

SPECIAL MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
WEDNESDAY, JULY 12, 1967 AT 8:30 A.M.

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The meeting was called to order by the Presiding Officer, Mayor Pro-Tem John Gatti with the following members present: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER and TORRES; ABSENT: None; (MAYOR McALLISTER arrived late)

67-426 Mr. Gatti stated the Special Meeting was called by the Council to consider pay raises and finalize the budget for the fiscal year 1967-68.

As stated last Thursday and at the previous discussions of the budget, the City Manager prepared a balanced budget and in addition submitted a number of proposed additions which he felt were absolutely necessary, among these were pay raises for Firemen and Policemen, Labor categories and a number of other requests for various departments.

The Council has had an opportunity to review all of these various suggestions and prior to the Meeting, Mr. Shelley transmitted to the Council a number of additions which change even more the original salary increases proposed.

City Manager Shelley stated that after further review of the survey made by the Personnel Department, he recommended the following pay plan for Firemen and Policemen, wage changes, new classifications and salary range changes.

POLICE

	<u>Present</u>	<u>Proposed</u>
Inspector	\$ 750.00	\$ 825.00
Captain	656.00	725.00
Lieutenant	590.00	650.00
Sergeant	534.00	590.00
Detective-Investigator	507.00	560.00
Patrolman (18 months after probationary period)	485.00	510.00
Patrolman (6 months after probationary period)	452.00	475.00
Patrolman (upon completion of prob. period)	400.00	400.00
Patrolman (probationary)	375.00	375.00
Pre-Police Student	365.00	375.00

## FIRE

	<u>Present</u>	<u>Proposed</u>
1st Assistant Chief	\$ 726.00	\$ 800.00
2nd Assistant Chief	671.00	740.00
District Chief	616.00	680.00
Fire Prevention		
Inspector III	546.00	610.00
Fire Alarm Operator III	546.00	610.00
Captain	536.00	590.00
Lieutenant	504.00	555.00
Engineer	473.00	520.00
Fireman (18 months after completion of probationary period)	452.00	475.00
Fireman (6 months after completion of probationary period)	420.00	440.00
Fireman (upon completion of prob. period)	400.00	400.00
Fireman (probationary)	330.00	375.00

## WAGE CHANGES

	<u>FROM</u>	<u>TO</u>
Laborer I	1.40-1.47-1.54	1.47-1.54-1.62
Sewer Maintenance Man	1.40-1.47-1.54	1.54-1.62-1.70
Park Maintenance Man	1.40-1.47-1.54	1.47-1.54-1.62
Labor Foreman I	1.62-1.70-1.78	1.70-1.78-1.87
Labor Foreman II	1.87-1.96-2.06	1.96-2.06-2.16
Street Sweeper Operator	1.62-1.70-1.78	1.87-1.96-2.06
Equipment Operator I	1.54-1.62-1.70	1.62-1.70-1.78
Equipment Operator II	1.78-1.87-1.96	1.87-1.96-2.06
Equipment Operator III	2.16-2.27-2.38	2.27-2.38-2.50
School Crossing Guard	1.25	1.35
School Crossing Guard Supv.	1.35	1.45

## NEW CLASSES

<u>CLASS NO.</u>	<u>CLASS</u>	<u>RANGE</u>
027	Civil Defense Coordinator	26
028	Deputy Civil Defense Coordinator	23
029	Plans & Operations Officer	19
072	Tower Attendant	1.54 per hr.
082	Supervisor of Events	27
084	Stage Manager	25
088	Airport Operations Officer	30
092	Tower Service Supervisor	21
093	Assistant Tower Service Supervisor	19
283	Air Pollution Control Officer	30
711	Maintenance & Operations Officer	29
809	Stock Clerk II	15
451	Recreation Specialist II	21
792	Building Operations Supervisor	23
701	Laborer II (Garbage)	1.54-1.62-1.70
738	Equipment Operator I (Garbage)	1.70-1.78-1.87
136	Traffic Control Superintendent	27
164	Traffic Technician I	18
165	Traffic Technician II	22

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SALARY RANGE CHANGES

<u>CLASS</u>	<u>FROM</u>	<u>TO</u>
Telephone Clerk	12	14
Public Information Officer	26	27
Assistant Director of Public Works	33	35
Landscape Architect	26	30
Signal System Lineman I	15	16
Signal System Lineman II	18	19
Signal System Foreman	21	22
Garbage Route Supervisor	18	20
Building Custodian	10	11
Assistant Bldg. Maintenance Superintendent	21	25
Building Maintenance Superintendent	26	28
Traffic Maintenance Supervisor	18	20
Parking Meter Mechanic	13	14
Parking Meter Mechanic Supervisor	15	17
Sign Shop Superintendent	19	22
Purchasing Agent	29	30
Chief Appraiser	25	27
Budget Officer	30	33
Chief Accountant	28	29
Park Ranger Sergeant	17	19
Park Ranger	15	17
Park Ranger Chief	19	21
Assistant Airport Director	30	33
Legal Department Head	41	42
Finance Department Head	38	41
Police Department Head	37	40
Fire Department Head	37	40
Public Works Department Head	41	42
Parks & Recreation Department Head	41	42
Planning Department Head	37	40
Personnel Department Head	34	39
Housing & Inspections Department Head	34	39
Library Department Head	36	40
City Clerk	32	39
Welfare Department Head	33	39
Traffic & Transportation Department Head	36	40
Assistant City Manager	43	44

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Cost to implement foregoing changes is as follows:

	<u>YEARLY</u>
WAGE CHANGES	\$ 258,120.00
RANGE CHANGES	8,184.00
POLICE DEPARTMENT	326,928.00
FIRE DEPARTMENT	261,552.00

The Council first discussed the changes in the Police Department and felt a greater increase should be given to patrolmen that have completed 18 months of service after probationary period.

Also discussed was the proposed pay scale submitted by Officer Joe Mendoza, President of San Antonio Police Officers Association which called for an 18% increase in pay.

After due consideration, the Council agreed that the pay of patrolmen (18 months after probationary period) be increased from \$485.00 to \$530.00 per month. All the other recommendations in the Police Department Pay Plan were approved.

The City Manager was instructed to prepare the necessary ordinance effective August 1, 1967.

The Council then discussed proposed changes in pay for firemen submitted by the City Manager. Also reviewed were recommendations of the Firemen's Association and Fire Chief.

After due consideration the Council agreed that the salary of Firemen (18 months after completion of probationary period) be increased from \$452.00 to \$495.00 per month. All other recommendations in the Fire Department Pay Plan were approved. The City Manager was instructed to prepare the necessary ordinance effective August 1, 1967.

67-305 After a short recess, the meeting reconvened with Mayor McAllister presiding.

The City Manager's action in declaring that the garbage division employees who participated in the strike or organized work stoppage automatically lost their jobs and forfeited all civil service rights, benefits, etc, was reviewed. Mr. Shelley read the State law on which he based the action taken and is as follows:

ARTICLE 5154c, V. A. C. S.

July 11, 1967

"Section 1. It is declared to be against the public policy of the State of Texas for any official or group of officials of the State, or of a County, City, Municipality or other political subdivision of the State, to enter into a collective bargaining contract with a labor organization respecting the wages, hours, or conditions of employment of public employees, and any such contracts entered into after the effective date of this Act shall be null and void.

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"Section 2. It is declared to be against the public policy of the State of Texas for any such official or group of officials to recognize a labor organization as the bargaining agent for any group of public employees.

"Section 3. It is declared to be against the public policy of the State of Texas for public employees to engage in strikes or organized work stoppages against the State of Texas or any political subdivision thereof. Any such employee who participates in such strike shall forfeit all civil service rights, re-employment rights and any other rights, benefits, or privileges which he enjoys as a result of his employment or prior employment, providing, however, that the right of an individual to cease work shall not be abridged so long as the individual is not acting in concert with others in an organized work stoppage.

"Section 4. It is declared to be the public policy of the State of Texas that no person shall be denied public employment by reason of membership or nonmembership in a labor organization.

"Section 5. The term 'labor organization' means any organization of any kind, or any agency or employee, representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with one or more employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

"Section 6. The provisions of this Act shall not impair the existing right of public employees to present grievances concerning their wages, hours of work, or conditions of work individually or through a representative that does not claim the right to strike.

"Section 7. If any clause, sentence, paragraph or part of this Act or the application thereof to any person or circumstances, shall for any reason be adjudged to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act and the application thereof, but shall be confined in its operation to the portion of the Act directly involved in the controversy in which judgment shall have been rendered and to the person or circumstances involved."

\* \* \* \*

67-305 To questions, the City Manager advised these employees can get their job back but have forfeited all accrued sick leave and annual leave and would have to make application and be subject to the same limitations as a new employee for the six months probationary period. One exception is that contributions to the Texas Municipal Retirement System are not effected.

67-305 To a question as to whether a traditional determination that a strike does exist, the City Attorney advised that a judicial determination can be had if the issue is raised. However, a strike or work stoppage did occur and an administrative determination can be had.

The City Manager added that the City Attorney advised that if there is a question on vacation pay, the money could be deposited with the court in an escrow account. However, money owed for work performed belongs to the workers.

Councilman Torres stated he could not see how they could take the attitude that these people are no longer employees and that the City Council or an appropriate court should make a determination of the authority of the State law. He said he would like to see them work out a means whereby the employees could be reinstated. He felt if the employee's action was harsh, the City's action is more harsh. He said they have had employee representatives before the Council, had a Grievance Committee, and had expressed some exceptions to its report and there are faults on both sides and the Council should recognize the employees situation, educational background and temperment. He felt this should compel the Council to be sympathetic and that forgiveness is in order.

Mrs. Cockrell stated that as a Christian she takes a Christian approach to life, however in taking office she took an oath to uphold the City Charter and the laws of the State of Texas, and Mr. Torres was asking that the State law be disregarded. The law is clear and she regretted that the employees were led into a work stoppage. A representative of the union was present at the Council Meeting last Thursday and they knew the Council felt it was necessary to consider wages for them and would meet today. Nevertheless, an organized work stoppage did occur. She was sympathetic to the employees views but could not go along with Mr. Torres request.

Dr. Calderon stated that in his opinion the Union leaders planned the strike. He felt the City Manager took proper action and the Council should back him in it.

Mr. Torres stated he was not trying to violate any law but just a feeling toward the individuals involved. They acted on ill advise because of the type of work they do and you can hardly expect any other type of action. He said the Council owed a responsibility to members of the employees families and should be charitable.

Dr. Parker replied that the City is being charitable. They are contemplating a favorable raise and allowing them to re-apply for the vacancies that are available.

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Mr. Jones stated he supported the City Manager's action which is the only thing he could do under State law. He was inclined to be charitable and try to re-employ them. However if the City took these employees back with no penalty they could look toward having the same situation occur time and time again.

Dr. Calderon stated they seemed to be forgetting the rights and convenience of the people. His first responsibility is to the people of San Antonio and second to the employees. He personally resented the employees taking it upon themselves to stop work. He was sympathetic with their feelings but felt that paramount is the question of the rights and privileges of the people of San Antonio. The people of San Antonio are sympathetic to strikers, with the salaries that are asked, but are not sympathetic with action taken by them. Salaries are not the basic issue; the pocket book of the taxpayer is the issue; the question of whether the labor union can get its hand in the pocket book of the taxpayer. It is for that reason that he felt inclined to go along with the State law as stated. They did something serious and unbecoming a City employee.

Councilman James felt the employees are being misled and would like to see as a matter of basic policy that when a new employee is hired a booklet be given him with all personnel information so that he may be aware of the rules. He further stated that he felt the employees knew what they were getting into if they participated in a strike. He concurred in the State Law.

Mayor Pro-Tem Gatti stated that he felt the leadership was aware of this law and are articulate enough to know what the law says. He told them last week, talked to Mr. Villapando, and advised him of the Special Meeting at which the Council was going to take action on some of the proposals they had submitted. If any blame is to be placed, it is not on the Council, but on their union leadership.

After further discussion, Mr. Gatti made a motion that a vote of confidence be given on the action taken by the City Manager.

The motion was seconded by Dr. Parker, and on roll call the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti and Parker; NAYS: Trevino and Torres; ABSENT: None.

Mr. Trevino stated that in voting "No" he was not against what the Manager has done, as he is following his duty based on the circumstances.

After further discussion, it was the sentiment of the Council that the men hired since the walkout and are on the job who want to continue working can do so. If the other men want to come back to work they can reapply for the vacancies available.

The City Manager and Public Works Director also advised the Council that employees from other divisions who refused to work in the Garbage Division had not been fired but placed on leave without pay because all the supervisors were working in the Garbage Division and when the supervisors return to their division, the men will be called back to work.

The Council then reviewed the rates of pay for Laborers, etc, as recommended by the City Manager.

After consideration, on motion of Mr. Torres, seconded by Mr. Trevino, the following changes in the schedules were approved by the following vote: AYES: McAllister, Calderon, Jones, James, Gatti, Trevino and Torres; NAYS: None; ABSENT: Cockrell and Parker.

WAGE CHANGES

	<u>FROM</u>	<u>TO</u>
Laborer I	1.40-1.47-1.54	1.55-1.65
Sewer Maintenance Man	1.40-1.47-1.54	1.60-1.70
Park Maintenance Man	1.40-1.47-1.54	1.55-1.65
Equip. Operator I	1.54-1.62-1.70	1.62-1.78
School Crossing Guard	1.25	1.35
School Crossing Supervisor	1.35	1.45

NEW CLASSES

<u>CLASS NO.</u>	<u>CLASS</u>	<u>RANGE</u>
701	Laborer II (Garbage)	1.60-1.70
738	Equipment Operator I (Garbage)	1.70-1.87

It was the sentiment of the Council that the other changes be approved as recommended as well as the Salary Range changes and the City Manager was instructed to prepare the necessary ordinances to implement same.

The Council then discussed present present policy on accumulated sick leave and annual leave of employees, other than the Fire and Police Departments.

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After due consideration, the City Manager was instructed to prepare an ordinance implementing the following:

Annual Leave - 15 days annual leave be given on completion of 15 years of continuous service.

Sick Leave - Accumulation of sick leave be extended from 30 days to ~~60~~<sup>90</sup> days. No terminal sick leave pay is involved.

Change the allowed accumulation of annual leave by Department heads from 27 days to 39 days.

66-699 Purchasing Agent Al Tripp presented the Council Members copies of specifications and proposal forms for the complete installation and operation of the Food and Beverage Concession Contract at the Tower Building. He asked the Council to study the specifications as action must be taken in calling for bids as soon as possible.

The City Manager also presented each member of the Council with a memorandum from the City Attorney on the subject of conflict of interest.

67-402 Mr. Henry Catto, Jr. and Mr. Herschel Bernard presented a plan for development of the area designated for expansion of La Villita. They presented sketches of a controlled La Villita type development which would include from 80 to 140 apartments, depending on the amount of land available, shops and open area. Mr. Catto stated that he proposed to try to lease the land from the Urban Renewal Agency as the City has Charter limitations on leases. After the lease expires the improvements would revert to the City. He asked the Council for an expression on the plan.

He was advised that the City has already purchased from the Urban Renewal Agency some of the land for the expansion and that some of the remaining land will be needed for Durango Street. Also there are parties who are interested in constructing a motel in the area. He was told that the fact that improvements will revert to the City should be appealing to the public and that he should pursue the matter with the Urban Renewal Agency to see what can be determined in the way of the proposal presented.

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

A P P R O V E D:

  
M A Y O R

ATTEST:

  
C i t y C l e r k

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