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## **CONSERVATION SOCIETY RESOLUTE AS ITC DEMOLITION CONTINUES**

Demolition crews continued demolishing the Texas Pavilion/Institute of Texan Cultures building this week as attorneys for UTSA and the City moved to ensure that no hearing would take place, stifling the Conservation Society's request for a pause in the demolition so the public could be heard. On Monday, April 14, the court granted 'Pleas to the Jurisdiction' filed by COSA and UTSA, meaning those entities could not be sued due to their sovereign immunity and that the district court did not have jurisdiction.

The Monday hearing was forced by lawyers for UTSA and the City, who had ten lawyers in the courtroom. "This is an astonishing use of public resources to prevent the merits of the case being heard by a judge of the court," said Lewis Vetter, President of the Conservation Society of San Antonio. "UTSA is successfully outspending us, preventing public input and proceeding with destructive demolition."

"We were denied our opportunity to produce documents demonstrating UTSA and COSA's wrongdoing when our subpoenas were quashed, and our motion for an extension was denied, said President Lewis Vetter. "While we disagree with the judge's ruling today, we do agree with her statement that what was happening to the Texas Pavilion is reprehensible. We remain committed to protecting the cultural heritage of San Antonio and our State Antiquities Landmarks and will move forward on appeal."

After seeing wall panels ripped down by a backhoe on Tuesday, April 8, the Conservation Society of San Antonio filed a petition for a temporary restraining order on April 9 to pause demolition of the 1968 Texas Pavilion in Hemisfair, former site of the Institute of Texan Cultures.

UTSA and the City see demolition of this historic structure as required piece of the multi-billion-dollar Project Marvel. The Conservation Society of San Antonio has repeatedly said that the structure could be a part of Project Marvel.

"The building is eligible for 45% investment tax credits thanks to its listing on the National Register of Historic Places and as a State Antiquities Landmark," said Vetter. "You would think a developer would want that equity, especially if public financing is

limited.”

The Conservation Society, founded in 1924, has been pushing for public hearings on the future of the building since 2022, to no avail. “This process has been kept close to the vest by UTSA and the City, and our job has been to push for public transparency,” added Vetter.

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## **BACKGROUND**

The original suit, filed in District Court on Wednesday, March 26, asks for a halt to the demolition being undertaken by the University of Texas at San Antonio following the administrative approval of a demolition permit last December by the Texas Historical Commission. The petition claims that the demolition violates the original 1967 deed that transferred the property from the City of San Antonio to the State of Texas and that a required federal review of the demolition did not occur. The legal action references the City’s statement about Project Marvel, which will utilize federal funding, and UTSA statements about “monetizing” the ITC site.

“UTSA and the City of San Antonio have moved forward with the demolition of the Texas Pavilion without following the requirements of the Texas Antiquities Code and those of the National Historic Preservation Act,” said Lewis Vetter, President of the 100-year-old Conservation Society of San Antonio. “The Texas Pavilion should be part of Project Marvel,” he added.

The Conservation Society began in 1924 and was pivotal in the preservation of the San Antonio Missions beginning with restoration of the San Jose Granary in 1933, creation of a National Park in 1978 and nomination as World Heritage Site beginning in 2006. The Society was instrumental in the creation of the River Walk and has preserved hundreds of sites, including Casa Navarro, the Aztec Theatre, Ursuline College, the Rand Building and Yturri-Edmunds House and Mill. The Society provides over \$100,000 in building and educational grants to San Antonians each year, has over 1100 members and offers a range of educational programming and resources.

There are several public policy issues regarding the demolition of the Texas Pavilion that have not been resolved, including public financing; the existing Spurs lease at the Frost Bank Center; tepid public support for Project Marvel; and the potential for state and federal transportation funds for the project.