic at the point of a public investment, I don't know where you get that kind of a concept. As far as home ownership not being, what word did you use?

COUNCILMAN CALDERON: In other words, in the priority of human needs, home ownership does not rate high.

COUNCILMAN NIELSEN: Oh, human needs. It seems to me that it has been clearly proven throughout history that it is an incentive.

COUNCILMAN CALDERON: As you mentioned earlier, we must have priorities. I am talking about priorities.

COUNCILMAN NIELSEN: But you haven't listed any sir.

COUNCILMAN CALDERON: What's most important, a shelter...

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COUNCILMAN NIELSEN: I'll tell you what is most important in terms of priorities is a comprehensive overview and that's where we have fallen apart around here. We don't have one. A comprehensive overview of what the needs and priorities are. Right now I think we are trying to get at some of those. There is nothing luxurious about this. We have been assured that as far as the surrounding neighborhood is concerned, this will not be out of character, either up or below. If you feel you don't live in a luxurious neighborhood, or if you feel you do, this is not going to be a luxurious type home. There will be no air conditioning, no carpeting, it's got just the bare necessities as far as a home goes and there is nothing luxurious about it.

MAYOR PRO-TEM COCKRELL: There is a motion pending. Does anyone else wish to speak to the motion before we vote on the pending motion?

COUNCILMAN TORRES: I certainly have misgivings over this program. However, I still recall that we voted on this thing on May 29th. I dictated my own exceptions at that time only because I felt we should have stated that 92% of our housing needs were in the M.N.A. (Model Neighborhood Area). I suggested that we could do it at more economical costs. We've talked of economics here. I am wondering if Dr. Calderon has so many hang-ups over this program, why it is he did not express his reservations on May 29th when he voted for the philosophy and why he voted for the cost and the proximity in voting for the four areas. I think what Dr. Calderon's problem is that he has fallen into the camp of the bigots and he's ashamed to be named Calderon. That's his problem.

MAYOR PRO-TEM COCKRELL: Let's not make any personal remarks.

COUNCILMAN TORRES: I think we can accomplish what we all want to do this morning to put into action some type of policy statement of what we want to accomplish with the reservations that we have by amending this ordinance 37545 and this was what I was directing myself to, Howard. Would it be possible, with any type of sanction, to amend that ordinance in such a way, and of course I am asking a question with the idea of offering this in substitute, that no final action be taken by the Housing Authority on any Turnkey III Project, except by final approval from the City Council on a project by project basis. Now, can we do that with legal sanction?

CITY ATTORNEY WALKER: I better explain some of the legal questions so you will have a little better concept of what you are doing here. If that is the wish of the City Council?

MAYOR PRO-TEM COCKRELL: If you will hit the highlights, Mr. Walker.

CITY ATTORNEY WALKER: There are highs and lows in this thing and you can't get one without the other. Now this, the Federal Housing Act, was adopted back in the early '30's. It was one of Roosevelt's 'New Deal' projects. At that time the President had indirect political control of most of the State Legislatures.

MAYOR PRO-TEM COCKRELL: Mr. Walker, if you don't mind, would you confine it to the legal opinion, sir?

CITY ATTORNEY WALKER: Well, this is part of the legal opinion. I am basing my legal opinion on what has taken place. You've got to know the historical background on this thing. Now the State of Texas, as well as most of the States in the Union, passed enabling legislation and it reads substantially the same, all of the States. I am pointing this out to you because legal precedent has been established in some of the states. I am basing my opinion on what the Courts have said.

In the State of California, a situation practically identical with this one, took place. A portion of the public was very much against it. So they came in and said to the City Council, we want you to abrogate the thing. Out there, the City Council probably thought it was a good thing, and attempted to abrogate it. At which time the City Council was sued by the Housing Authority. Now San Antonio's Housing Authority has the right to sue the City of San Antonio. Not like some other agency of the City, where you can't sue the City. All Housing Authorities are body corporate and politic and they have a right to sue. Now we've entered into a contract, a cooperation agreement it is called, with the San Antonio Housing Authority. We passed our original legislation back, I believe in 1937 or 1939 adopting the agency, set up by the State, as our Housing Authority. That's what the law says. In each City, in each City of the State, there is hereby created a body politic and corporate to be known as the Housing Authority of the City. This is not a City agency created by the City. This agency was created by the State Legislature. The only way it comes into effect in cities is when the City comes in and passes its Declaration of Need, that we have all these bad conditions, etc., etc., and we need the housing. If it passes, it's then enabling legislation which was done by the City of San Antonio in 1937 or 1939.

That is now followed by various projects which are developed by the Housing Authority. We have passed in San Antonio Cooperation Agreements with reference to this type of undertaking. Now the Cooperation Agreement on this particular undertaking was passed by the City Council in December of 1966. With reference to a referendum, I think we had better get into it right now.

MAYOR PRO-TEM COCKRELL: That question is not before us. We just simply want Mr. Torre's specific question answered, if you please.

CITY ATTORNEY WALKER: With reference to the amending of any contracts that are presently in existence, I will read the cooperation agreement. Now keep in mind that the Courts have held that once you execute a cooperation agreement, the Housing Authority then becomes the administrative agent of the State. That case has gone all the way to the Supreme Court and that is the law. So you no longer have the direct control over the Housing Authority that you think you have. If they want to object to it. So long as any contract between the local authority and the public housing agency for loans, including preliminary loans---In 1967 this Council passed a resolution applying for a \$300,000 loan to the Housing Authority and I do not know up to this point if the Federal Government has given that loan to the Housing Authority, but the Housing Authority will know--- so long as any contract between the local authority and the housing agency for loans, including preliminary loans or annual contributions, or both, in connection with any project, remains in force and effect, or so long as any bond issue in connection with any project, or any monies due the public housing agency, remain unpaid, this agreement

shall not be abrogated, changed or modified without the consent of the public housing agency.

COUNCILMAN TORRES: You are talking about the agreement of December, 1966?

CITY ATTORNEY WALKER: That is correct.

COUNCILMAN TORRES: What did the ordinance of May, 1969 do to the agreement of 1966?

CITY ATTORNEY WALKER: It really didn't do much of anything. All it did was to make determination. You had two or three of those supplemental agreements, determinations that 500 units would be Turnkey I and 800 would be Turnkey III, or whatever it was, and then you changed that on one to be only 400 units of this kind. But no really substantial change in the agreement.

COUNCILMAN TORRES: With their concurrence we can make a redetermination, is that correct?

CITY ATTORNEY WALKER: I don't think there is any doubt. Here is your problem, Pete. You are going to have to be extremely careful in this thing. If the Housing Authority at the present time has created contractual obligations, not only with the Federal Housing Agency, that Department of HUD, but with contractors, engineers, architects, appraisers, I have no way of knowing what they have done, but if that has been done and you then attempt, for example, to abrogate, you no doubt are going to run into the constitutional inhibition of interference with contract, of obligations that have already been created. That's what is involved in the thing.

COUNCILMAN CALDERON: Let me say, in talking to Dick Jones yesterday, he mentioned to me that the Housing Authority would honor any action taken by this Council. So I think whatever action we would take the Housing Authority would honor it, notwithstanding the legal obligations.

MAYOR PRO-TEM COCKRELL: If Council is ready, let's call for a vote on the motion as made by Dr. Calderon. I will restate the motion. The motion was that the Council request the Housing Authority to terminate any further development under Turnkey III and that we ask the Housing Authority to come back to us with a plan for the use of the remaining units under one of the rental programs. Does everyone understand the motion? Clerk will call the roll.

AYES: Calderon, Cockrell, Hill; NAYS: Burke, James, Nielsen, Trevino, Torres; ABSENT: McAllister.

MAYOR PRO-TEM COCKRELL: The motion fails. Is there any other motion than any other member of the Council wishes to place.

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COUNCILMAN NIELSEN: Madam Mayor, I would move that we at this time reaffirm the action previously taken and recommend or suggest to the Housing Authority that they apprise the City Manager and this Council on a monthly basis as each project develops we be kept informed. It appears that we have no right to approve or disapprove on a project by project basis, is that what you are saying?

CITY ATTORNEY WALKER: My suggestion would be in reference to this type of thing you have right now. First of all we must ascertain precisely what obligations the Housing Authority has now by virtue of our original corporation agreement. I don't know, no one has ever told me.

COUNCILMAN TORRES: If we voted on Dr. Calderon's motion, I think we did that with the assumption that they would acquiesce with whatever action we take as a Council, isn't that right.

CITY ATTORNEY WALKER: Alright, I am getting to that. By not being caught by these legal inhibitions, I see no reason why you cannot request of the Housing Authority, or suggest that it request of its federal contact, FHA, explaining the desire of the City Council in the matter, and finding out if there is any objection. Now if there is no objection from their standpoint, the only thing you have to worry about is in case there would be objections from third parties in connection with contractual obligations now in existence. I don't know what those obligations, if any, are.

MAYOR PRO-TEM COCKRELL: Dr. Nielsen, was yours in the form of a motion? I didn't hear a second.

COUNCILMAN NIELSEN: I hadn't quite finished because I wanted to clear up this question of whether or not we could say they would bring to us a completed package and whether we would have any authority to act on it. I think he said yes that we would if we had their concurrent agreement. I would put this in the form of a motion. That basically we reaffirm, that we get a monthly progress report and then on a project by project basis. That the final considerations of the Housing Authority be brought to the City Council for their approval or rejection.

MAYOR PRO-TEM COCKRELL: This is to continue with the planning on the present project and to come on a project by project basis, voluntarily, to advise the Council before they sign the final contract.

COUNCILMAN NIELSEN: And also to keep us apprised at least monthly of what is going on. At the rate things change, we need to be informed.

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COUNCILMAN TORRES: Once again, just to understand this. You are actually saying - let's give them authority to proceed, however, we reserve the right to approve or disapprove on a project by project basis. This is what you are saying?

COUNCILMAN NIELSEN: Yes sir.

COUNCILMAN TORRES: I second the motion.

MAYOR PRO-TEM COCKRELL: There is a motion which has been seconded. Is there further discussion on the motion?

COUNCILMAN JAMES: My point of view on that motion would be, Madam Chairman, I'm still at the point of a strong recommendation to the Housing Authority about the price involved. I don't see that in your motion.

COUNCILMAN TORRES: But if you go this route you are going to get this periodic report and of course final approval will be by us.

COUNCILMAN JAMES: My point is I think we ought to do this in front rather than afterwards. I think we ought to ask the Housing Authority to strongly reappraise what is involved in a downward scaling of these prices in front rather than to have it proceed and then we come for approval afterward.

COUNCILMAN NIELSEN: I understand that. But if we put that stipulation on there, this whole bidding process may have to be completely revised.

COUNCILMAN JAMES: This is exactly my point.

COUNCILMAN NIELSEN: Now if we would say, in terms of negotiation, get this down to what is economically fair and just, for the home owner, the builder, the Housing Authority, for the taxpayer, fine that's what you are saying. I can't see that that's going to solve anything either.

MAYOR PRO-TEM COCKRELL: Is there any further discussion? We have a motion?

COUNCILMAN BURKE: At the public hearing that was held Monday night it was my understanding that the Director of the San Antonio Housing Authority, Mr. Jones, stated that before they entered into a final contract, they would do exactly what Rev. James and what Dr. Nielsen have requested in this motion. Is that correct in your recollection of it?

COUNCILMAN NIELSEN: Two cost estimates, two independent land appraisals. There would be then some hard serious negotiations. But if we stipulate, as I think you might be saying, then that whole basic construction may have to be changed.

COUNCILMAN JAMES: Well, this is what I am not opposed to. I think that the whole basic structure needs reworking.

COUNCILMAN TREVINO: I think one of the things Mr. Jones said there was that in asking for the specifications in taking bids that they went above and beyond those that were called for. I think Rev. James has a point there, that it needs to be brought down to a level the people can afford.

COUNCILMAN BURKE: There are some things in connection with a project of this nature that is just impossible to do because of what the law states on how some of these matters will be handled. The suggestion about wage rates, for instance. It is set out in the law that a prevailing wage rate must be paid on these projects. Now that is a big factor in this cost, as you know, and there are other stipulations in the housing act itself as to the way these projects must be built. When you talk about specifications on these particular houses, you are really getting to the security of the loan that will eventually be made on them and the quality of construction. That has something to do with the security on the mortgage.

MAYOR PRO-TEM COCKRELL: Just for clarification I want to make one comment. On that prevailing wage rate, I believe there is discretionary power within the Department of Labor that stipulates whether that is to be the commercial rate or the residential rate and I think there has been some suggestion that if the residential rate were selected that would perhaps lower the prices.

COUNCILMAN JAMES: In addition to that does the law say anything about five bedrooms, or four bedrooms? This is the whole area where there needs to be some real consideration. I mean what's wrong with bunk type situations in a room?

MAYOR PRO-TEM COCKRELL: Some of the specifications on the requirements on the number of children per bedroom are in the act or the enabling legislation.

COUNCILMAN HILL: I still think that there is a lot of information that we as a Council do not have and I think before any action is taken, pro or con, that we the Council sit down with the San Antonio Housing Authority and let's get down to the real details and facts so that when we do make a decision we really have some idea what we are talking about.

COUNCILMAN TORRES: This was the purpose of Monday night's meeting Mr. Hill. I didn't hear you ask any questions.

COUNCILMAN HILL: I didn't have time.

MAYOR PRO-TEM COCKRELL: We have a motion. The motion is that the Council reaffirm its support of the Turnkey III proposal and that the Housing Authority proceed with the implementation and that they come back to the City Council on an informal basis for the Council to be informed and for a final review before the contracts are signed. Please call the roll.

AYES: Nielsen, Torres; NAYS: Calderon, Burke, James, Cockrell, Trevino, Hill; ABSENT: McAllister.

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MAYOR PRO-TEM COCKRELL: There have been two motions offered which have failed. Does anyone have a third motion?

COUNCILMAN BURKE: Madam Mayor, I suggest that you call this meeting that Mr. Hill suggested earlier so we can actually get more facts. Not particularly a public hearing such as we had last Monday night, but a meeting where the members of the Council and the members of the Housing Authority Board can sit down and actually discuss the situation.

COUNCILMAN JAMES: I support that.

COUNCILMAN NIELSEN: That's fine, if you don't want to call it a public hearing but there should be some way however to inform the public, not of the gist of the meeting, but the factual information that is shared.

COUNCILMAN BURKE: It can be an open meeting, but I don't think we should have a public discussion.

MAYOR PRO-TEM COCKRELL: What information, in addition to Monday night's meeting, would you propose that the Housing Authority furnish?

COUNCILMAN BURKE: There is no other information that I need. I am satisfied to leave the matter as it is. I have confidence in the Housing Authority that they will do the best possible job. I believe in the concept of Turnkey III and I am willing to let the matter stand on the previously voted Council action.

COUNCILMAN JAMES: I think that what Mr. Hill has suggested has merit because Dr. Nielsen raises the question of amplification of what areas can we basically rethink and revise. We don't have that information. I think our hang-up is at the point of doing some basic revisions and this is what could come out of such a meeting as Mr. Hill is suggesting.

MAYOR PRO-TEM COCKRELL: May I point this out to the Council. If the Council takes no action it has the affect of leaving in force the previous action. So no action by the Council today will mean no change in the previous Council decision of last May. Now if it is the Council's desire to alter that decision in any way, that matter is still under discussion.

COUNCILMAN TREVINO: I think that we should ask the Housing Authority to suspend any negotiations at this time so that they will not go into contracts while we are studying this.

COUNCILMAN HILL: Well, I'd like to make a motion on what I stated earlier.

MAYOR PRO-TEM COCKRELL: Will you restate the motion, Mr. Hill?

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COUNCILMAN HILL: My motion is to recommend no further action be taken on Turnkey III at this time. That the Council ask the San Antonio Housing Authority to prepare a study giving the status of projects in being; the requirement for additional housing by type; the total availability of money; the result of said study to be presented to the Council. This is necessary in order that each member of the Council have complete information as pertains to housing, whereby future decisions can be made considering the total housing problem, rather than on a project by project basis. Taking an approach to the housing problem on this basis will assure the best type of housing at the lowest possible cost; providing improved housing facilities for more citizens, including those whose income is less than \$3,000 as well as those in the \$3,000 to \$6,000 category

My recommendation is that we have this recommendation made so we can assure ourselves as well as the citizens, that whatever we sanction or approve, we will be getting the best housing or the best type of housing at the lowest possible cost and we will be in a position to serve more citizens than what is proposed under Turnkey III.

COUNCILMAN JAMES: Does this carry with it the idea that you are asking them to suspend the present negotiations?

COUNCILMAN HILL: Yes.

COUNCILMAN TORRES: What you are saying is basically what Mrs. Cockrell asked in her memo, Item No. 2, in effect, withdrawing the Council's support of Turnkey III and then taking steps to reallocation either to rental housing or going into the 235 Program. Is that what you are saying?

COUNCILMAN CALDERON: He is seeking really to postpone final determination on our part regarding Turnkey III. In other words he is seeking a closer look at it and at a later date confront the issue and see at that time if we want to go along with Turnkey III.

MAYOR PRO-TEM COCKRELL: I am sure Mr. Hill agrees with this clarification of the motion. The intent of your motion then is to ask the Housing Authority to suspend present action, but not necessarily release all the present contracts and then pending the Council's receipt of this additional information which you stipulate, then the Council will take a final position at a later time. Is that the intent of the motion.

COUNCILMAN TORRES: I don't see how that would be workable. What kind of a legal problem are we going to run into here, Howard?

CITY ATTORNEY WALKER: I think the motion is extremely well taken. We need questions answered from a legal standpoint only now. What financial obligations Housing may have already incurred. This is vital to the ultimate legal solution to this thing. How far are they along with the purchase of land? Have they hired architects? Have they hired engineers? Have they hired attorneys?

City Attorney Walker...continued...

Are they now involved in legal obligations on which they could be sued. I think you need to know that before you even consider whether you are going to try to get them to amend the thing. If they have not gone into these obligations, then I think the suggestion you had here, the plan can perhaps be modified. I am not worried about modifying it or changing it in any way, unless in doing so we are abrogating contractual obligations. If that is true, they can be sued and we can be sued. I don't know if that is true or not. That is what Councilman Hill is trying to find out. Or one of the things.

MAYOR PRO-TEM COCKRELL: There is a motion. Mr. Trevino did I hear you second it?

COUNCILMAN NIELSEN: He said suspend and that is assuming that something is in progress and we have been assured by Mr. Jones that the only thing as yet to be done is to negotiate these contracts. He can't give us specific information until they are negotiated. Now negotiations does not imply a contract. Is that right? Then I would offer as an amendment to this, that we say along with this study, go ahead with the negotiations and beyond that point, however, go no further if we can suggest that sort of thing. We are going to have to have that kind of information Mr. Hill, if we are going to have an in-depth study.

MAYOR PRO-TEM COCKRELL: May I ask Mr. Hill if he wishes to accept any editorial change?

COUNCILMAN JAMES: Well, that was my point. The thing may have to be restructured basically and this would have to do with negotiations. You see negotiation is based on the basic premise.

COUNCILMAN NIELSEN: We may have to scrap the whole thing, Rev. James.

COUNCILMAN James: Well, I don't know. This is up for discussion.

COUNCILMAN TORRES: This is why I suggested that we ask that we be permitted as a Council to take final authority on these things on a project by project basis because actually what I think Ed is suggesting is unrealistic. I don't see how you are going to hold this thing in suspension. We know that they already have the contractors involved in this thing and have hired their architects, we know they have selected their sites of course. I think we could accomplish the same purpose and see what the status is of each particular project if we rescind any authority we may have given them by the previous ordinance. Yet, merely based on our approving the final project, either we are going to go through with it in dealing directly with the contractor, or we are going to nullify each individual package as it comes up or send it back for changes.

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COUNCILMAN JAMES: I understood the other night that they were concerned about, even themselves, negotiating the prices down. So if they are in the process of trying to negotiate the prices down, this means there is no affirmation of contract. That's why I say let's ask them to suspend until we get some further clarification on the matter.

MAYOR PRO-TEM COCKRELL: We will now have the vote on the motion as put by Mr. Hill. The motion was that we request the Housing Authority to suspend any further negotiations on Turnkey III and furnish the Council with the information as stipulated in his motion. The Clerk will call the roll.

AYES: James, Trevino, Hill; NAYS: Calderon, Burke, Cockrell, Nielsen, Torres; Absent: McAllister.

COUNCILMAN NIELSEN: I vote no on the grounds that we cannot get this information until some negotiations have taken place.

MAYOR PRO-TEM COCKRELL: The motion failed. Is there any further action any member of the Council wishes to propose?

COUNCILMAN NIELSEN: Can we get a report back by next week from the Mayor's Committee on Housing? If they are still behind this they can be instrumental--

MAYOR PRO-TEM COCKRELL: There is some discussion among the Council members, let's please come to order.

COUNCILMAN JAMES: To get this off dead center, I would like to make a motion that we have a meeting with the Housing Authority to re-discuss this whole matter and in the meantime ask them to hold up on further implementation of contracts until we have had a time to discuss this. Provided that we discuss this in the immediate future.

MAYOR PRO-TEM COCKRELL: Is there a second to the motion? There is no other business. The present status is that the Housing Authority has authority to proceed and we will now return to the order of the day.

CITY MANAGER HENCKEL: Madam Chairman, can I make a suggestion to the Council? I suggest the Council take no action whatsoever and instruct the Manager to procure the information you desire.

MAYOR PRO-TEM COCKRELL: Does anybody wish to move along this line.

COUNCILMAN JAMES: I so move.

COUNCILMAN NIELSEN: Second.

MAYOR PRO-TEM COCKRELL: Would some member of the Council be more specific exactly what information is it that the Council is requesting the Manager obtain?

COUNCILMAN NIELSEN: First of all I want to know information out of this negotiation process. That needs to be very clear. Then any other new information we need.

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CITY MANAGER HENCKEL: I would carry it one step further and put it on an administrative basis and let individual members of the Council submit any questions they desire to the Manager on the information they want and then go to the Administrator of the Housing Authority and get the answers for you.

COUNCILMAN TORRES: As a starter, first you know that they have of course received proposals from four different people and have narrowed down to four, two on south side, one northeast, and one northwest. I certainly think the Council should be able to obtain what is in those proposals. In addition too, I believe there is an alternate proposal, the fifth proposal-I think from Quincy Lee-he has one I understand which he has submitted and I understand there are other people who have submitted proposals at a lower cost. I think copies of these should be submitted to the Council so we can proceed and continue our discussions intelligently.

Also, Howard, we have talked about the strict specifications imposed by the Department of Housing and Urban Development. One of these specs, and you might correct me here. Isn't it true these specs call for commercial standards in these residential homes. Would that be correct, Mr. Burke?

COUNCILMAN BURKE: I don't know.

COUNCILMAN TORRES: I believe that is correct and if it would be possible to obtain congressional authority because the act is an act of congress and if it would be possible to obtain authority at least in this instance to obtain a variance. I think we should have an answer to that if we are going to proceed intelligently and try to come to some conclusion.

COUNCILMAN HILL: I would like to go along with the City Manager's recommendation that each Council member submit to him questions on information they want and let them gather the information and make it available to all the Council members.

MAYOR PRO-TEM COCKRELL: On an informal basis, may we ask how many of the Council members would prefer to have the negotiations or the final contracts not signed until the Council has had the opportunity to react again to them? The negotiation proceed, but the contracts not be signed until the Council has had a further opportunity to act. Is that the consensus of the Council. It seems to me that that has emerged although it is not in a motion. The motion that was pending was simply to ask Mr. Henckel to get information, but it had nothing to do by way of holding the final signing of the contracts until the Council could react. If this is so could we incorporate this idea in a motion and ask Mr. Henckel to obtain information the Council members would seek by giving him written questions and that the final contract not be signed until the Council has the opportunity to act further.

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COUNCILMAN BURKE: Madam Chairman, I don't understand this procedure that you can incorporate into a motion something that has already been voted against by this Council. It's a strange procedure to me.

MAYOR PRO-TEM COCKRELL: Mr. Burke, this was simply an informal effort to get the consensus of the Council. Most of the Council, although they have not been able to agree on any one specific motion appear to want the final contract held until the Council has all the information.

COUNCILMAN TORRES: I think Councilman Burke is absolutely correct. I make a motion we not approve any contract except by a project by project basis and that we abate any final action by the Council.

MAYOR PRO-TEM COCKRELL: Was the mover of the motion, was it accepted. Was it accepted by the second. The editorial change, was that accepted?

COUNCILMAN JAMES: Yes.

COUNCILMAN HILL: Yes.

MAYOR PRO-TEM COCKRELL: The motion as it now is is that the Council request the City Manager to obtain the information which any Council member may submit to him as desired and that we request that the Housing Authority not sign the final contracts until the Council has had the opportunity to react again. The Clerk will call the roll.

AYES: Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres;
NAYS: Burke; ABSENT: McAllister.

MAYOR PRO-TEM COCKRELL: I can only say to the audience that you have seen the democratic processes of this operation.

69-42 The following Ordinances were explained by Mr. John Brooks, Purchasing Agent, and after consideration on motion made and duly seconded were each passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSENT: McAllister, Torres.

AN ORDINANCE 37,909

ACCEPTING THE ATTACHED LOW QUALIFIED BIDS OF BLAZE GUARD MFG. DIVISION OF AUTOMATIC SPRINKLER CORPORATION OF AMERICA AND H. K. PORTER COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH CERTAIN FIRE HOSE FOR A TOTAL OF \$26,040.00.

* * * *

AN ORDINANCE 37,910

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF W. S. DARLEY & COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH NINE ELECTRIC SIREN - PA SYSTEMS FOR THE POLICE DEPARTMENT FOR A TOTAL OF \$1,727.00.

* * * *

AN ORDINANCE 37,911

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF WATSON DISTRIBUTING CO., INC. TO FURNISH THE CITY OF SAN ANTONIO, TRAFFIC AND TRANSPORTATION WITH ONE THREE WHEEL CUSHMAN VEHICLE FOR A NET TOTAL OF \$1,895.00.

* * * *

69-42 The Clerk read the following Ordinance:

AN ORDINANCE 37,912

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF MAVERICK-CLARKE TO FURNISH THE CITY OF SAN ANTONIO MODEL CITIES WITH CERTAIN METAL DESKS FOR A TOTAL OF \$1,317.90.

* * * *

Purchasing Agent John Brooks explained that this was for the purchase of ten clerical desks for the Model Cities office staff. It is a budgeted item and will be paid out of Model Cities funds. In answer to a question as to why Hemisfair furniture was not used to meet these needs, the City Manager advised that all of the furniture has been sold. Mr. Carl White, Assistant Finance Director, advised that because of the estimated value placed on Hemisfair furniture the City was concerned about transferring it to Model Cities because the federal auditors could question the value and charge made for it. Discussion was then had as to whether used furniture could be obtained from the Government Services Administration which is available to cities, schools, and other governmental entities at no cost. It was recommended that the City find out what furniture and equipment is available for use in the future.

Mr. Brooks Barker explained that they were very much in need of these desks and wanted to order them at this time because there is a 75-day delay on them. At the present time the Model Cities staff is working three clerks to a desk.

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

69-42 The following Ordinances were explained by Purchasing Agent John Brooks and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None. ABSENT: McAllister.

AN ORDINANCE 37,913

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF GAYLORD BROS. INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CERTAIN RECORD CASES FOR A NET TOTAL OF \$1,206.00.

* * * *

AN ORDINANCE 37,914

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 \$1,507.50.

* * * *

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AN ORDINANCE 37,915

AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO THE FRIDEN DIVISION, THE SINGER COMPANY FOR MAINTENANCE AND SERVICE OF CERTAIN CALCULATORS FOR THE CITY OF SAN ANTONIO, VARIOUS DEPARTMENTS IN THE AMOUNT OF \$1,290.50.

* * * *

AN ORDINANCE 37,916

AN ORDINANCE 37,916

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF 3M BUSINESS PRODUCTS SALES INC. TO FURNISH THE CITY OF SAN ANTONIO ONE MICRO-FILM READER PRINTER, LESS TRADE-IN FOR A NET TOTAL OF \$1,455.00.

* * * *

AN ORDINANCE 37,917

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF R. W. JONES CONTRACTOR TO CONSTRUCT 770 LINEAL FEET STANDARD 18 INCH CURB AT OLMOS BASIN GOLF COURSE FOR A TOTAL OF \$1,155.00.

* * * *

Mayor Pro-Tem Cockrell left the meeting temporarily and Dr. Herbert Calderon was designated to preside over the meeting as Acting Mayor.

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,918

AMENDING CITY CONCESSION CONTRACTS HELD BY VALMA AWALT AND PHILIP J. SHERIDAN BY PERMITTING AN INCREASE IN THE SALES PRICE OF CIGARETTES OF FIVE CENTS (\$.05) A PACKAGE.

* * * *

Mr. John Brooks explained that the state legislature had increased the tax on the sale price of cigarettes and this Ordinance was allowing an increase of five cents a package in accordance therewith.

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

69-42 The Clerk read the following Ordinance:

AN ORDINANCE 37,919

AMENDING ORDINANCE NO. 37,494 THAT ACCEPTED PROPOSALS OF VARIOUS CONCERNS FOR YEARLY CITY REQUIREMENTS OF PARTS AND SERVICES BY CORRECTING THE BID OF HARLEY DAVIDSON COMPANY AS THE SAME PERTAINS TO DISCOUNTS.

* * * *

Purchasing Agent John Brooks explained this was a sole source annual contract for motorcycle parts. At the time they submitted the bid they quoted a price discount of ten per cent of list price. In addition, they gave a ten per cent discount if payment was made by the 10th prox. The City interpreted this to be two discounts. After the first month of operation they advised that they had made a mistake and only meant to bid the ten per cent discount on the list price, and that the terms of payment were net. The City Attorney concurs that this change should be made by Ordinance.

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

69-42 The following Ordinance was explained by Purchasing Agent John Brooks and after consideration on motion of Mr. Hill, seconded by Rev. James, was passed and approved by the following vote: AYES: Calderon, Burke, James, Nielsen, Hill, Torres; NAYS: None; ABSENT: McAllister, Cockrell, Trevino.

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AN ORDINANCE 37,920

ACCEPTING THE ATTACHED LOW QUALIFIED
BID OF L. S. PAWKETT & COMPANY TO
FURNISH THE CITY OF SAN ANTONIO DEPART-
MENT OF PUBLIC WORKS WITH ONE INDUSTRIAL
EXHAUSTER FOR A NET TOTAL OF \$1,177.00.

* * * *

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,921

AUTHORIZING CITY MANAGER TO EXECUTE
AMENDMENT NO. 1 TO GRANT AGREEMENT
WITH THE UNITED STATES OF AMERICA (FEDERAL
AVIATION ADMINISTRATION) FOR PROJECT NO.
9-41-080-C921 SAN ANTONIO INTERNATIONAL
AIRPORT.

* * * *

Mr. Tom Raffety, Director of Aviation, advised that this Amendment provides for the reconstruction of a portion of Taxiway "G" at International Airport. The work will consist of reconstructing and strengthening approximately 1700 feet of the Taxiway and improving the surface drainage system. The Taxiway is parallel to the Northwest-Southeast Runway. This Amendment to the Grant agreement makes available an additional \$179,000.00 in federal funds for airport development.

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

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,922

DECLARING THE BUILDING RELOCATION BOND FOR
1906 LENNON AVENUE TO BE FORFEITED AND AUTHO-
RIZING THE CITY ATTORNEY TO FILE SUIT IN A
COURT OF COMPETENT JURISDICTION TO OBTAIN
JUDGMENT ON THE BOND FOR TWO THOUSAND DOLLARS
(\$2,000.00) ON THE BOND AGAINST THE PRINCIPALS
PEDRO RODRIGUEZ AND JOE CASTILLO AND THE SURETY
GREAT AMERICAN INSURANCE COMPANY OF NEW YORK.

* * * *

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City Attorney Walker advised that the Board of Adjustment granted a permit to move a house provided a bond was filed in accordance with Article 4, Chapter 10 of the City Code. The bond is in the amount of \$2,000.00 and the principals have failed to obtain permits or begin any work to bring the building up to City standards. The Ordinance provides that the bond be forfeited and the City Attorney authorized to bring suit for judgment on the bond against the principals.

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

69-42 The Clerk read the following Ordinance:

AN ORDINANCE 37,923

MANIFESTING AN AGREEMENT TO AMEND AND RENEW THE EXISTING CONTRACT BETWEEN THE CITY AND JAMES W. LANGHAM FOR OPERATION OF THE SAN PEDRO TENNIS CENTER CONCESSION FOR AN ADDITIONAL TWO YEAR PERIOD BEGINNING OCTOBER 16, 1969.

* * * *

Mr. Bob Frazer, Director of Parks and Recreation, stated that Mr. Langham is a tennis professional who operates the San Pedro Tennis Center for the City. The City pays him \$250.00 a month and allows him to give tennis lessons and sell food and drink items, as well as operate the tennis equipment shop. The City receives 15% of the gross receipts from the food and drink sales.

No bids were taken on this contract as it is in the nature of professional services. After consideration on motion of Mr. Hill, seconded by Dr. Nielsen, an Ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Nielsen, Hill, Torres. NAYS: None; ABSENT: McAllister, Cockrell, Trevino.

69-42 The following Ordinance was explained by Mr. Bob Frazer, Director of Parks and Recreation, and after consideration on motion of Mr. Trevino, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Calderon, Burke, James, Nielsen, Hill, Torres; NAYS: None; ABSENT: McAllister, Cockrell, Trevino.

AN ORDINANCE 37,924

MAKING AND MANIFESTING A ONE-YEAR EXTENSION
OF THE PRESENT AGREEMENT WITH CURTIS G.
CHITWOOD TO MANAGE LA VILLITA AND OPERATE
THE LA VILLITA BEVERAGE CONCESSION.

* * * *

Mayor Pro Tem Cockrell returned to the meeting and
presided.

69-42 The Clerk read the following Ordinance:

AN ORDINANCE 37,925

AUTHORIZING PAYMENT OF \$13,096.96 TO
GLENN ADVERTISING, INC., \$4,961.77 TO
THE SAN ANTONIO LIGHT, AND \$6,177.00 TO
EXPRESS PUBLISHING COMPANY FOR ADVERTISING
SERVICES PERFORMED PERTAINING TO HEMISFAIR
PLAZA OPERATIONS FOR THE PERIOD OF MARCH,
1969, THROUGH AUGUST, 1969.

* * * *

Mr. Bill Lindquist, Assistant Director of
Municipal Facilities, explained that this provided payment
for advertising services performed to promote Hemisfair
Plaza. This is a lump sum payment. He felt that this
was a good investment, as the City received \$218,000.00
in revenue from concessions and gate admissions.

City Manager Henckel stated that in the future
they will try to handle payment on a monthly basis. They
will review the advertising program and see what benefits
the City got and how it can be improved.

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

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,926

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NATIONAL DECORATORS, INC., FOR LEASE OF 264 SQUARE FEET OF FLOOR SPACE IN THE HEMISFAIR PLAZA ADMINISTRATION BUILDING FOR \$100.00 PER MONTH RENTAL.

* * * *

Mr. Bill Lindquist advised that this is a new lease of space. National Decorators, who service convention exhibits at the Convention Center, advise that they need to have an office there. Discussion brought out that the entire building was cooled by the chilled water system and there is no way to break down the utilities service for a particular area. The City either has to heat or cool the entire building, and the space being available, it is to the City's advantage to rent it.

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

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,927

GRANTING PERMISSION TO MR. JACK DEVORE TO ERECT AN EIGHT FOOT HIGH BOARD PRIVACY FENCE ALONG 14 FEET OF THE NORTHWEST PROPERTY LINE AT 9310 RANCHERO WITH THE PROVISION THAT THE ROOF OVER THE EXISTING FENCE BE REMOVED.

* * * *

Mr. George Vann, Director of Housing and Inspections, explained that Mr. Devore had erected an eight foot high board privacy fence along a 14 foot length of his property. He had constructed a roof over a sun deck. Mr. Vann recommended that permission be given to allow the fence to remain, but that the roof should be taken off because it is encroaching the side yard clearance.

It was brought out that Mr. Devore could go to the Board of Adjustment and seek a variance for the roof.

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

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,928

DETERMINING THAT THE PREMISES LOCATED AT 803 MENEFEE CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

* * * *

Mr. George Vann, Director of Housing and Inspections, advised that the owner of the property is Mr. Everett Taylor, who was notified by certified mail of the hearing being held today. He presented pictures of the abandoned one-storey wooden structure which is in a run-down, damaged and decayed condition. He reviewed the efforts to have the nuisance abated and asked that the Council declare the property to be a nuisance, fire, health and safety hazard in accordance with the Dangerous Premises Ordinance.

Neither the owner or a representative was present at the hearing.

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

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,929

DETERMINING THAT THE PREMISES LOCATED AT 3313 MISSION ROAD CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

Mr. George Vann, Director of Housing and Inspections, explained that the owner of the property is Mr. Jesse Estrada, who was notified by certified mail of the hearing being held today. He presented pictures of the one-storey wooden structure which is in a run-down, damaged and decayed condition. He reviewed the efforts to have the nuisance abated. He asked that the Council declare the property to be a nuisance, fire, health and safety hazard in accordance with the Dangerous Premises Ordinance.

Neither the owner or a representative was present at the hearing.

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

69-42 The Clerk read the following Ordinance:

AN ORDINANCE 37,930

DETERMINING THAT THE PREMISES LOCATED AT 915 N. SAN JACINTO CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

* * * *

Mr. George Vann, Director of Housing and Inspections, explained that the owner of the property is Pearl Sledge, who was notified by certified mail of the hearing being held this morning. He presented pictures of the abandoned one-storey wooden structure which is in a run-down, damaged and decayed condition. He reviewed the efforts to have the nuisance abated. He asked that the Council declare the property to be a nuisance, fire, health and safety hazard in accordance with the Dangerous Premises Ordinance.

Neither the owner or a representative was present at the hearing.

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

Mayor Pro Tem Cockrell asked for a progress report on the abandoned houses in the area of Laredo Street. Mr. Vann reported that they were informed of twenty-two abandoned houses in the area. Nineteen have been demolished, one is in litigation and the other is an out-of-state owner whom they have not been able to contact. This did not vary from the last report made. Mrs. Cockrell advised that she had made a personal tour of the area and there are still some abandoned houses other than those reported.

Mr. Vann advised that they are seeking the removal of these houses also.

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,931

AMENDING SECTION 8A-13 OF THE CODE OF THE CITY OF SAN ANTONIO PERTAINING TO HOURS OF OPERATION FOR BILLIARD TABLES AND PROVIDING FOR A FINE NOT EXCEEDING \$200.00 FOR VIOLATIONS.

* * * *

Chief of Police George Bichsel explained that the hours of operation of billiard tables are being changed to a 7:00 a.m. opening and closing at 12:00 midnight on week days. On Saturdays the billiard halls can remain open an additional hour to 1:00 o'clock a.m. Sunday. Opening on Sunday is at 12:00 o'clock noon and closing is at 12:00 p.m. on Sunday. However, any person possessing an On Premise Retail Beer Dealer's License and a Late Hour's License may operate billiard tables until 2:00 o'clock a.m. each day of the week.

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

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,932

MANIFESTING A ONE-YEAR EXTENSION OF THE CURRENT CONTRACT WITH DAVIS SANITATION COMPANY FOR THE DISPOSAL OF GARBAGE AND TRASH AT A MONTHLY RATE OF \$54.00 PAYABLE TO THE CITY.

* * * *

Mr. Melvin C. Sueltenfuss, Assistant Director of Public Works, explained that this company picks up garbage from other municipalities, which is dumped at one of the City's sanitary land fill locations.

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

69-42

The Clerk read the following Ordinance:

AN ORDINANCE 37,933

ACCEPTING THE LOW BID OF J. M. LERMA CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF AN OFFICE BUILDING FOR MODEL CITIES PROJECT: AUTHORIZING CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK; AUTHORIZING \$20,382.00 TO BE PAID J. M. LERMA CONSTRUCTION COMPANY AND \$1,000.00 TO BE USED AS A MISCELLANEOUS EXPENSES CONTINGENCIES ACCOUNT OUT OF THE GENERAL FUND SPECIAL PROJECTS ACCOUNT #99-09-10, ALSO AUTHORIZING THE TRANSFER OF FUNDS.

* * * *

Mr. Roy Montez, Model Cities Administrator, explained the bids received. The office building will be a temporary structure. It is to be located at the rear of the Prospect Hill Library building on Buena Vista Street. Both the library building and the temporary building will be used as office space for the Model Cities staff. The building will have central heat and air conditioning. The building is similar in design to temporary school buildings; however, the construction will be different inside in that it will be partitioned into offices and have the required sanitary facilities. It will meet all building code requirements. The building can be moved to another location after

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the Model Cities project is completed. The investment which will be made out of the General Fund will be amortized in 5 years through rental payments by the Model Cities Department. It will take forty days to construct the building.

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

69-42 The following Ordinance was explained by Mr. W. S. Clark, Land Division Chief, and after consideration on motion of Dr. Calderon, seconded by Mr. James, the Ordinance was passed and approved by the following vote: AYES: Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,934

APPROPRIATING \$425.00 OUT OF SEWER REVENUE FUNDS #404 FOR ACQUISITION OF AN EASEMENT PERTAINING TO SALADO CREEK OUTFALL SEWER LINE AND APPROPRIATING \$100,755.00 OUT OF NORTH EXPRESSWAY BONDS, 1961, FOR ACQUISITION OF RIGHT-OF-WAY IN CONNECTION WITH THE U. S. 281 NORTH PROJECT.

* * * *

69-42 The Clerk read the following Ordinance:

AN ORDINANCE 37,935

CLOSING AND ABANDONING A PORTION OF CHERYL DRIVE AND AUTHORIZING THE QUITCLAIM DEED TO JOHN M. HAWLEY AND PHILLIP A. YOCHER, A PARTNERSHIP DBA FASHION HOMES IN CONSIDERATION OF THE DEDICATION OF CERTAIN STREET RIGHT OF WAY FOR RE-ALIGNMENT OF CHERYL DRIVE.

* * * *

Mr. W. S. Clark indicated on a map that portion of Cheryl Drive located between N.C.B. 11512 and N.C.B. 11513 which is to be closed and deeded to the partners. The consideration for the property is the dedication of certain street right of way to be authorized for re-alignment of the street. The Planning Commission has approved the exchange of property and it has also been approved by all City departments and outside agencies involved.

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

69-42 The Clerk read the following Ordinance:

AN ORDINANCE 37,936

AUTHORIZING PAYMENT OF \$776.99 TO THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON FOR NUTRITION SURVEY WORK IN CONNECTION WITH THE MODEL CITIES PROGRAM.

* * * *

Mr. Brooks Barker, Administrative Assistant, explained that this provision was for payment of a nutrition survey made in connection with the Model Cities program. The cost is \$2.00 per family interviewed. The \$2.00 was paid to the families for their cooperation in the program. The findings are being tabulated and the information will be available to the City by December of this year.

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

69-42 CITIZENS TO BE HEARD

Mr. Wesley R. Fisher, 6823 Blue Ash Drive, read a statement in opposition to Turnkey III Housing Project. (Statement is filed with papers of this meeting.)

Mrs. Frances Levenson, 1307 Cupples Road, spoke in opposition to Turnkey III Housing.

Mrs. Rena McCaleb spoke in favor of Turnkey III Housing.

Mr. Mathew Ahmann, 7139 Lorene Lane, representing the Commission on Church and Society of the Catholic Archdiocese of San Antonio, read a statement in support of Turnkey III Housing. (Statement on file with papers of this meeting.)

Mrs. Rosemary Key, 6321 Wigwam, spoke in opposition to Turnkey III Housing, especially in the northwest part of the City. Children would be put in a school district that is mostly in the county. Residents and taxpayers in the school district but not in the City are not represented in the matter. She asked that the Housing Authority members agree among themselves on the facts and figures of the program. She had read where four different members disagreed on cost of the projects. (Question to be referred to Housing Authority).

Mrs. Gloria Stagsdell, 6038 Sun Dance, spoke in opposition to Turnkey III Housing. She states there is to be a tremendous program to teach people how to take care of homes in which there will be a tremendous amount of bookkeeping. There will be a group to check up on how they maintain the place. Then there is the day care center, all of which will be a great initial cost. She asked if there are any figures as to what the total cost is going to be to the taxpayers and the tremendous amount of people it is going to involve, and who was going to be responsible for this. She asked for information on the total overall picture and that the citizens be informed of it. (Questions to be referred to Housing Authority).

Mr. Joseph T. Castillo, 8306 Station Drive, presented the following petitions:

"WHEREAS the safety of our citizens and in particular the safety of our children should be our first concern and

WHEREAS an unsafe condition has been created on Zarzamora Street south of

Nogalitos by too narrow a street and an uneven pavement, therefore

BE IT RESOLVED that the Hutchins Community Council do hereby petition the City Government to investigate these conditions and make whatever corrections are necessary to insure that safe conditions exist, and in particular, in the school zones in this area."

"WHEREAS the Constitution of the United States guarantees to all the basic right to life, and

WHEREAS an unsafe condition now exists for the children who have to walk to school from Gillett to Hutchins Street because of the lack of a bridge and a sidewalk, therefore,

BE IT RESOLVED by the Hutchins Community Council that it petition our city government to allocate emergency monies necessary to remedy this situation as soon as possible, in particular the water crossing, even if it is done by a portable bridge."

Assistant City Manager Douthit was asked to find out if the portable bridge on Northern Blvd., which is no longer needed, can be placed at the location of the drainage ditch on Zarzamora Street.

Mayor Pro-Tem Cockrell explained that \$100,000.00 has been allocated for sidewalks, but they are installed during the summer and the projects are coordinated through the school P.T.A.'s. The City will look into this particular request and any others of an emergency nature to see if they can be moved up on schedule.

Mr. Castillo thanked Parks Director Bob Frazer for the fine job he did in investigating park needs in the Hutchins Community area.

The Clerk read the following ordinances.

AN ORDINANCE 37,937

AUTHORIZING EXECUTION OF A CONTRACT WITH OUR LADY OF THE LAKE COLLEGE WHEREBY ITS WORDEN SCHOOL OF SOCIAL SERVICES WILL RENDER CERTAIN SOCIAL SERVICES IN CONNECTION WITH THE MODEL CITIES CRIME REDUCTION PROGRAM.

* * * *

AN ORDINANCE 37,938

ESTABLISHING A TRUST FUND FOR CONTRACT ACCOUNTING PURPOSES AND APPROPRIATING \$12,331.00 OUT OF SAID FUND PAYABLE TO OUR LADY OF THE LAKE COLLEGE FOR CONTRACT SERVICES TO BE RENDERED; ALSO AUTHORIZING A TRANSFER OF FUNDS.

* * * *

Mr. Roy Montez, Model Cities Administrator, explained that the contract is in the amount of \$12,331.00. Work will be done by graduate and undergraduate students. They will work closely with juvenile offenders and their families with the objective of preventing delinquent behavior. They will utilize social work methods of case work, group work and community organization.

He explained the second ordinance establishes a trust fund to handle the accounting requirements of the contract.

After consideration, on motion of Mr. Torres, seconded by Dr. Nielsen, the ordinances were passed and approved by the following vote: AYES: Calderon, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSTAINING: Burke; ABSENT: McAllister.

PERSONNEL - MODEL NEIGHBORHOOD AREA

Councilman Nielsen suggested that personnel working in the Model Cities Programs should be from the Model Neighborhood Area where at all possible.

Assistant City Manager Ancil Douthit advised that he had met with Health Director, Dr. William R. Ross and Personnel Director, Clyde McCollough, and Mr. Roy Montez, Model Cities Administrator to discuss implementation of the new careers program.

Mr. Roy Montez stated that as a result of yesterday's meeting they set up the mechanics for receiving the applicants. This is currently in progress and a memo was sent to the City Manager advising of the action being taken.

57 20

69-42

The Clerk read the following ordinance.

AN ORDINANCE 37939

AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR CARRYING OUT ITS PORTION OF THE EARLY CHILDHOOD EDUCATION PROJECT AND THE COUNSELING SERVICES PROJECT OF THE MODEL CITIES PROGRAM.

* * * *

Mr. Roy Montez, Model Cities Administrator, advised this contract is part of the Educational Program and is sponsored by the San Antonio Independent School District. This contract is for \$380,000 which is to be paid to the School District. This project has been approved by the Component Review Committee, the Citizens Participation Policy Committee, the San Antonio Independent School District, Model Cities Staff and the City Manager. Official approval by HUD will be received after a regional review team comes to San Antonio the first week in October. Indications are that everything is satisfactory as far as HUD is concerned.

Mr. Stephen Catal, Director, Special Programs, San Antonio Independent School District, stated the first part of the program is the early childhood education which prepares the child for the first grade in school, but not the same as the Head Start Program. It is a new concept to help children to make the proper emotional and social adjustment. They are hoping to reach 1400 children through this program.

The teaching phase costs \$180,000 and approximately \$80,000 for health services and food for the children. The counseling program is \$80,000. The balance will go for counseling services. In the preschool program there are 25 teachers and in the counseling program there are six. There will be more individual counseling than has ever been done for the child at the elementary level. They hope to go beyond the elementary level and counsel the youngsters in this community with career and vocational guidance.

Mrs. Cockrell inquired as to the amount of funds yet to be allocated as there are several programs that have ferred back to the C.P.P.C. for further study and which quire funding.

She was advised that the contract under consideration was previously approved and budgeted and this is only an implementation of the program. If MANCO and SANYO are approved later, there will still remain \$800.00 for other projects.

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

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69-42 The Clerk read an ordinance authorizing the City Manager to enter into contracts with Edgewood Independent School District for carrying out the Early Childhood Education Project, the Staff Training Project, and the Counseling Services Project of the Model Cities Program within said school district for the 1969-70 school term.

Mr. Roy Montez stated that this contract calls for the same services as the contract with the San Antonio Independent School District except that it goes one step further in that it provides staff training. This contract is for \$494,036.00.

Mr. Lee Venzor, Coordinator of Federal Programs for the Edgewood School District, stated that the only difference is the staff training program geared to training teachers who are involved in the implementation of the Early Childhood Training Project. They will work in conjunction with the Good Samaritan Center who developed a very good early childhood training program. There will be 400 children involved from seven schools which are in the Model Cities area. The Early Childhood Education Program will consist of \$418,000; for staff training, \$31,000; for counseling, \$45,000. He said the Early Childhood Project is geared for the three, four, and five year olds.

It was brought out that there were three basic differences between the Edgewood and San Antonio School Districts' contracts. First, in the Edgewood School District they are initiating a program which will require capital expenditures; second, they are taking the three to five year old children which require more care. The average cost of day care is estimated nationally as \$1200.00 per child per year. Thirdly, the education will emphasize the non-instructional needs of the child rather than the instructional.

Councilman Calderon stated he is concerned with the top heavy distribution of funds. Four hundred children will benefit but so much money is being spent for training and very little is going to the child. He asked for a one week delay before taking action in order that the matter can be studied more thoroughly.

After discussion, Mayor Pro-Tem Cockrell, with the consent of the Council, stated action would be postponed for one week. She asked that the Council be furnished with copies of the proposals submitted by the Edgewood and San Antonio Independent School Districts so members of the Council can study the differences before voting on the Edgewood proposal.

With the postponement of the foregoing ordinance, Item No. 33 being an ordinance establishing trust funds for accounting purposes for the San Antonio and Edgewood School Districts, was also postponed for one week.

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WRENN ELEMENTARY SCHOOL

Councilman Trevino asked if school buildings have to comply with the building code.

Mr. George Vann, Director of Housing and Inspections, advised that they do comply; the recent damage to a school was caused by pressures to poor drainage. There is a problem of a french drain around the school which is being checked out. The school's architect and engineer are responsible for seeing that the building and drainage are properly constructed.

City Manager Henckel advised that school districts usually buy the cheapest land. It is low land with drainage problems. It would be better if the school coordinated the selection of school sites with the city.

Councilman Torres filed for the record with the City Clerk a memorandum addressed to the members of Council in reply to Mayor McAllister's memorandum of September 18, 1969 concerning the Transit Board labor dispute. (A copy of the memorandum is filed with papers of this meeting.)

Mr. William Lesea, 1208 Navidad, spoke to the Council regarding Turnkey III Housing. He said people don't want low-income families coming into their neighborhoods. He felt low-income people can't pay the price of the houses. He felt he was a second-class person, but considered himself a good citizen. He felt the money should be used for \$5,000.00 to \$10,000.00 homes that people can afford.

Mr. Ervin Carey, a resident of South San Antonio, spoke against Turnkey III Housing. He felt the people could not afford to pay the taxes and cost of sending children to school. He asked how low income families are going to pay taxes and interest on a \$14,000.00 home. (Question to be referred to Housing Authority).

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PETITION OF EFFIE M. KINNEY, ET AL AGAINST
TURNKEY III.

Mrs. Cockrell filed with the City Clerk for the record a petition, which she had received, signed by Mrs. Effie M. Kinney, 819 W. French Place, and 58 other citizens requesting the City Council to use its influence to vote Turnkey III Housing out.

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

A P P R O V E D

W. M. Maister
M A Y O R

ATTEST:

G. J. Jackson, Jr.
C i t y C l e r k

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