

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
TUESDAY, DECEMBER 30, 1969.

* * * *

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

69-57 The invocation was given by Councilman S. H. James.

The minutes of the meeting of December 18, 1969 were approved.

Mayor McAllister advised that he was in receipt of a resolution adopted by the Democratic Women of Bexar County expressing confidence and reaffirming their faith in the San Antonio Police Department as a whole and their respect for the law they represent. They further extended special gratitude to the individual police officer who performs his duties without consideration for personal gain.

Mayor McAllister advised that he was in receipt of a letter from Mr. Walt Warner, manager of Visitor Relations with the Convention Bureau and was coordinator of the "Viva Max" premiere. He expressed gratification for the assistance given by city departments. Of particular interest was the comment by Commonwealth United's Director of Publicity, Mr. Dick Newman, who stated that "This is the smoothest premiere we've ever staged."

69-57 The Clerk read the following Ordinance:

AN ORDINANCE 38,192

AMENDING SECTIONS 34-54 AND 34-56 OF
THE CITY CODE PERTAINING TO THE REGU-
LATION OF SIGNS ALONG THE SAN ANTONIO
RIVER WALK AREA BY LIMITING THE NUMBER
AND TYPE OF SIGNS PERMITTED FOR EACH
BUSINESS ESTABLISHMENT AND PROVIDING
FOR A FINE NOT EXCEEDING \$200.00 FOR
VIOLATIONS.

* * * *

December 30, 1969
lh

Mr. Bob Frazer, Director of Parks and Recreation, explained that this ammendment allows businesses along the river walk area to place one additional small sign advertising the menu for a restaurant or club, whichever the case may be. The sign is limited in size to 4 sq. ft., to be mounted on a standard or support and not attached to the building. The ordinance also repeals Section 34-56 which prohibits double-faced illuminated signs.

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

69-57 The Clerk read the following Ordinance:

AN ORDINANCE 38193

MANIFESTING AN AGREEMENT WITH MRS. PAUL SOUPISET AND REVEREND DAVID EDMUNDS TO EXTEND THE PRESENT RENTAL CONTRACT OF THE LITTLE CHURCH OF LA VILLITA FOR AN ADDITIONAL ONE-YEAR PERIOD BEGINNING FEBRUARY 1, 1970 AND TERMINATING JANUARY 31, 1971.

* * * *

Mr. Bob Frazer, Director of Parks and Recreation, explained that this is an extention of the present rental agreement for a one-year period. Rental is \$50.00 a month and the lessee pays for all maintenance and insurance.

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

In connection with the foregoing Ordinance Mrs. Cockrill asked how the River Walk Commission is progressing with the study of La Villita.

Mr. Frazer advised that he had spoken to the chairman this morning who will write her a letter. He explained that the Commission does not feel it is qualified nor had the time to do such a study. Their purpose is that they are to approve or disapprove certain administrative recommendations regarding La Villita. He added that the Commission will make some comments concerning the study made by Southwest Research Institute after they complete its review.

Councilman James inquired about the park area at the end of "J" Street. He asked that there be more discussion about this item and hoped that it would be included in this year's appropriations. He advised that he would ask the people interested in this park to contact Mr. Frazer.

Mr. Frazer stated there is no reason why this should not be in the Capital Improvements Program. This project has not been dropped and is in the Parks Master Plan and can be done provided it is funded.

69-57 The Clerk read the following Ordinance which was explained by Library Director Mike Sexton. After consideration on motion of Mr. Trevino seconded by Mr. Hill the Ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,194

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR ONE-YEAR EXTENSIONS OF EXISTING AGREEMENTS WITH THE VARIOUS MEMBER LIBRARIES OF THE COUNCIL OR RESEARCH AND ACADEMIC LIBRARIES ORGANIZATION, PROVIDING FOR THE USE OF APPROXIMATELY 4,000 SQUARE FEET OF FLOOR SPACE IN THE MAIN LIBRARY ANNEX FOR USE AS A CENTRAL STORAGE FACILITY FOR EXPENSIVE, LITTLE-USED VOLUMES IN HIGHLY SPECIALIZED SUBJECT AREAS, TO BE AVAILABLE FOR LOAN TO ANY MEMBER LIBRARY.

* * * *

69-57 The Clerk read the following Ordinance which was explained by Assistant City Manager, Ancil Douthit, and after consideration on motion of Mr. Hill seconded by Mrs. Cockrill was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 38,195

GRANTING PERMISSION TO BOY SCOUT TROUP #63, FT. SAM HOUSTON DISTRICT, ALAMO AREA COUNCIL, TO HOLD A CHRISTMAS TREE BURNING EVENT AT THE ST. MATTHEWS METHODIST CHURCH GROUNDS LOCATED AT 2738 BITTERS ROAD ON SATURDAY, JANUARY 2, 1970.

* * * *

69-57 ZONING HEARING

a. The first case heard was Zoning Case 3774 to rezone Lot 33A, Blk. 25, NCB 8948 from "E" Office District to "B-3" Business District, located on the north side of S. W. Military Drive, 75' west of Mango Avenue; having 75' on S. W. Military Crive and a depth of 147.5'.

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

No one spoke in opposition.

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

AN ORDINANCE 38,196

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 33A, BLK. 25,
NCB 8949 FROM "E" OFFICE DISTRICT TO
"B-3" BUSINESS DISTRICT.

* * * *

b. Next heard was Zoning Case 3786 to rezone Lot 85, NCB 11888 from "A" Single Family Residential District to "0-1" Office District located northwest of the intersection of Terra Alta Drive and Broadway Street; having 177.0' on Terra Alta Drive and 157.64' on Broadway Street.

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

No one spoke in opposition.

On motion of Doctor Nielson seconded by Mr. Trevino the recommendation of the Planning Commission was approved by passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

December 30, 1969

-4-

lh

AN ORDINANCE 38,197

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY DES-
CRIBED HEREIN AS LOT 85, NCB 11888
FROM "A" SINGLE FAMILY RESIDENTIAL
DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

c. Next heard was Zoning Case 3789 to rezone Lot 52, Blk. 2, NCB 8674 from "A" Single Family Residential District to "B-3" Business District located southwest of the intersection of Slavin Avenue and Halm Boulevard; having 222.82' on Slavin Avenue and 61.99' on Halm Boulevard.

Planning Director Steve Taylor explained the proposed change which the Planning Commission recommended be approved by the City Council. Mr. Taylor advised this is the second case brought to the Council which is within the protected area of the proposed interchange of Loop 410 and the North Expressway. A letter has been received from the applicant stating that structures placed on this property will be of a temporary nature. The property is to be used for a car rental agency and the applicant feels any improvements will not appreciate the value of the property in the event it is needed for the interchange and must be purchased by the city. To a question by the Mayor Mr. Taylor stated that there are differences of opinion as to whether the rezoning will enhance the value of the property. Land appraisers feel that land value is based on its highest and best use regardless of the zoning classification.

Mayor McAllister stated that it is his opinion that any zoning change made in that area might adversely affect the interest of the city and the State Highway Department.

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

December 30, 1969

-5-

lh

AN ORDINANCE 38,198

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 52, BLK. 2, NCB 8674 FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

d. Next heard was Zoning Case 3809 to rezone Lot 38, Blk. 33, NCB 11833 from "F" Local Retail District to "B-3" Business District located 100' east and 150' south of the intersection of N. E. Loop 410 and Haskin Drive; having 96.7' on Haskin Drive, 755' on N. E. Loop 410 and a maximum depth of 592.64' as being measured along the east property line.

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

No one spoke in opposition.

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

AN ORDINANCE 38,199

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 38, BLK. 33, NCB 11833 FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

e. Next heard was Zoning Case 3819 to rezone Lot 15, NCB 11608 from "O-1" Office District to "B-1" Business District being irregular in shape and having frontage on Wurzbach Road and Babcock Road; having 559.94' on Wurzbach road to a depth of 441.64' and 201' on Babcock Road and a depth of 1357.91'.

December 30, 1969

-6-

lh

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

Mr. Bob Schultz, realtor representing the applicants, Jack, Joe and Ralph Brown, advised that this change is requested in order to establish an extended care medical facility. It will make a valuable addition to the medical complex. The operation is not a hospital or a nursing home but rather an out-patient service. It will be used for people who stayed in the hospital and their doctor feels they are not well enough to go home but should not be occupying a hospital bed but yet need some care. This operation will provide for that need and a person will receive two or three weeks extended care by trained personnel and then released. He stated that part of the tract is already zoned B 2. Also the corner of Babcock and Wurzbach Road is zoned B 3 which has been sold to Humble Oil Company who will construct an attractive service station. He presented plans for the 200 bed project which is estimated to cost 1½ million dollars. He agreed to the Planning Commission's recommendation that a 6 ft. solid screen fence be erected along the southeast property line to protect the abutting residences. He added that he had discussed the project with property owners in Green Hill Estates and there were no objections from them except from one person.

Mr. William E. Tuttle, 7211 Beverly Mae, opposed the change because there were restrictive covenants signed by Mr. Brown that no business would be conducted on the property abutting the rear of Mr. Brown's property. He prefers that the zoning remain O1 on that portion of the tract fronting on Babcock Road because he felt that offices would only be occupied during the day rather than continuously under the proposed operation.

Discussion brought out that property which is restricted by covenant would be used for a driveway or access to the project and for parking. If this portion was not zoned the applicants could go to the Board of Adjustment and get permission to park cars on the tract. It was brought out that the change in zone did not affect the agreement between Mr. Brown and Mr. Tuttle.

After further consideration Mr. Burke made a motion that the recommendation of the planning commission be approved provided that a 6 ft. solid screen fence be erected along the southeast property line. The motion was seconded by Mr. Hill. On roll call the motion carrying with it the passage of the following Ordinance prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Nielsen, Trevino, Hill; NAYS: None; ABSTAIN: Torres; ABSENT: None.

December 30, 1969

-7-

mv

AN ORDINANCE 38,200

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 15, NCB 11608 FROM "O-1" OFFICE DISTRICT TO "B-1" BUSINESS DISTRICT.

* * * *

f. Next heard was Zoning Case 3823 to rezone Lot 1, Blk. 3, NCB 11215 from "B" Two Family Residential District to "B-2" Business District located northwest of the intersection of Palo Alto Road and Doolittle Street; having 49.1' on Palo Alto Road and 125' on Doolittle Street.

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

No one spoke in opposition.

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

AN ORDINANCE 38,201

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLK. 3, NCB 11215 FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

g. Next heard was Zoning Case 3805 to rezone 3.61 acres out of Lots 26, 27, 28, and 29, NCB 10761 and Arb. Tract B, NCB 10762 from "A" Single Family Residential District to "R-4" Mobile Home District located 136' south of Boxwood Road and 366.7' west of South W. W. White Road with a 30' strip extending north to Boxwood Road.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission requested be denied by the City Council. There has been a trailer park on the east part of lot 27 for some time. It has been expanded in the last few years. The applicant went to the Board of Adjustment and established a nonconforming use for this part of the property.

Mr. Schero, an engineer representing the applicants, Mr. and Mrs. A. G. Stevens, explained that his clients own Lots 26, 27, 28, and 29. In order to legalize the trailer park operation they are required to have a minimum of 3½ acres of land. This being insufficient they have contracted to purchase Lot B on NCB 19762 in order to have the required land area. The lots are very deep and they want to utilize the land to the rear of the property for a trailer park. He felt there was a need for this use. He felt it would not detract from the residences in the area as it would be to the rear and he would provide a fence around the property.

In opposition were Mr. C. V. Haley, 341 Boxwood; Mr. D. A. Sylvester, 367 Boxwood; and Mr. Clyde Hodge, 4358 Boxwood. They opposed the change because they felt it would change the residential nature of the area. They were concerned because of the past operation of the trailer court in that the trailers were owned by Mr. Stevens and were rented out rather than being owned by the tenants. They have had a nuisance created by people dumping bottles and trash on the street which they attributed to tenants of the trailer court.

After consideration Mrs. Cockrell made a motion that the recommendation of the Planning Commission be upheld and the rezoning denied. The motion was seconded by Mr. Torres. On roll call the motion to deny the change in zoning was prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Cockrell, Trevino, Hill, Torres; NAYS: Nielsen; ABSENT: None.

69-57 Mayor McAllister recognized Mr. Jonathan Roberts who is visiting here from England. He is on the Board of Aldermen in St. Helens, England. Mayor McAllister welcomed Mr. Roberts to San Antonio and speaking for the City Council expressed the Council's hope that he has a very pleasant stay. The Mayor presented Mr. Roberts with an Alcalde certificate.

Mr. Roberts responded to Mr. McAllister's welcome by thanking him for appointing him an Alcalde and was very high in his remarks regarding the warm reception and hospitality shown by the people of San Antonio.

69-57 The Clerk read a proposed resolution requesting that the San Antonio Transit System give serious consideration to a 5¢ bus fare for senior citizens. Mr. Burke moved that the resolution be adopted and his motion was seconded by Mr. Torres.

Mayor McAllister stated that he objected to inclusion of a 5¢ fare as this places something of a restriction to the Board of Trustees. He stated that he would be favorable to a resolution requesting that the Board consider a substantial reduction in fare. After discussion, Mr. Burke and Mr. Torres agreed to the substitution of words and upon the following vote, the resolution was adopted: AYES: Burke, James, Cockrell, Trevino, Hill, Torres, McAllister, Calderon; NAYS: None; ABSTAIN: Nielsen.

A RESOLUTION

REQUESTING THE BOARD OF TRUSTEES OF THE SAN ANTONIO TRANSIT SYSTEM TO CONSIDER A SUBSTANTIAL REDUCTION IN BUS FARE FOR SENIOR CITIZENS DURING NON RUSH HOURS.

* * * *

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

SECTION 1. The City Council hereby requests the Board of Trustees of the San Antonio Transit System to give serious consideration to the adoption of a program whereby senior citizens, 65 years and older, will be afforded an opportunity to ride City busses at a reduced fare during non rush periods as determined by the Board.

69-57 The Mayor asked Dr. Nielsen to report on his findings regarding the Lulac Park West Apartment Project.

Dr. Nielsen stated that he had investigated the situation and he was thoroughly convinced that the City Council must reconsider their action taken regarding this matter at its meeting on December 18. The reason for his request was that he felt that the entire matter should be studied and that the Lulac organization should be in deep consultation with the Edgewood Independent School District as well as the administrators of the Model Cities program. He felt that this project would be a serious imposition on the Edgewood District which is already in severe financial straits. Dr. Nielsen moved that the action of the City Council in approving the Lulac Park West Project at its meeting of December 18 be reconsidered. The motion was seconded by Mr. Torres. Mr. Frank Valdez, architect for the Lulac project, stated that as a result of the City's favorable action on December 18, the Lulac had made financial commitments totaling \$76,252. He explained these commitments in detail in answer to questions by the Council.

Mr. Manuel Lopez, attorney for Lulac, stated that he had made numerous attempts to have meetings with the Edgewood District but that he had been unsuccessful so far in his attempts to explain this project to them. He did say that he would be perfectly willing to sit down with the Edgewood District and Model Cities as well as representatives of the City Council at any time to work out any details regarding this matter.

A number of persons appeared to speak against this project. These persons included:

1. Mr. Leo Lozano, Jr., President
Brentwood Community Council
2. Mr. Ruben Moreno, Member CPPC
3. Mrs. Mary Cantu
4. Mrs. Lucille Santos, Asst. Superintendent
Edgewood District
5. Miss Pauline Key, Principal
H. K. Williams Elementary School
6. Mrs. Zamora, President
Edgewood Council of Parents & Teachers
7. Mrs. R. Arizola

After consideration, the motion to reconsider action failed by the following vote: AYES: Calderon, Torres, Nielsen; NAYS: McAllister, Burke, James, Cockrell, Hill; ABSTAIN: Trevino.

Following the vote, Mr. Lopez asked help from members of the Council in arranging an urgent meeting with the Edgewood District and Model Cities. Mayor McAllister stated

that he was willing to appoint a special committee to help work out some adjustments that would afford some relief to the school district and assured Mr. Lopez that he would have the complete cooperation of the City's administration.

69-57 The Mayor was obliged to leave the meeting and Mayor Pro-Tem Cockrell presided.

Mrs. Cockrell stated that this was time for public hearing as advertised on the annexation of 9.704 acres of land known as University Estates Subdivision Unit 4.

Mr. Steve Taylor, Planning Director, explained the proposed annexation to members of the Council.

Mr. Jim Upmore, Vice President of H. B. Zachry Properties, Inc., appeared before the Council saying that he wished to explain the reasons for his company's requesting annexation of small areas of land rather than to annex a large area all at one time.

No one spoke in opposition to the proposed annexation. The Mayor Pro-Tem declared the public hearing closed.

The first reading of this ordinance will be January 15, 1970.

69-57 The Mayor Pro-Tem stated that this was time for public hearing as advertised on the annexation of 27.959 acres of land known as El Dorado Subdivision Unit 3.

Mr. Taylor explained the proposed annexation to members of the Council. No one spoke in opposition.

The Mayor Pro-Tem declared the public hearing closed.

The first reading of this ordinance will be January 15, 1970.

CITIZENS TO BE HEARD

Mrs. Joe Kenny appeared before the Council to express her appreciation for the action the Council had taken in passing a resolution regarding a reduced bus fare for senior citizens.

Mr. Murrene Gilford who was appointed by the City Council to the Board of Trustees of the San Antonio Transit System at its last meeting appeared before the Council, speaking as a private citizen. The following discussion took place.

GILFORD: I'm Murrene Gilford and I'm a professional businessman with office located on the east side of town although I do business all over San Antonio. I'm here speaking as a citizen because of an action of one of the councilman on December 23. I want to read from San Antonio Evening News. "Councilman Torres was quoted as calling Gilford an Uncle Tom." In the Light, he was quoted as saying that "Gilford was known as an Uncle Tom on the east side." I would like to ask Councilman Torres if he made these statements and why.

TORRES: Is this your presentation, Mr. Gilford? Are you through with your presentation?

GILFORD: No.

TORRES: If you'll make your presentation, I have some comments to make on the subject.

COCKRELL: Ordinarily, we do not go into personality matters. There is a problem here, however, in that Mr. Torres did make certain comments.

TORRES: And I admit I made those comments Madam Mayor. If he wants to appear as a citizen, I certainly acquiesce to his being entitled to it. I don't deny I made the statement of Mr. Gilford, perhaps in a amended sort of way. If I would just make a slight correction, I think that the statement was information I have received is that Mr. Gilford, on the east side, is known as an "Uncle Tom". That means that he does not provide de facto representation for many many people on the east side because he is a member of the Good Government League and because he in his past activity has not given representation to the people of east San Antonio and if he is given appointment to a Board of the City of San Antonio that he is appointed to provide token representation to the people of the east side. That explains my statement.

COCKRELL: This was in answer to the question which Mr. Gilford raised and did you have anything further to ask.

GILFORD: Yes, I will not ask Mr. Torres where he got his information because you can get information from anybody you want to get it from. If you go to the person you want to get the alphabet you want. Seemly though from sitting here in the meeting this morning, Mr. Torres is quite off base many times. I think he accused Mr. Trevino of being a member of some board that Mr. Trevino was not. He has accused me of being a member of the Good Government League. I am not a member of the Good Government League. This again, he is wrong. I want to thank you for this opportunity and now I know why he said that.

December 30, 1969
ac

-13-

COCKRELL: Mr. Gilford, the Chair would like to make this comment. It is not the policy of the City Council that personal remarks are permitted ordinarily. Sometimes it is difficult for the Chair to keep personal remarks from being made. But I think that all of us or most of us on the Council feel that we can confine ourselves to issues. We do congratulate you on your appointment and I'm sure that you will make a very fine board member.

GILFORD: Thank you.

At this point in the discussion, Mr. Torres attempted to question Mr. Gilford concerning affairs of the Transit Board.

Mayor Pro-Tem Cockrell stated that this was getting into personalities and ruled this to be out of order as it is not the policy of the City Council to interrogate publicly candidates for board appointments.

Mr. Torres then attempted to dictate into the records the questions which he would have asked Mr. Gilford and this procedure was also ruled out of order by the Mayor Pro-Tem.

Mr. Joe Castillo, local insurance man who was a nominee for appointment to the Transit System took exception to comments allegedly made by Councilman James.

Mayor Pro-Tem Cockrell stated that this was again dealing with personalities which are not discussed at the Council meeting.

69-57 Dr. Nielsen reported that he was still waiting for a report from the State Welfare Department on the cost of opening two additional Food Stamp Distribution Centers.

69-57 Mr. Torres said that he wished for an item to be placed on next week's agenda to consider a resolution opposing the appropriation of \$864,638 for construction of a Police Academy with emphasis on computer facilities by the Department of Public Safety. He said he also felt that the Police Department should be authorized and instructed to have representatives attend meetings of the Justice Council in Austin.

Mrs. Cockrell stated that she was giving each member of the Council her written recommendations for a reuse plan of Hemisfair Plaza and wished for the matter to be discussed officially as soon as possible. It was suggested that the

report of the Chamber of Commerce is scheduled very soon. In view of this, it was agreed to schedule a complete discussion of the Hemisfair Plaza problem the first week after the Chamber of Commerce proposal is submitted.

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

A P P R O V E D

J. W. McGuire
MAYOR

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

December 30, 1969
ac

-15-

ADDENDA TO THAT PORTION OF THE
MINUTES OF THE MEETING OF THE
CITY COUNCIL HELD DECEMBER 30, 1969
RELATING TO THE LULAC PARK WEST
PROJECT.

* * * *

MAYOR McALLISTER: Dr. Nielsen do you want to give us a report about the Lulac Park?

DR. NIELSEN: Yes, Mr. Mayor, I've spoken at lengths with FHA and one of the Lulac representatives and some of the school district people. At this time there has been no financial commitments to FHA made. There have been some commitments made to the mortgagee, Sessions Mortgage Company in Corpus Christi, for Fanny Mae Commitment and I think an escrow account set up for the \$1.50 per thousand that's required in terms of getting a conditional commitment before January 16 from FHA. There are several steps, should that go through, before any final acceptance by FHA or any final commitment by FHA. At the outside guesstimate, were the project to continue on, it would be somewhere around May 1 that they could possibly break ground.

I realize there is a lot of interest in this on several sides. The school district, I think, has a very valid concern and a great number of problems are still unresolved.

I see that we just got this morning, apparently from Lulac, a breakdown of the expenses that they are committed to. I don't know that these are final contracts, in the sense that our involvement in them is minimal. These are contracts and commitments that are made between the developer, Lulac and the interested parties. As far as any final commitment from FHA, there has been none. They did send to the mortgagee and to the developer, to Lulac in Corpus, a letter dated January 22, that they had, I mean dated December 22, that they had until January 16 to submit a conditional commitment which would be some preliminary sketches or architectural renderings and this \$1.50 per thousand dollars of valuation commitment. That has not been done. They are going to meet next week to begin this process.

We've got to act quickly, one way or the other in this and it would seem to me that the best action we could take if we decide not to rescind this, which still seems to me to be a viable option, we still can do this and I think do it responsively, I think that the stress and the gravity of the situation as far as not only the school district, but a number of unanswered questions in regard to drainage, in regard to transportation and in regards to basically our relation with the CPPC would merit a serious consideration of abating our action of the 18th of December.

If this does not happen, I think we should insist that Lulac, the representatives here and in Corpus, get together with the school district personnel and with the Model Cities' staff. At a minimum those three parties have got to sit down and begin to resolve the particular problems of this one project and even more important, as I said before, we've got to have some solid planning in the model neighborhood area or we're just going to be faced from one practice to another. There are a number of other applications

January 12, 1970
ky

for housing of various kinds in the model neighborhood area in the Edgewood School District and the overall quality of education that's offered out there is just as important as providing housing. I know we need relocation housing; we need new housing desperately in the community, but we cannot compound the problems in the Edgewood School District, which at this particular time and in this particular situation, I feel that we're doing. I will move at this time that we reconsider our action of the 18th of December.

MR. TORRES: I second that motion, Mr. Mayor.

DR. CALDERON: Ford, let me ask you this question, Mr. Mayor, if I may. We're able to figure out how much money the Lulac people have tied down and would lose if the project would be killed either now or....

DR. NIELSEN: The best estimate that I can guess and as far as I know the only commitments that they have made that might be irrevocable would be with their exercising their land option. Now here they show \$11,838.00, I thought it was about \$6,000.00. I do not know what kind of commitment Fanny Mae has with them, I think they put here \$7,500.00. I do not know specifically what, you know, legal restrictions, I don't even know, maybe Mr. Walker would know, once you make that kind of commitment if it's irrevocable or not, I just don't know. The money that the \$4,414 or 15 is, to the best information I can find through FHA, is in an escrow account or something like that with the mortgagee, but were the whole thing to not be developed, it seems to me that the risk that Lulac took would be to the extent of their land option primarily.

DR. CALDERON: Did you talk to Mr. Frank Gamez during your....

DR. NIELSEN: No, I have not called anyone in Corpus personally. FHA has talked to the mortgagee, which is the Sessions Company in Corpus Christi.

MR. TREVINO: Mr. Mayor, I think that Mr. Gamez is here and Mr. Valdez is here and if we're going to reconsider this matter, I think it is only fair that we ask them to come over and make the presentation and ask them the questions directly. Mr. Gamez or Mr. Valdez, would you care to come up?

DR. NIELSEN: And if we are going to enter into some kind of discussion, if there is anyone from...Mr. Mayor, if we're going to enter into this kind of discussion, I would hope that if anyone's from the Edgewood School District to offer them an opportunity to speak also.

MR. GAMEZ: Mr. Mayor, I would just like to clarify two points that he mentioned in regards to the financing so that we can set the records straight. In regards to the Fanny Mae, anybody that's familiar with building and you make a commitment to Fanny Mae, you purchase money and the money market's just like anything else and when you purchase money, you purchase for a certain length of time. If you do not exercise your purchase on that money, you lose it, so you don't get it back. That's one thing that clarifies. We have a figure that represents \$7,500.00 to Fanny Mae, represents one quarter of the feasibility. We have gone to Fanny Mae twice, once for 1/8th of 1% for a 90 day option and we are under the other 90 day option of which we have put up another 1/8th of 1%. Totaling the \$7,500.00 rounded off.

January 12, 1970
ky

-2-

MR. TORRES: And where did this money come from, Sir.

MR. GAMEZ: This money is borrowed by Lulac on the strength of the feasibility letters that FHA issues.

MAYOR MCALLISTER: All right, now then, this list of Mr. Gamez that we have here of expenditures, did that come from you or Mr. Valdez or from Lulac, where'd this come from?

MR. GAMEZ: This comes from borrowed money that Lulac. . .

MAYOR MCALLISTER: Where did this itemization come from?

DR. NIELSEN: I don't know.

MR. GAMEZ: This list, how it was compiled. . .

MAYOR MCALLISTER: Who presented us with this list?

DR. NIELSEN: It was on our desks.

MR. GAMEZ: This list was compiled between Frank Valdez and myself, and told more or less what has transpired to date.

MAYOR MCALLISTER: Take the items one by one and explain them.

MR. GAMEZ: All right, sir. On legal and organizational, Lulac is bound by a contract to an attorney to represent them, to do all the legal work through feasibility, through representation, through preparing papers, to submitting, and a. . .

MAYOR MCALLISTER: Are you liable for that \$9,500.00 in the event that a deal does not go through?

MR. GAMEZ: That depends on the attorney, Mr. Mayor. . .

MR. TORRES: Let me ask it this way, have you paid out any money right now for attorney's fees?

MR. GAMEZ: No, sir.

MR. TORRES: OK. To whom would that obligation accrue if you did have to pay that money? Who is the lawyer, in other words?

MR. GAMEZ: It'd go to the firm of Lopez and Luna.

MR. TORRES: I see.

MAYOR MCALLISTER: All right, your land options, you've paid that out.

MR. GAMEZ: Yes, sir, those are all paid out.

MAYOR MCALLISTER: All right, your mortgage. . .

DR. NIELSEN: Just a moment now, there has been some additional expense that's been accrued since the 18th of December then, cause the \$6,000 figure was all I heard before.

January 12, 1979

-3-

ac

MR. GAMEZ: Well, no, sir. That figure was erroneous too, because all we had paid up to that date was one original option and an extension, the original option was based on interest to tie down the land of \$1,312.00 of which we exercised it twice. Since, we've got the letter from the City Council under our option contract we're obligated to enter into a contract to purchase on which we paid \$7,000 and some dollars. Here, I think, after we received the letter from the City Council, I found that mistake and I think it was on the 23rd or the 24th of December. I'm not sure if our attorney here has a copy.

MR. TORRES: To whom did you pay that money, Mr. Gamez?

MR. GAMEZ: This money is deposited at the Alamo Title Company here in San Antonio. It was paid to the Realtor that is representing the estate from whom we are purchasing the property.

MR. TORRES: Your earnest money contract is contingent on your obtaining approval of all of the legal requisites to go through with the sale, isn't that correct?

MR. GAMEZ: With the sale, not FHA.

MR. TORRES: So that if your CAA or CDA, the City Council, did reject the approval then and your contract being contingent upon, that is your earnest money contract being contingent upon your obtaining this approval, then, of course, you would not lose your earnest money. Isn't that true?

MR. GAMEZ: No, there is no such contingencies, Mr. Torres.

MR. TORRES: Do you have the contract with you?

MR. GAMEZ: No, sir.

MR. TORRES: When's the last time you looked at the contract?

MR. GAMEZ: Last time I looked at it was either the 23rd or the 24th.

MR. TORRES: Well, I would differ with you and if we could see the contract I could show you.

MR. GAMEZ: We'd be very glad to present it to the Council.

MAYOR MCALLISTER: All right, no. 3, explain that.

MR. GAMEZ: All right, sir. Under our processing, in figuring with the mortgage company, of what amount of work they have done in regards to this particular project, they have estimated that they have completed about one-quarter of the processing that would normally be done. By getting us through a period of submitting for a conditional commitment. This is what it's based on from the mortgage company.

MR. TORRES: Who is the mortgage company.

MR. GAMEZ: The mortgage company is Texas Mortgage of Corpus Christi.

January 12, 1970

-4-

ac

DR. NIELSEN: But you've not actually paid this yet though, this is an estimate that. . .

MR. GAMEZ: No, sir.

DR. NIELSEN: OK.

MR. GAMEZ: No, sir, it's an earned fee that we haven't paid, it's another thing.

DR. NIELSEN: Right.

MR. TORRES: You're committed to pay it.

MR. GAMEZ: Yes, sir, we're under contract. When we negotiate with the mortgage company, just like anything else, we work together with them and we get the best deal that we can in regards to fee.

MR. TORRES: Were you under contract to them prior to December 18?

MR. GAMEZ: Yes, sir, we've been on contract with Texas Mortgage since we first committed for our feasibility.

MR. TORRES: OK, so then by virtue of the action of the Council of December 18, you were not further prejudiced with the mortgage company, is that correct?

MR. GAMEZ: We were not further prejudiced?

MR. TORRES: Yes. Any additional fees is what I'm driving at.

MR. GAMEZ: Not unless we proceeded.

DR. NIELSEN: Well, this is a 2% finder's fee, right?

MR. GOMEZ: No, sir, this is no finder's fee. This is under the FHA guide under what is allowed within the programming. FHA says that any mortgagee that processes, whether it's a non-profit sponsor or limited dividend corporation or any developer, they're entitled to receive a fee up to 2%.

DR. NIELSEN: It is not a finder's fee.

MR. GAMEZ: No, sir.

MAYOR MCALLISTER: Item 5.

MR. GAMEZ: OK, item 5. That money has been committed to Sessions Mortgage Company, so they could go ahead and file for a conditional commitment. It's been in their hands, and since the sponsor cannot submit directly to FHA, you have to go through your mortgagee. They probably have work to do in preparing the papers to forward to FHA. But that money has been paid to them. It is in the mortgage company.

MAYOR MCALLISTER: All right, item No. 6.

January 12, 1970

-5-

ac

DR. NIELSEN: There has been no acceptance by FHA of this. You have to have the sketches and a number of items to be completed before you could enter into the next step with FHA and that's not been done. However, they're planning to do this the first part of next week.

MR. TREVINO: The money's spent.

DR. NIELSEN: No, the money's in an account with the mortgage company, but it's not money to the mortgage company, it is in turn paid directly to FHA at the time that they enter into the next step with the. . .

MR. TORRES: Which, if they don't get the loan, they get back? Right?

MR. GAMEZ: No, sir, we work through a mortgage company, we don't work through FHA. We pay the mortgage company, the mortgage company in turn forwards to FHA and they don't forward our check, they forward their's.

DR. NIELSEN: But the final committment in terms of this \$4,414 is with FHA and you knew that when you entered into the agreement, however the mortgage company handles it.

MR. GAMEZ: Yes, sir, it's standard for anybody doing development. We know that.

MR. TORRES: But the point is, when was this committment made? When did you put up this \$4,414?

MR. GAMEZ: This money was put up right after we received our approval from the City Council and we were given the authority to go ahead with the project. We went ahead and proceeded subject to what we already applied for and we followed our normal pattern, inasmuch as if we were already up to that date. We had preliminary plans, specifications. In fact, we'll go into the other item. We had it already, we proceeded to go ahead and file for a conditional committment. We had an additional thing that we were no venturing ourselves. We made a statement here to this Council that we got our feasibility under a 236 program. Then Lulac's intentions were to convert to a rent-supplement type project, which we feel is more adequate for the area and we had to make that conversion and that conversion also had to be made through the mortgage company with FHA and the right guy, so that the application would be properly received.

MAYOR MCALLISTER: OK. Now, then, what is your liability so far as item No. 6 is concerned? The architect.

MR. GAMEZ: This is based, Your Honor, on the fact that we sat there with Mr. Valdez and other members of the Trust from Lulac and reviewed his plans and specifications and found out to what date he was and this only reflects up to that point where it's 50%. I would judge it, my best judgment of seeing what has gone before, that he is about 85% completed, based since we got the approval from the Council.

January 12, 1970
ac

-6-

MR. GAMEZ: We have gone into engineering. The engineer is going out there and will flatten the land and get the _____? so this is another increase that we didn't even put it here.

DR. NIELSEN: OK, but none of this has actually been paid, and there's been no contractual change with the architect, engineering studies, and so forth, since the 18th. You've entered into no new contracts since the 18th of December, is that correct?

MR. GAMEZ: Well, I won't say that, because the engineer's going to come back and he's going to want to get paid for the work that he's doing, to the extent of what services he is providing for us. We don't enter with contract with him.

DR. NIELSEN: You don't have a contract, is what you're saying.

MR. TREVINO: Not with the engineer.

MAYOR MCALLISTER: That's between the architect and the engineer.

DR. NIELSEN: Right, there's been no basic change there, however, as far as your contract with the architects.

MR. TREVINO: The only difference is that he will not get paid to work after the 18th. Is that right?

MR. GAMEZ: He's working now.

DR. NIELSEN: There's been no new contract entered into.

MAYOR MCALLISTER: Now, are there any other questions you want to ask Mr. Gamez. Then I'd like to have Mr. Valdez.

MRS. COCKRELL: Mr. Mayor, I would like to ask Mr. Gamez, is under the rental policies, it seems to me that if the management could have a policy in some way favoring or giving first consideration to families who are already patrons of the Edgewood School District that this would, of course, minimize bringing any new children into the Edgewood School District which seems to be the heart of the problem. Is it possible to have this type of policy? Is there any way that this could be pursued? If it could be filled, you see, with people who are already in the Edgewood School District, it would not mean further problem to the district.

MR. GAMEZ: Well, I think I can answer your question two ways and I'm not going to try to be evasive. Under the sponsorship of non-profit sponsors or any other sponsor that sponsors housing under the FHA program, you cannot go up there and say that or put that in there, because we have to rent regardless to race, color, creed, origin or anything, it has to be open - it has to be open-type housing where it will benefit everybody. I will make one comment in reviewing the Model Cities area and in relation to the Edgewood Independent School District, that the Edgewood Independent School District far supersedes the Model Cities area, it's much larger and I feel that the majority of the people that are going to come into this project are going to come and relocate from Edgewood because they've reached way outside the Model Cities area.

January 12, 1970
ac

DR. NIELSEN: OK, but there are two other considerations, Mrs. Cockrell, in terms of the Loper Project, which is just north of this, that will increase the number of students in the Williams Elementary School, which is closest by, then this one, even though they move from the district, it's still in terms of the particular school that will serve them, going to increase the stress on that particular class structure in that neighborhood, unless they bus them or something like that. The second thing is that sure, if most of them do come from Edgewood, there will still be some vacant properties or less crowded situations that you may have other people moving into, in the Edgewood School District, so you can in fact, theoretically and quite probably increase the number of overall students in the school district by the development of this project. So, you've got to keep that in mind also.

MAYOR MCALLISTER: All right, Mr. Valdez would you like to add any comments?

MR. VALDEZ: I have no comments, Mr. Mayor, unless there are some questions from the Council.

MAYOR MCALLISTER: I'll ask you this, to what extent have you completed your architectural drawings?

MR. VALDEZ: Well, we are, I would, say, about 80% complete. We, of course, accelerated our work after the Council gave us approval the last time and we have instructed our engineers to proceed and they have been working on it and we've accumulated quite a large set of plans. I believe it's about 80%, like Mr. Gamez had said.

MAYOR MCALLISTER: What are your engineers doing?

MR. VALDEZ: They're right now, they're working on the survey of the land, the drainage, and some of the structural, well no, the structure has already been figured. Most of it is engineering of the land, the site planning, and so forth.

MR. TORRES: What will your total fee be in this thing?

MR. VALDEZ: Our fee is slightly under 4% of the hard construction costs, which is Two Million Four, I believe.

MR. TORRES: So that would amount to what?

MR. VALDEZ: It's 3 point some percent, about \$79,000.

MR. TORRES: That'll be your fee?

MR. VALDEZ: Yes, sir.

MR. TORRES: \$79,000?

MAYOR MCALLISTER: That includes engineering.

MR. VALDEZ: That's right.

MAYOR MCALLISTER: Now, as I understand, any other comments, any other questions?

January 12, 1970
ac

DR. NIELSEN: Yes, Yes. May I ask both you and Mr. Gamez, have you, in the past or at any time recently, made an effort to discuss with the Trustees in the administration at the Edgewood School District, and attempted to resolve in some manner the particular problems both as you see them and as the Edgewood School District sees them?

MR. VALDEZ: Well, we have discussed them with some of them, however, most of the discussions, I'd like to, this is our attorney, Mr. Lopez. Mr. Lopez, has at great lengths, discussed this. We have tried to work this, more or less. . .

DR. NIELSEN: But, you and Mr. Gamez have not necessarily had any particular comments. . .

MR. VALDEZ: No, I have handled the architectural part and Mr. Lopez has handled the discussions with the Edgewood District.

MR. LOPEZ: I have conferred with the previous superintendent of the Edgewood School District, Mr. Joe Leyva, who was the first person to raise a question about this. I have conferred with Clem Saenz, the President of the Board, on several occasions. When Joe Cardenas was appointed superintendent of Edgewood, I called him the first week he was in office and told him why I wanted to talk to him and he told me that it was useless for us to have any discussion because the Board had already made up its mind. In my series of conversations with Clem Saenz, who's a personal friend of mine and with whom I have other business dealings frequently, he has always taken the position, don't bother giving me facts, we're against it. I would like to point out to the members of the City. . .

MR. TORRES: Would you say, now, come again, I didn't quite understand that.

MR. LOPEZ: He has always given me the impression, don't bother me with facts, the Board is against it and I am not going to change my own mind.

MR. TORRES: I beg, at this point, to interject, Manuel, that this has not been my impression of Mr. Saenz's opposition, I mean, his opposition has been based on some clear, concise reasons that have been stated publicly by the Edgewood School Board. If you recall, when this thing was up here before the Council last time, it was my impression that those problems had been resolved, but I do want to make my own correction and my own, inject my own comment, on what Mr. Saenz's reasoning has been. I don't think his reasoning as far as I'm concerned, has ever been that don't bother me with the facts, that, you know, this is going to confuse me. I don't think as far as I'm concerned. . .

MR. LOPEZ: I did not say that.

MR. TREVINO: Let me ask you this, before it's been an interjection here. Do you know why there was no opposition to the Loper Housing and there is opposition to the Lulac Housing?

MR. LOPEZ: No, sir, I don't know. That is one of the things that I've tried to discuss with him but have not been able to. I

MR. LOPEZ: still would like to point out, first of all, that I don't think you have been present at times when Mr. Saenz and I have discussed this matter.

MR. TORRES: I grant you that I haven't been present at those discussions. This is why I made it real clear to you that this was strictly my opinion made in conversations with Mr. Saenz at which neither of you have been involved.

MR. LOPEZ: I would like to point out to members of the City Council that I resided in the Edgewood District for a considerable length of time and I myself served for three years as a member of the Board of Trustees there and I am aware of the problems of the school district. I would like to point out that under the Model Cities Act funds are made available for school districts who are affected by the Model Cities Plan. I would like to point out to City Council that the City Council has approved the request for funds for the Edgewood School District through the Model Cities Plan not through the Department of HEW or any other Department per se but through the Model Cities Plan Edgewood as already obtained a substantial amount of money. We feel that if we can ever sit down and talk and I would welcome any councilman, any member of this City Council, to sit with us, perhaps that would be the best way I can get either the Chairman of the Board or the Superintendent to have a conference with us where we can discuss these matters. How our organization which is a non-profit sponsor--the organization does not make any money out of the thing--How we can help through the Model Cities Plan and there are plenty of opportunities under the Model Cities Act to assist the school district which is affected by projects such as this. I want to point out that whether we build this project or not the Edgewood School District is growing daily. We know that their tax base is too low to support the district but we feel that this would actually help, when we build our project we will not be tax exempt. We pay taxes. Taxes will be received by them. If we can show together to the Model Cities authorities, through Model Cities' funds, get additional funds for the Edgewood School District.

DR. NIELSEN: I'm glad to hear you say that. Let me just at one point, however, express a little difference of opinion, and that is that as I think I see your sense of responsibility. You're first of all concerned about getting some kind of housing. We all are. But it's got to be at a point that you do not increase the hardships, if you will, in the school district. I think you've already admitted that there are some pretty serious hardships and limitations. I sense an openness on your part to, in fact, sit down and discuss this. I've never heard Mr. Saenz or Dr. Cardenas or anyone say that their mind was made up. I know that they're very clear that they know they need help. They know a lot of the community knows that they need help, and they're going to in every organized way possible, and every legitimate way, make that fact known to the community and it just happens, perhaps, that there wasn't enough discussion in the thing. I think that's partly what was the circumstance in the Loper case, the reason that there was a difference. The best I can find out is that some hard discussion, head-to-head discussion, did take place and it didn't in this particular instance with the Lulac proposal. I would hope it's not too late to enter into that kind of a serious discussion and that they are then assured by you, that you're going to make a serious effort to improve the quality of education, not just housing.

MR. LOPEZ: We are willing to do that, we're willing to show them the steps that we have taken as an organization to improve the (?) of all school boards, such as Edgewood, that have a tax base that is inadequate for the number of scholastics.

MR. TREVINO: May I interject here that I feel that you tried to appear several times during the hearings for CPPC, you tried to appear at the other groups in order to be heard and you were continuously denied in hold-back for one reason or another. Now, you're familiar with the first year planning that Model Cities turned into the CPPC and in turn to City Council. Now, is there monthly family housing included in that plan?

MR. LOPEZ: Yes, Sir.

MR. TREVINO: And were those plans accepted and recommended to the City Council by the Model Cities Board?

MR. LOPEZ: The Model Cities CPPC Board presented this plan, the City Council approved it and submitted it to the Department of Housing and Urban Development.

MR. TREVINO: So then what seems to be the opposition now?

MR. LOPEZ: I don't know, sir, in addition to that, the CPPC, which is the main Board of the Model Cities, has a Sub-Committee, the Housing CRC, it's called. We met with this Sub-Committee last May and last May they passed a resolution within the Committee recommending that this project be approved by the CPPC. The CPPC has never called a vote on this project. We have attended numerous meetings for the purpose of making our presentation, they have never taken a vote on it, but their committee has, the committee on housing has. It meets with their plans and it meets with their approval.

MR. TORRES: As a point of clarification, Mr. Mayor, Mr. Trevino has inquired as to the first year action documents and as to the planning programs of the Model Cities Program. I think it would be germane to

the issue and it would help clarify a point made by Mr. Lopez here to explain that much of the thinking about the Multiple Housing Units, Manuel, has come about, unless we're going to resort to spurious reasoning, would have to bring this into discussion, that much of the recent thinking concerning Multiple Housing on the part of the CPPC in it's objection to Multiple Housing and the thinking of the Edgewood School Board has been of late. It has been recent. It has been since the adoption of that document. It has been, in fact, since Dr. Cardenas was appointed as the Superintendent of the Edgewood School District and Dr. Cardenas has pointed out what some of the reasons for the objections to Multiple Housing. He has come forth and pointed out the impact of the Multiple Housing in the Edgewood School District. Again, with reference to a point made by Mrs. Cockrell, concerning the people, or making the housing available to the people in the Model Cities area, one recent comment made by Dr. Cardenas is that nevertheless if you open it up to people in the Model Cities area, those homes that are vacated will bring an impact from people from other areas who move into those homes that are vacated. So, this is the thinking that has gone into the opposition, so I think, again, by way of clarification, that if we're going to point out the projects and the plans and the first year action programs that were established by the CPPC, the various documents that have been approved by the CPPC to show that Multiple Housing Projects, that is absolutely correct, but that the opposition has come about since the approval of those documents and I think out of fairness you would have to make that admission, Manuel.

MR. LOPEZ: No, sir, I do not believe that is correct. The opposition was voiced by Joe Leyva, as I stated previously, when he was Superintendent of the district. The fact remains, on that I would like to point that out, that opposition was pointed out by them and as I told the Council previously, I made an attempt to confer with Mr. Leyva regarding this matter. Then, of course, he resigned as Director, as Superintendent when the Superintendent was appointed. I'd like to point out, that whatever funds the Model Cities Project here in San Antonio gets are based on the program as presented by the CPPC to HUD. There is a certain commitment to follow the recommendations made here. There are findings here affect that cannot be refuted, I don't believe, whether these recommendations are followed or not and that is on the need for housing throughout the entire area. In addition to that, now, I haven't read the act that was just signed by the President yesterday, but the new housing act provides that before any sub-standard housing can be demolished or forcibly vacated, there must be an adequate unit ready. Now, this project will not be ready for occupancy until some time in 1971, at which time we certainly hope that the Model Cities Projects will be tearing down some of the sub-standard housing there and we feel that this project will share the availability of units that are being built to replace people that are being displaced by our campaign against sub-standard housing. Now, that is the whole gist of the Model Cities Act.

MAYOR McALLISTER: I'd like to ask the members of the Council, in previous action didn't we allocate or authorize, out of Model Cities, about a million some odd hundred thousand dollars to Edgewood School District. Just a moment, I want to find out how much that is.

MR. LOPEZ: I think it was 2.5.

MAYOR McALLISTER: 2.5. Well, out of that funds they then are supposed to provide facilities to take care of the increased demand, if such occurs, as a result of Model Cities. Is that not right?

DR. NIELSEN: No, Mr. Mayor, well, ideally that would be what we'd hope, but, in fact, in reality what's happened is that that money has gone to begin to make up some of the tremendous deficits and some of the limitations that they've already been existing under and in case of the H. K. Williams School....

MAYOR McALLISTER: That's their responsibility.

DR. NIELSEN: No, no, we have a joint responsibility, Mr. Mayor. We just can't keep this separation of responsibility to the point that we're naive.

MAYOR McALLISTER: I'd like to ask Mr. Torres. Mr. Torres, you supported this proposal here on December the 18th and seemingly have you changed your mind?

MR. TORRES: First, Mr. Mayor, I might ask you, you were opposed to it on December the 18th, have you changed your mind?

MAYOR McALLISTER: I was asking you a question.

MR. TORRES: I was asking you a question, too, Mr. Mayor. I pointed out, in discussing this thing with Mr. Lopez, that it was my distinct impression that the problem with the Edgewood School District had been resolved and it wasn't until after the action of the Council of December the 18th, that I was informed that that dispute continued to exist, which is the reason which I would bring to the Council in support of the matter being reopened and secondly, Mr. Mayor, secondly, a second reason, is that there was a vote by a member of the Council who is a member of a Lulac Housing, an existing Lulac Housing Project Board, which I think should have disqualified Mr. Trevino from voting at that time, sir.

MR. TREVINO: May I make a comeback to that, Mr. Mayor?

MAYOR McALLISTER: All right, sir.

MR. TREVINO: I feel that, if that is the case, if that disqualifies me, I'm so close to this as I would be in voting on any case that's got to do with a Catholic, because I am a Catholic. I think it makes that much sense.

MR. TORRES: No, because the Catholic Church, Mr. Trevino, has not paid for trips that you have made to Washington and it has not....

MR. TREVINO: I have not made any trips to Washington, Mr. Torres.

MR. TORRES: Mr. Trevino, you have been paid fees for your participation as a member of the Board of the Lulac Housing Project to which you belong, Mr. Trevino.

MR. TREVINO: Wait a minute, I don't know how you interpret that, Mr. Torres, and I don't know where you got your information. The only thing that we have been reimbursed expenses, when we have gone to conventions, I have not taken any trip to Washington for

this organization. Recently, in the past two or three years, I haven't taken any trip period. That's the only time that we are reimbursed for our expenses, the same as the City Council does when you take a trip for the City Council.

MR. TORRES: The point is, Mr. Mayor, that Mr. Trevino has received remuneration for conventions, for trips to Washington, he has received remuneration from this or from his activities as a member of this Board, which would disqualify him and I think he was honor-bound and duty-bound, Mr. Mayor, to bring this to the attention of the Council the last time that he voted on it, when he voted affirmatively in favor of this proposal.

MR. TREVINO: What's the difference, Mr. Mayor, I've been....

MAYOR McALLISTER: Please, please, are you a member of the same Board....

MR. TREVINO: No, sir, it's entirely a different thing.

MR. TORRES: You are a member of a Lulac Housing Project Board, are you not, Mr. Trevino?

MR. TREVINO: Which is something else, yes.

MAYOR McALLISTER: All right, now then, I want to answer Mr. Trevino. Mr. Torres made the statement that I voted against this proposition on December the 18th and I did so not because I was opposed to the proposal, but simply because I was opposed to acting upon the proposal at that time. I felt that information that, with regard to the location of possible expressways, had not properly been explored and now that since the Council has acted on it and I voted against it at that time, I want to say right now, that I will not vote in favor of rescinding the action of the Council on December the 18th.

MR. TORRES: I move, Mr. Mayor, that we rescind the action of the Council taken with reference to the Lulac Housing Proposal on December 18th, 1969.

MAYOR McALLISTER: O.K., O.K., is there a second?

DR. NIELSEN: There was a previous motion.

MR. TORRES: There was, I second that motion.

MR. HILL: Mr. Mayor, I'd like to be recognized.

MAYOR McALLISTER: All right, sir.

MR. HILL: As far as I'm personally concerned, I think the Lulac organization that made this proposal to the City Council on December the 18th, said to me, as a member of this Council, that they have gone into this project thoroughly, they have considered all aspects of it and they have gone to considerable length in their planning and exploring in establishing this project and I supported it at that time and I'll continue to support it and I'm against any rescission of the previous action by this Council.

MR. BURKE: I'd like to speak against the motion to reconsider, I was absent from the meeting on December 18th. However, if I had been here I would have voted in favor of the proposal, but in addition to that, it seems to me that we will always have what appears to be hasty and ill-conceived action on the part of the City Council. When during the session to hear the public, resolutions are passed and I think after this matter is over, that we certainly should consider rules of order, which would give us a resting time after proposals or resolutions are submitted to the Council. However, in this particular instance, I think that the heart of the matter, the real question, is the integrity of this City Council. Can the people and citizens and others who deal with the City of San Antonio depend upon the City of San Antonio and upon the City Government after it has taken action. I would hate to have people think that when we do take action here that a week later or two weeks later it'll be reconsidered and rescinded, therefore, I speak against the motion.

MR. TORRES: If I may, Mr. Mayor, I'd like to make a comment on that point, when it wasn't here just a few weeks ago that an action of the City Council was rescinded, not weeks later, Mr. Mayor, but months later and I'm referring to the Turnkey III rescission, Mr. Mayor, and I certainly think Mr. Burke could've made his comments at that time, Mr. Mayor. I think that would have been in order.

MR. DOUTHIT: Mayor, I believe you asked a question concerning how much money had been allocated to Edgewood. I have the figures here for the Council.

MAYOR McALLISTER: Yes, how much is it?

MR. DOUTHIT: \$418,000.00 for early childhood education; counseling service - \$45,000.00; staff training - \$31,000.00; sites and buildings - \$1,602,825.00; for a total of \$2,096,861.00.

MAYOR McALLISTER: A little over two million, all right. O.K.

DR. CALDERON: Mr. Mayor, if the Council will recall that two weeks ago, I recommended that a committee be appointed to study this matter regarding the Lulac Proposal. The Council, however, overruled my suggestion and proceeded to grant an approval. An action, which I felt was premature and hasty and certainly it was unfair to the Lulac people. However, notwithstanding the error and the fact that the Council did take this action, I'm still keenly concerned about the impact that this complex may or may not have on that school district. I still see it now as I did then, that we need to slow down. We need to act, based on facts, not based on emotion and so my feeling at this time is one of supporting the motion to rescind that action and subsequent to that, hopefully, to appoint a Council Committee to make an in-depth study regarding all the revocations involving this particular project and then, based on the Committee's research, then act accordingly.

DR. NIELSEN: Mr. Mayor, may I ask, in light of your comment that you were concerned about the expressway and the fact that that has not been resolved, how you could vigorously or not vigorously say that you would not rescind at this time, cause that fact has still not been taken care of at all.

MAYOR McALLISTER: According to my statement to you, but on the other hand, I have discussed the matter with the Division Engineer of the Highway Department.

DR. NIELSEN: You feel it is resolved?

MAYOR McALLISTER: As far as the practicality of the location of the expressway, it is not definite, no, but I do not think and neither does the Highway Department, think that this property will be affected.

DR. NIELSEN: Oh, one more thing. In response to what Mr. Burke suggested that, in terms of the policy, we're overlooking another very serious policy matter, Mr. Burke, and that is our partnership relationship with the CPPC in this particular instance. They have a great deal of experience and we have, it seems to me, in some sense been less than responsible in that relationship in our action on the 18th and what appears to be what we'll do again today. They are, in fact, to provide us with as much fact and information as possible. They can't get it and how in the world we expect to operate under those circumstances wisely, is more than I can understand.

MRS. COCKRELL: Mr. Mayor, I would like to make my position clear. At the previous vote, I voted in favor of this project and I am today going to stick with that action and the reason that I am is because of one of the last points that was made, which I think is very valid in this whole thing and that is that before, under the new Housing Relocation Standards, that before any person or any family may be relocated out of a sub-standard dwelling, there has to be a place for them to move to. I think if we're not going to provide some new housing, we're going to get in a terrible box where we're going to have sub-standard housing that we cannot clear, that we cannot take care of, because there is no place to move the families. Now, in the future, certainly I think that in any new project, we'll have to go slow and consider each one on an individual basis. And this certainly does not mean that I'm going to approve any more projects or the next project. Each one, I think, has to be considered on its own, but in this case I think it is worthy, I think that the planning has been done carefully, we have given approval, commitments have been made and I think to rescind it at this point is unwise.

I do want to say one additional point and that is in relationship to the CPPC Board. I, too, have always wanted the Council to maintain a close working relationship with this Board. I think in nearly every case, we have always sustained the action of this Board, but as a responsible City Council, I think that on those limited occasions where we may disagree, that we do have the responsibility to go ahead and state our reasons for disagreeing. I think that the Council in meeting with the CPPC Board has always indicated our confidence in the Board. I might point out that we also have confidence as a City in our own Planning Commission and yet we do not hesitate to overrule the Planning Commission on those occasions where we disagree with their recommendation to us and so I certainly, in casting my vote, I want to reaffirm my great confidence in the CPPC Board, but on this particular case I do feel that in all the facts that have been made available. I am going to stick with my previous vote, which means that I will have to vote against the motion to reconsider.

MAYOR McALLISTER: O.K. No further discussion. We'll call the vote. The motion is....no, I'm sorry....

DR. NIELSEN: Well, well, wait now, we did say, Mr. Mayor, that in terms that we had sort of a hearing here, that we could hear from those people in the Edgewood District, who might have something to say and I think that's only fair that you got the Lulac people to their time to speak and it's time, it seems to me....

MAYOR McALLISTER: The motion has been, the question has been moved....

MR. TORRES: In other words, Mr. Mayor, we let the Lulac people speak, but you won't let the residents speak, is that what you're doing, in other words, you're not giving equal treatment to the people from the Edgewood District. In other words, what you're saying, is their opinion doesn't count, that's what you're saying, isn't it?

MAYOR McALLISTER: Oh, that's what you're saying.

MR. TORRES: No, Mr. Mayor, because I think they ought to be allowed to speak, just like the Lulac people.

MAYOR McALLISTER: I'll put the question to the Council. All right, what's the pleasure of the Council in reference to....

DR. NIELSEN: Is there someone, Mr. Mayor, who would like to speak, is any representative from the Edgewood School District or....

MAYOR McALLISTER: All right. Is it the pleasure of the Council that....

DR. NIELSEN: It is my pleasure, Mr. Mayor.

MR. TORRES: It is my pleasure, Mr. Mayor.

A number of persons appeared to speak against this project. These persons included:

1. Mr. Leo Lozano, Jr., President
Brentwood Community Council
2. Mr. Ruben Moreno, Member CPPC
3. Mrs. Mary Cantu
4. Mrs. Lucille Santos, Asst. Superintendent
Edgewood District
5. Miss Pauline Key, Principal
H. K. Williams Elementary School
6. Mrs. Zamora, President
Edgewood Council of Parents & Teachers
7. Mrs. R. Arizola

After consideration, the motion to reconsider action failed by the following vote: AYES: Calderon, Torres, Nielsen; NAYS: McAllister, Burke, James, Cockrell, Hill; ABSTAIN: Trevino.

Following the vote, Mr. Lopez asked help from members of the Council in arranging an urgent meeting with the Edgewood District and Model Cities. Mayor McAllister stated that he was willing to appoint a special committee to help work out some adjustments that would afford some relief to the school district and assured Mr. Lopez that he would have the complete cooperation of the City's administration.

A P P R O V E D

ATTEST:

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

M. McAllister
M A Y O R

