

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 10, 1975.

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The meeting was called to order at 9:30 A. M., by the presiding officer, Mayor Pro-Tem Richard Teniente, with the following members present: PYNDUS, BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN; Absent: COCKRELL.

75-39 The invocation was given by The Reverend David Paul, Highland Terrace United Methodist Church.

75-39 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

75-39 The minutes of the meeting of July 3, 1975, were approved.

75-39 GOVERNMENT CLASS FROM THOMAS JEFFERSON HIGH SCHOOL

Dr. Nielsen recognized Mr. Dave Harkins and his government class from Thomas Jefferson High School and welcomed them to the meeting.

Mr. Harkins thanked the Council for their welcome. Then he and his class of students gave Mayor Pro-Tem Richard Teniente a warm, "Happy Birthday" in unison.

75-39 The following Ordinances were read by the Clerk and explained by Mr. Tom Raffety, Director of Aviation, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 45,454

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH AMERICAN AIRLINES, INC., FOR SPACE IN THE NEW CARGO BUILDING AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 45,455

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH R. E. A. EXPRESS, INC.

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AN ORDINANCE 45,456

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AMENDMENT TO CONTINENTAL AIRLINE'S LEASE COVERING GATE 14 AT INTERNATIONAL AIRPORT.

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75-39 The following Ordinance was read by the Clerk and explained by Mr. Tom Raffety, Director of Aviation, and after consideration, on motion of Mr. Hartman, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 45,457

ACCEPTING THE LOW QUALIFIED BID OF MEADER CONSTRUCTION CO., OF \$3,260,521.68 TO PERFORM CERTAIN IMPROVEMENTS TO A RUNWAY AND TAXIWAY AT INTERNATIONAL AIRPORT, AUTHORIZING A CONTRACT FOR SAID JOB, ESTABLISHING A FUND FOR THE PROJECT, APPROPRIATING FUNDS, AUTHORIZING ADDITIONAL ENGINEERING FEES TO BE PAID TO LODAL & BAIN ENGINEERS, INC. AND PROVIDING FOR TRANSFER OF FUNDS FROM INTERNATIONAL AIRPORT FUNDS FOR THE CITY'S CONTRIBUTION TO THE PROJECT.

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75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,458

AUTHORIZING A \$15,000.00 CONTRACT WITH ANDERSON AND LEWIS ADVERTISING, INCORPORATED, TO PERFORM CERTAIN WORK IN CONNECTION WITH THE ALCOHOL SAFETY ACTION PROJECT.

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The Ordinance was explained by Mr. William Donahue, Director of Human Resources and Services, who said that the recent 2 year extension of the Alcohol Safety Action Project included a component for public information and education. The purpose is to reduce the number and severity of alcohol related traffic accidents. This Ordinance covers a contract with Anderson and Lewis Advertising, Inc., to prepare visual and audio materials for use in the educational program. He recommended approval of the Ordinance.

Mayor Pro-Tem Teniente stated that he needs more information on this program as some of the factors in it are not clear. He asked that Mr. Donahue meet with him soon for a discussion.

After consideration, on motion of Mr. Cisneros, seconded by Mr. Billa, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,459

ACCEPTING THE GRANT AWARD OF \$113,022.00 FOR THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT FOR THE YEAR BEGINNING JULY 1, 1975; AUTHORIZING

EXECUTION OF THE APPLICATION THEREFOR AND
OF THE CONTRACT BETWEEN THE CITY AND THE
ALAMO AREA COUNCIL OF GOVERNMENTS FOR THE
PROJECT; ESTABLISHING A BUDGET FOR THE PRO-
JECT; APPROVING THE NECESSARY PERSONNEL
AND AUTHORIZING EXTENSION OF THE FIRST YEAR
PROJECT PAST JUNE 30, 1975.

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The Ordinance was explained by Mr. William T. Donahue, Director of Human Resources and Services, who said that it permits second year funding of this project. He explained the purpose of the program and recommended its approval.

Mr. Pyndus said that there is an expanded personnel shown in this project but no salary ranges are shown. He said that the salaries should be explained before the Ordinance is acted upon.

Other Councilmen agreed with Mr. Pyndus' expression and after discussion decided to delay action until the requested information was furnished.

Later in the meeting Mr. Donahue supplied Council members with a breakdown of the salary schedule and it was explained that these would be new probationary employees subject to the same personnel policies as other City employees.

The Council also discussed the transportation phase of this program.

Mr. Cisneros asked Mr. Donahue to explain what the program does to reach those elderly persons who live alone or with a family member.

Mr. Donahue said that the essence of this whole project is one of transportation and related statistics to show that all segments of the City are being served equitably. Most contacts are to individuals living alone or with relatives and few are with nursing homes.

Mr. Rohde suggested that the use of taxicabs might be feasible in this program when compared to the cost of staffing a transportation system.

Mr. Donahue said that he would take a look at it and make a comparison.

After consideration, on motion of Dr. Nielsen, seconded by Mr. Cisneros, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen; NAYS: None; ABSENT: Rohde, Cockrell.

75-39 The following Ordinance was read by the Clerk and explained by Mr. William T. Donahue, Director of Human Resources and Services, and after consideration, on motion of Mr. Hartman, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

AN ORDINANCE 45,460

AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE CRISIS CENTER OF SAN ANTONIO, INC., AND APPROPRIATING \$3,600.00 FROM THE RAPE CRISIS CENTER PROJECT FUND NUMBER 796-53, ACCOUNT NUMBER 79-60-53, EXPENSE NUMBER 2-55, PURSUANT THERETO.

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75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,461

ESTABLISHING AN ADVISORY COUNCIL OF THE CITY OF SAN ANTONIO RAPE CRISIS CENTER AND SETTING FORTH ITS COMPOSITION, FUNCTION AND DUTIES.

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The Ordinance was explained by Mr. William T. Donahue, Director of Human Resources and Services, who said that this Ordinance appoints an Advisory Council for the Rape Crisis Center to enlist community resources to assist in reducing the problem of rape to promote public awareness of the problem and the services available to the victims of rape. He read the list of organizations that would appoint a member of their body to serve on the Council.

Mr. Hartman suggested that the Bexar County Sheriff's Department should be included in the organization.

After consideration, on motion of Mr. Hartman, seconded by Rev. Black, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

75-39 The Clerk read a proposed ordinance authorizing submission of an application to the Criminal Justice Division of the Governor's Office for funding of the "Drop In" program for juveniles.

Mr. John Rinehart, Operations Manager for Monitoring and Evaluation, said that this project will provide an emergency shelter for juvenile offenders. It is expected that it will serve a minimum of 1000 referred juveniles in one year. The operating agency is United Citizens Project Planning and Operating Corporation. It will be operated out of the old Fannin School which is being purchased by the City. There is \$50,000 provided for needed renovation in Revenue Sharing Funds and another \$37,000 is included in this grant application.

Mr. Cisneros said that while he felt that this is a very good program frequently the neighbors surrounding this type of facility raise complaints. He said that the local neighborhood should be contacted and advised about safeguards being taken and the purpose of the project.

Dr. Nielsen said that consideration of this project should be delayed as the Bexar County Commissioners' Court is now studying its position regarding this type of program. He also said that there is only \$25,000 available from Revenue Sharing for the renovation work. He said that it is also doubtful that Criminal Justice Council funds are available now.

Mr. Bill Holchak, Executive Director of the Bexar Metropolitan Criminal Justice Council, explained the setting of priorities by the Governor's Office and said that it is true that this project is down on the priority list and funds are not set aside for it.

After consideration, Mr. Pyndus moved that the item be withdrawn from consideration until additional information is obtained. The motion was seconded by Dr. Nielsen and carried on the following roll call vote: AYES: Pyndus, Billa, Cisneros, Hartman, Teniente, Nielsen; NAYS: Black; ABSTAIN: Rohde; ABSENT: Cockrell.

75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,462

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE FOR FUNDING OF "PROJECT DETOUR" FOR MISDEMEANOR OFFENDERS.

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The Ordinance was explained by Mr. John Rinehart, Operations Manager for Monitoring and Evaluation, who said that the purpose of this project is to assist in the rehabilitation of offenders by providing gainful employment, counseling, job related education and training and supportive family services. These are offenders who have been convicted of high index crimes such as burglary, theft, aggravated assault, auto theft and robbery. The operating agency is the United Organization Coalition. Mr. Rinehart distributed revised attachments No. II with different salary recommendations for the staff of the project.

Mr. Pyndus questioned the wide disparity in the salary recommendation by U.O.C., the Personnel Department and the Monitoring and Evaluation Division.

Mr. Rinehart explained the reasoning that is used to establish salaries for new projects. The disparity is simply that there is a difference of opinion as to what the job should command.

After discussion, Mr. Cisneros moved that the Ordinance be adopted using the Personnel Department's recommendation and that it be considered as a fixed salary. The motion was seconded by Dr. Nielsen.

The following conversation took place:

MR. JOHN RINEHART: I would like to make this a matter of record because I've run into this before - an interpretation of this very same thing. What the Personnel Department has done and says this is the maximum top dollar salary for this position. Now, the Personnel Department in doing that is not saying when a new person comes in and fills that slot they immediately are eligible and qualified for that top dollar. In other words, you can't waive the personnel

rules which says a new employee starts at Step A and after 6 months goes to Step B. What I am saying is that a person comes into a position, say, the Operations Director, the maximum may be \$15,000 but at what range? That's the question we are left holding the bag. It's not range 45, it's not range 39. The Personnel Department has not assigned a range. All they said was this is top dollar. So, all I can do from that then is say if that is top dollar, what is top dollar in the pay plan - it's Step G. So, I find a range where Step G is \$15,000, I back up to Step A and that's what I'm going to hold these people to that are bringing that man in at six months of Step A.

CITY MANAGER SAM GRANATA: And as they get better they go to C, D, E, and that's what the need for merit increases are.

DR. D. FORD NIELSEN: I think if we do that, unless that's a final clear policy of the Council, we're just going to have continuing hassles.

MR. RINEHART: There is only one other way I can see it, and that would be if you set a salary, like the Personnel Department has done, set a maximum, and if the Council would agree pay that man the first day on the job that annual salary but with no raises - nothing. Now, the problem we get there is then you are violating City policy and the ordinances say they must follow City policy.

CITY MANAGER GRANATA: They have no incentive to try to get better either.

MAYOR PRO-TEM TENIENTE: I think that, as is the case with anything, whenever the salaries are scheduled everything is considered, the City Council can review that again in any program. Isn't that correct?

MR. RINEHART: The problem is you may be reviewing it all year long.

MAYOR PRO-TEM TENIENTE: Well, we do a lot of things all year long all the time.

MR. RINEHART: Well, my job is to try to prevent that from happening.

MAYOR PRO-TEM TENIENTE: I understand. I don't think we are going into any salary increases here.

MR. HENRY CISNEROS: I would like for my motion to be interpreted and my suggestion that the Personnel Department recommendation be accepted to be interpreted as a fixed salary and not as the top of a scale that goes from A to G.

DR. NIELSEN: What you are saying is that.....

MR. CISNEROS:pay on the first day.....

MR. RINEHART: And also the last day.

DR. NIELSEN: How do we address the question of the probationary period? I don't know whether any of these people are on probation now -

MR. RINEHART: This would be a new program. This is brand new.

CITY MANAGER GRANATA: They are all on probation for six months.

MR. RINEHART: There are no current people. There is no Project Detour operating right now.

REV. CLAUDE BLACK: May I say that I think also we might while I have no objection to the motion the fact is that we might be opening the door to review of salaries that have been regulated by an ordinance that was passed by the former Council. I would certainly think that if I was the director of an agency who had regulated my salary structure by that ordinance that I would be up here next week asking you to show the same kind of logical consideration to my salary structure that you are showing to this salary structure. So any variation - I'm simply saying to the Council any variation from the ordinance is going to encourage and will bring forth other agencies. If we want to do that then we should be prepared for that.

DR. NIELSEN: Of course, in this particular case there may be other CJC funded programs -- it's that old problem again, John, of multiple funding and who is to determine by what standards within even the fact that the City is responsible for it a salary level is determined? Criminal Justice Council may have opinions about it and the Governor's Office.

MR. RINEHART: The Ordinance that we follow specifies that the City pay plan and policy will be followed, not CJC. Before that project is ever submitted to CJC it is reviewed in respect to the City policy, not any policy CJC has.

DR. NIELSEN: That is not to deny the fact that CJC may have a policy. I don't know if they do or not.

MAYOR PRO-TEM TENIENTE: Let's try to move on, Mr. Cisneros.

MR. CISNEROS: If we pursue the direction of the Ordinance I just suggested what this allows us to do then is to come back and judge not only the salaries but more importantly the performance of the project. That will give us the basis on which we can make a decision on whether there is anything merited or not.

MAYOR PRO-TEM TENIENTE: We'll vote on this item then.

MR. PYNDUS: Has it been seconded?

MAYOR PRO-TEM TENIENTE: Yes.

MR. PYNDUS: I'd like to comment. Mr. Rinehart, I want to congratulate you on your attempt to keep salaries down. What we are voting on is your recommendation for \$80,000 and the one that's now being voted on for \$85,000. I think in your job as a monitor and evaluator you are doing what your job calls for, and I commend you. I think that we are not making a great enough attempt to hold the costs down on government spending. This is our money. It is not free. I wish to speak against this motion.

There is also a question that if we follow the Personnel Department's recommendation as suggested by Mr. Cisneros there is a position for \$12,000 for a manager and your recommendation shows that there would not be one. I'm wondering if we are taking that into consideration on the motion.

MAYOR PRO-TEM TENIENTE: If you would look into the thing also, Mr. Pyndus, the difference is \$5,000. There are four positions in the recommended salary structure under Monitoring and Evaluation that are omitted and there are only three over here and that does not make the difference up of the \$12,000.....

CITY MANAGER GRANATA: They are adopting your recommendation, are they not?

MR. RINEHART: They are adopting the Personnel Department recommendation.

CITY MANAGER GRANATA: Does it include the extra man that Mr. Hartman brought up?

MAYOR PRO-TEM TENIENTE: Yes, it does. But the difference is not in the \$12,000 in the total figure so they have tried to adjust in other areas.

REV. BLACK: I would like to express the fact that I am for this project and will vote for it, but I raise some serious concerns about CJC in what I call an inordinate imbalance - ethnic imbalance in the expenditure of their funds and the allocation of their projects. For this reason I come with some suspicion in terms of one project having no funds available and the other project having funds available. My suspicion grows out of the fact that when you look at the total allocation of funds of CJC there is an inordinate imbalance of ethnic representation. I don't think that you would have to take a great deal of research to find that out. So, I am voting for the project because I believe in the project, but I'd like to bring that matter to the attention of the Council and also to indicate that the matter will become of even greater serious concern unless we get some correction in the area.

MAYOR PRO-TEM TENIENTE: Thank you, Rev. Black. We shall vote on the recommendation.

AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen;
NAYS: Pyndus;
ABSENT: Cockrell.

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75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,463

ACCEPTING THE HIGH BID FOR LEASE OF CERTAIN CITY-OWNED PROPERTY FOR FARMING AND GRAZING PURPOSES, REJECTING ANY AND ALL OTHER BIDS AND AUTHORIZING A ONE-YEAR LEASE OF SAID PROPERTY TO VAN DE WALLE & SONS FOR A CONSIDERATION OF \$1,671.55.

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The Ordinance was explained by Mr. W. S. Clark, Director of R.O.W. and Land Acquisition, who said that this bid was advertised in accordance with City policy. This is land that was purchased for future use as a sanitary landfill and after that to be converted to some other civic purpose. Meanwhile it has been leased for grazing purposes. This is the first year the lease has been advertised for bid. Two bids were received and Mr. Clark recommended acceptance of the high bid.

Mr. Clark stated that worthwhile bids are never received for grazing rights except from abutting property owners. He said that he felt that it was a waste of time and money to advertise but asked for some direction from the Council as to future advertising for bids.

Mr. Pyndus asked for a written memo from Mr. Clark for the Council to consider.

City Manager Granata said that he preferred to advertise for everything and did not want to deviate from that policy.

Mr. Pyndus asked that Mr. Granata's feelings also be put in memo form.

After consideration, on motion of Mr. Pyndus, seconded by Mr. Cisneros, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Rohde, Teniente; NAYS: None; ABSENT: Billa, Hartman, Nielsen, Cockrell.

75-39 The following Ordinance was read by the Clerk and explained by Mr. W. S. Clark, Director of R.O.W. and Land Acquisition, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Cisneros, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Rohde, Teniente; NAYS: None; ABSENT: Billa, Hartman, Nielsen, Cockrell.

AN ORDINANCE 45,464

APPROPRIATING THE SUM OF \$78,050.00 OUT OF VARIOUS FUNDS, FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS, AND EASEMENTS OVER CERTAIN LANDS; AND ACCEPTING THE DEDICATION OF EASEMENTS OVER CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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75-39 Mayor Pro-Tem Teniente was obliged to leave the meeting and Councilman Rohde presided as Acting Mayor.

75-39 The following Ordinance was read by the Clerk and explained by Mr. Stewart Fischer, Director of Traffic and Transportation, and after consideration, on motion of Mr. Cisneros, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde; NAYS: None; ABSENT: Teniente, Nielsen, Cockrell.

AN ORDINANCE 45,465

APPROVING THE SECOND YEAR OF THE CAR-POOLING ENERGY CONSERVATION PROJECT, ACCEPTING A GRANT OF \$107,300.00 FROM THE STATE HIGHWAY COMMISSION FOR THE

PROJECT, AUTHORIZING TRANSFER OF UNEXPENDED BALANCES FROM THE FIRST YEAR OF THE PROJECT, APPROVING A BUDGET OF \$166,040.00 FOR THE PROJECT AND APPROPRIATING FUNDS, APPROVING A PERSONNEL COMPLEMENT FOR THE PROJECT AND AUTHORIZING A CONTRACT WITH SAID AGENCY FOR THE GRANT AWARDED.

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75-39 Mayor Pro-Tem Teniente returned to the meeting and presided.

75-39 The following Ordinance was read by the Clerk and explained by Mr. Clyde McCullough, Director of Personnel, and after consideration, on motion of Mr. Cisneros, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

AN ORDINANCE 45,466

APPROVING A SCHEDULE OF HOLIDAYS FOR THE FISCAL YEAR 1975-76.

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75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,467

ACCEPTING THE LOW QUALIFIED BID OF UTILITIES CONSOLIDATED, INC. OF \$402,588.96 TO CONSTRUCT PHASE II OF THE SALADO CREEK OUTFALL EXTENSION PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT AFTER ITS APPROVAL BY E.P.A.; APPROPRIATING THE ADDITIONAL AMOUNT OF \$425,820.00 IN THIS PROJECT; PROVIDING FOR AN ADDITIONAL CONTRIBUTION OF \$26,861.00 TO THE PROJECT FROM SEWER REVENUE BOND FUNDS, AND ACCEPTING \$398,959.00 IN ADDITIONAL GRANT FUNDS FROM E.P.A.

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The Ordinance was explained by Mr. Mel Sueltenfuss, Director of Public Works, who said that the action taken two weeks ago on prevailing wage rates does not apply in this case because this is classed as heavy construction. The project is the last phase of Salado Creek Outfall Main and is located between Jones-Maltsberger Road and San Pedro Avenue. He recommended approval of the ordinance.

In answer to Mr. Cisneros' question as to whether bids could be limited to San Antonio contractors, Mr. John Brooks, Purchasing Agent, said that there are state laws covering bid procedures. The City does not go outside of the metropolitan area to solicit bids but persons outside of the area cannot be prevented from putting in a valid bid.

After consideration, on motion of Mr. Hartman, seconded by Mr. Billa, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Black, Nielsen, Cockrell.

75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,468

APPROVING THE PRICE AND CONDITION OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL NO. C-C-28, CONTAINING APPROXIMATELY 8,060 SQUARE FEET, LOCATED WITHIN THE ROSA VERDE PROJECT, TEX. R-78, TO MARY C. WALSH, FOR THE SUM OF \$46,500.00.

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The Ordinance was explained by Mr. Winston Martin, Director of San Antonio Development Agency, who said that the property concerned is located at Commerce and Laredo Streets. It is being sold subject to rehabilitation requirements which were set out in the bid documents.

Two bids were received, \$48,763 and \$46,500. Urban Renewal Agency recommended acceptance of the lowest bid to Mary C. Walsh because her guarantee of development is in the best interest of the City.

Mr. Phil Hardberger, Attorney for Urban Renewal Agency, said that an injunction has been filed by the high bidder, Kline's, Inc., to prevent the sale to Mary Walsh. He said that Urban Renewal has every right to make the award to the party it deems has made the offer which is most to the City's interest.

Mr. J. Sam Levy, Attorney for Kline's, Inc., spoke in opposition to the ordinance. He said that Kline's bid was made in good faith and that Kline's can perform just as well as the Walsh interests. He said that it would be bad faith for the Council to reject the high bid and urged the Council not to act on the ordinance.

After consideration, on motion of Mr. Billa, seconded by Mr. Cisneros, the Ordinance was passed and approved by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde; NAYS: Pyndus, Teniente; ABSENT: Nielsen, Cockrell.

75-39 The following Ordinance was read by the Clerk and explained by Mr. John Rinehart, Operations Manager for Monitoring and Evaluation, and after consideration, on motion of Rev. Black, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

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AN ORDINANCE 45,469

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE WEST END BAPTIST CHURCH TO OPERATE A SENIOR CITIZENS NUTRITION PROJECT FROM JULY 1, 1975 TO JUNE 30, 1976; ESTABLISHING A FUND FOR THE PROJECT; APPROPRIATING FUNDS THEREFOR; AND AUTHORIZING PAYMENT OF \$23,500.00 FROM FEDERAL REVENUE SHARING 6TH ENTITLEMENT PERIOD FUNDS IN PARTIAL FUNDING OF THE PROJECT.

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75-39 The Clerk read the following Ordinance:

AN ORDINANCE 45,470

AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 624 IN ACCORDANCE WITH THE FIRE AND POLICE EMPLOYEE RELATIONS ACT.

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The following conversation took place:

MR. CLAUDE McRAVEN: This Ordinance authorizes the City Manager to enter into an agreement with Local 624 of the International Association of Firefighters. The proposed agreement was arrived at through collective bargaining in accordance with the new state law known as the Fire and Police Employee Relations Act. The various articles of the agreement have been discussed in detail with most members of the Council, however, as the ordinance notes there are two issues which could not be agreed to by bargaining teams. Therefore, if the Council ratifies the agreed to issues, we assume that the two unresolved issues will be settled by a local district court. Since the next step of the firefighters is to ask for a final and binding arbitration and the City has already decided not to go this route. Nevertheless, we recommend the agreement as written. It is felt that the agreement fulfills the City's responsibility to bargain in good faith but that it does not contain any concession which is not in the best interest of the City. We recommend approval of the ordinance.

MR. HENRY CISNEROS: I move adoption of the ordinance and would like also in the process to commend, this is not part of the motion, but I would like to commend the City negotiating team on arriving at what I think is an equitable contract to both sides, one that sets a good precedence for future negotiations between the City and its labor organizations.

MR. GLEN HARTMAN: I would like to second the motion with the further statement that while I feel somewhat hesitant about acting upon what I consider still an incomplete matter, nevertheless I'm always in favor of resolving that which can be resolved and moving on to the portion that is not yet resolved.

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The contract, as stated, of course, itemizes the two points that are unresolved, namely the wages, salary problem and the matter of parking. However, inasmuch as I again second the statement with regard to the negotiating team, I think, did a very fine job inasmuch as we do have these points that are agreeable and perhaps in the interest of clearing them from the docket, so to speak, let us get on to concentrating on the two unresolved items, I would second the motion.

MR. PHIL PYNDUS: I would like to speak against the ordinance. The ordinance itself proposes that 24 of 26 demands be approved by the Council. Certainly this shows that the City has bargained in good faith. However, I think the job is left unfinished. It leaves unresolved the item that the City should grant a six percent across the board salary increase effective on the first pay period beginning on or after August 1, 1975. It also states, and this is also unresolved, that the City should grant a two percent across the board increase effective on the first pay period beginning on or after February 1, 1976. Now, these two unresolved issues represent quite a large amount of money. The 24 issues that have been granted also constitute some cost to the City. I think they would be effective in case the court which this ordinance also points out, these unresolved issues will be ultimately resolved by a local district court and will be binding upon the City. I think rather than stand the chance of the court granting these two issues and increasing the overall package, I think the City Council should advise or should vote against the ordinance and let the entire package be placed in the district court rather than put a parcel of the contract into the court hands.

MR. AL ROHDE: Mr. Mayor, I'd like to address myself to the ordinance that I do feel the City Manager staff has given the Fire Department a fair shake to the citizens in the 24 items. As City Councilman for Place 6, I call on my Fire Department to withdraw these other two demands as soon as this contract is signed in the interest of all citizens of San Antonio because I do feel one is a major issue, the other one is a very minor issue. I do feel this City Council will address itself to a pay raise for all 6900 City employees in due time and I see no reason why these two items should go to court. If they do this, I do feel that they've got a real good shake from the City Manager's office and from the citizens of San Antonio. This is their first bargaining package and I want to commend both sides for trying to reach unity on these 24 items. I will urge and I do so publicly that they withdraw the other two so we don't have a matter that is going to the district courts on this first time that these negotiations have taken place under this climate. Thank you.

MR. BOB BILLA: I just wanted to state, Mr. Mayor, that I'm in agreement with the ordinance except that I've given a lot of thought to this parking situation. I think the bargaining team did an excellent job but I think when you deny firemen working at these two places in question that they're being discriminated against. Now I don't relate them to other City employees. I would like to see that problem resolved that they be granted parking at these two places of employment because they are provided parking at all other stations at no cost to them otherwise I think it's an excellent ordinance and I would let the courts decide.

MR. CISNEROS: I wonder whether we might be able to get some indication from Mr. McRaven as to the timing involved in the next step, the court related steps, if we were to act on accepting the 27.....

MR. McRAVEN: This law has never been by the court and I would defer to our City Attorney but I think that we just don't know.

CITY ATTORNEY CRAWFORD REEDER: I can't improve on that answer.

MR. CISNEROS: Are we talking about months or weeks or days?

CITY ATTORNEY REEDER: Well, Mr. Cisneros, I really can't answer. You're not talking about two weeks.

REV. CLAUDE BLACK: I am in support of the ordinance but I would like to know the impact of the 24 points in which we are in agreement upon the other employees of the City of San Antonio. Are we saying then the firemen are an elite group within the City structure in terms of advantages and what I am really after is does this set a guideline that is going to either demand that other City employees get the proper legislation for their own negotiations or are we simply resolving the issues as they come along? How do you see this in terms of its impact upon other City employees in San Antonio?

MR. McRAVEN: I frankly feel that within short order, a year or so, all City employees will be granted collective bargaining rights and that we will be bargaining with many different unions here in the City.

CITY MANAGER SAM GRANATA: Mr. Mac, in a more direct answer to the Reverend's question though, is it not a fact that this just merely gives the firemen everything that they've been getting anyway, just makes it legal. Other employees, for example, on the death benefits we get three days and they wanted four and went to two or what is the death benefit now?

MR. McRAVEN: They wanted three days and we said we would guarantee two but with the option of the chief or yourself authorizing the third.

CITY MANAGER GRANATA: Right, and the other City employees have the three days now?

MR. McRAVEN: It's no more liberal than the policy is at present. I can't say that the firefighters didn't gain any.....

CITY MANAGER GRANATA: The only place that they're elite as opposed to the others is, and correct me if I'm wrong, is where the state statutes governs them and does not - for example, uniform allowance, not all City employees have a uniform allowance, some do but not all City employees need a uniform allowance and that kind of thing.

REV. BLACK: One of the reasons I raised this question, it seems to me that we must begin now to prepare the citizens of San Antonio to recognize that they are going to have to come up with additional revenue if they are going to meet the demands or the requirements that are laid upon us as a City for improving the living standards of those persons employed by the City. Unless we make that clear, it seems to me that the adoption of these 24 points will be lost in terms of getting that message over to the citizens of San Antonio.

MR. PYNDUS: I think that we're setting a bad precedent with regards to collective bargaining. I think to take a portion of the negotiations and declare them complete and submit them to court without recourse is not the proper way to bargain the entire package. As I said, I would go against this ordinance.

MR. ROHDE: I'd like to ask the City Manager to address himself to this thing because we've not given him the opportunity to say how he feels about it.

CITY MANAGER GRANATA: Sir, my recommendation is that the ordinance be passed otherwise it wouldn't have been placed on the agenda.

MR. RICHARD TENIENTE: Okay, all right, we'll accept that. However, I too have to make a statement because I have to feel that in supporting this ordinance that I am helping a group of City employees. But I too feel, as Rev. Black stated, what we are doing is saying to a small group or fine group of people that we are supporting some of the demands and yet we have some of our garbage workers, some of our people that are in other positions that don't have these rights that are not being heard and they are being heard, I should say, but we're telling them we don't have any money for them. I don't know what point this addresses to but if the court decides that we do have to grant the firemen this raise, we darn better well be sure that we've got money to handle all of the other employees because if we don't we're in bad shape. I will call for the question.

AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: Pyndus; ABSENT: Nielsen, Cockrell.

75-39 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Nielsen; NAYS: None; ABSENT: Teniente, Cockrell.

AN ORDINANCE 45,471

ACCEPTING THE LOW QUALIFIED BIDS OF EAGLE SIGNAL CORPORATION AND ECONOLITE CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH TRAFFIC CONTROL EQUIPMENT FOR A NET TOTAL OF \$5,657.40.

* * * *

AN ORDINANCE 45,472

ACCEPTING THE LOW QUALIFIED BID OF LAROUSSE AND CO., INC. TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR LIBRARY SPANISH BOOKS.

* * * *

75-39 Item 21 of the agenda being a proposed ordinance adopting Council policy regarding the aquifer was withdrawn from consideration at the request of the City Manager.

75-39 The meeting recessed for lunch at 12:00 o'clock and reconvened at 2:10 P. M.

75-39

CITIZENS TO BE HEARD

RAUL RODRIGUEZ

Mr. Raul Rodriguez, 719 Delgado, said that when Mrs. Mary Jenkins appeared before the Council two weeks ago concerning the shooting death of her son last year, the Council gave her a brush-off. He also complained that the Fire and Police Civil Service Commission does not publicize their meetings and has no telephone listing.

Mr. Clyde McCullough said that the meetings are well publicized on the main bulletin board at City Hall and a large sign is posted on the door of the Commission's meeting room.

STEPHEN HARVESTY

Mr. Steven Harvesty, 317 Pendleton, spoke again about the need to find a different method of financing of City Public Service Board bonds.

KARL WURZ

Mr. Karl Wurz, 820 Florida, said that he has criticized the Urban Renewal Agency many times but to no avail. The Council refuses to do anything about it in spite of the fact that it has the power. He also spoke of the fine credentials held by Mr. Charles Stromberg and the need to have planners who are equally qualified.

MR. TOM CULBERTSON

Mr. Tom Culbertson, 437 W. Magnolia, spoke of the need for more spacious meeting rooms for the City Council and the City Water Board. He asked the Council to consider very carefully the request of the City Water Board for a rate increase. (A copy of Mr. Culbertson's prepared statement is included with the papers of this meeting.)

75-39 Mayor Pro-Tem Teniente read the following resolution:

A RESOLUTION
NO. 75-39-62

EXPRESSING THANKS AND APPRECIATION TO
PRESIDENT LUIS ECHEVERRIA AND THE REPUBLIC
OF MEXICO FOR THE OFFICIAL GOODWILL VISIT
OF THE STATE OF MEXICO SYMPHONY ORCHESTRA.

* * * *

Mr. Teniente invited Consul General Raul Gonzalez Galarza to the stage where he introduced him to other Council members and presented him with an official copy of the resolution.

Mr. Galarza thanked the Council for this expression of appreciation and promised to give the resolution to President Echeverria upon his return to Mexico.

75-39 Mayor Pro-Tem Teniente was obliged to leave the meeting and Dr. Nielsen presided as acting Mayor.

75-39 CITIZENS TO BE HEARD (Continued)

REV. VAN B. GILL

Rev. Van B. Gill, 4842 Highway 90 East complained that it is difficult for citizens to wait all day to have a chance to speak briefly to the Council. He asked the Council to consider rearranging its schedule.

Rev. Gill then asked for a status report on the matter of Police Officer Jack Kraus.

City Manager Granata advised Rev. Gill that Officer Kraus had been indefinitely suspended and had appealed the suspension to the Fire and Police Civil Service Commission. The hearing is scheduled for July 22, 1975.

The City Attorney has ruled that it is legal for a police officer to carry weapons in a bar when off duty and the Police Chief has stated he wishes them to be armed at all times.

Rev. Black asked Chief Peters about repeat violations by police officers.

Chief Peters said that if an officer shows signs of being unfit for duty in one position, he can be reassigned or in some cases reevaluated. He explained the procedure in accomplishing this.

Responding to Rev. Gill's complaint, Mr. Pyndus asked if the Council might consider changing the agenda to accommodate citizens possibly by scheduling them immediately after lunch.

S. A. POLICE OFFICERS ASSOCIATION

Mr. Jerry Clancy, President of San Antonio Police Officers Association, said that he had several requests to make of the Council. He requested that the following be considered which altogether would cost about \$833,000:

1. Establishment of a 5 year patrolman slot with a 5 percent pay differential over patrolmen with less seniority.
2. A 3 percent pay differential for night shifts.

3. A \$100 increase in clothing allowance.
4. An additional 5 days vacation after 10 years of service.
5. Four holidays be paid double time.

* * * *

75-39 The meeting recessed at 3:00 P. M. to go into executive session and reconvened at 5:15 P. M.

75-39 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Black, Cockrell.

AN ORDINANCE 45,473

APPOINTING MRS. RUTH SMOLLEN A MEMBER OF THE BOARD OF DIRECTORS OF THE ECONOMIC OPPORTUNITIES DEVELOPMENT CORPORATION OF SAN ANTONIO AND BEXAR COUNTY TO REPLACE MR. ALAN ABE WHO HAS RESIGNED, FOR THE UNEXPIRED TERM ENDING JUNE 30, 1976.

* * * *

AN ORDINANCE 45,474

CONCURRING IN APPOINTMENTS AND REAPPOINTMENTS OF MEMBERS TO THE INSURANCE ADVISORY COMMITTEE.

* * * *

Reappointing Mr. R. Barclay Harding and Mr. R. H. Bryson. Appointing Mr. Travis D. Baily, Jr., Mr. Ralph R. Cardenas, and Mr. Gary Mathis as replacements for Mr. Riley, Mr. Beery, and Mr. Wolf, effective July 31, 1975 for terms expiring on July 31, 1977.

75-39 The Clerk read the following letter:

July 3, 1975

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

Madam and Gentlemen:

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

July 10, 1975
el

June 30, 1975

Petition submitted by Mr. and Mrs. Allen N. Krejci, 12619 Middle Lane, and signed by residents of the 12500 Block of Cisco, 12600 Middle Lane, and 12700 Skyline Streets, requesting that the City of San Antonio accept ownership of said streets.

/s/ J. H. INSELMANN
City Clerk

* * * *

There being no further business to come before the Council, the meeting adjourned at 5:30 P. M.

A P P R O V E D

Lela Cochell

M A Y O R

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

July 10, 1975
el

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