

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JULY 18, 1974.

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The meeting was called to order at 8:30 A. M., by the presiding officer, Mayor Charles L. Becker, with the following members present: COCKRELL, SAN MARTIN, BECKER, BLACK, LACY, MORTON, O'CONNELL, PADILLA, MENDOZA; Absent: NONE.

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74-34 The invocation was given by Mr. Roy F. Osborne, Sunset Ridge Church of Christ.

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74-34 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

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74-34 The minutes of the meetings of July 9 and July 11, 1974, were approved.

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74-34 NOTICE OF SPECIAL COUNCIL MEETING

Mayor Becker announced that he was calling a Special Meeting of the City Council to be held at 12:00 o'clock noon on Wednesday, July 24, 1974, in the Council Chamber at City Hall for the purpose of canvassing the returns and declaring the results of a Special Election on the question of bargaining rights and arbitration for the firefighters.

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74-34 The Clerk read the following Ordinance:

AN ORDINANCE 44,059

PROVIDING FOR A NOTICE OF SALE AND  
THE TERMS AND CONDITIONS OF SALE OF  
\$85,000,000 CITY OF SAN ANTONIO  
ELECTRIC AND GAS SYSTEMS REVENUE  
IMPROVEMENT BONDS, SERIES 1974.

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Mr. Sam Maclin, Bond Consultant for City Public Service Board, said that in the last week there has been a modest improvement in the bond market. There has been a request by the two bidding groups that the \$85 million bond issue be readvertised at the earliest possible date and reoffered as they were previously offered. The earliest possible date would be August 1, 1974. This Ordinance is in response to that request for readvertisement.

Mr. Maclin said also that there is no assurance what the situation will be on August 1. He said he was recommending other action to assure the orderly borrowing of the \$85 million. A second ordinance is being offered to cover the alternate plan. It removes the seven percent limit and would permit the sale of the bonds in one or more installments. If a 7 percent bid is not received on August 1, the second ordinance will provide for the reoffering of the bonds under terms and conditions which will assure the financing.

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Mr. Padilla and Dr. San Martin questioned the wisdom of passing the second ordinance at this time.

Mr. Maclin stated that he had considered this but is convinced that in his judgment there would be no pernicious effect by having the two ordinances simultaneously.

Mrs. Cockrell made the following statement:

"Mr. Mayor, I would like to make a statement at this time. I plan to vote for the issue. I voted for the rate increase. I voted for the other issuance of bonds. I do want to make this point at this particular time.

When the matter was first introduced by CPS, my first recollection of it was that it came in a Board meeting that I attended at CPS, was the matter that a rate increase was going to be needed in the future - in the near future they were stating at that time - in order to provide the funds for the capital improvements that were needed and the building of the coal plant, and other things. I stated at that time that in my mind we must also face the issue of filing a lawsuit for damages on behalf of the consumers of the City Public Service Board. In my mind those two actions are very closely linked. I feel that at the time any rate increase or any bond are considered we must also consider the matter of the suit for damages on behalf of the consumers and on behalf of CPS.

I think the history of this matter is well known. The City Council and the City Public Service Board have reviewed this with their attorneys. A decision was made to proceed vigorously in the Railroad Commission feeling that we must first seek administrative remedy. In a sense we were pursuing our case in the Railroad Commission seeking as much help as we could get from the Commission. I will say that as one Council member I have been disappointed that we have not yet received the full help that I feel we could from the Railroad Commission.

At any rate in January of this year, the City Council affirmed its desire to proceed with two lawsuits. One of these was an intervention in the Houston District Courts in a case that Pennzoil had filed against Lo-Vaca - Coastal, etc., and also Tufco asking that those contracts be set aside which we felt disadvantageous to San Antonio consumers along with other earlier customers. This intervention was filed in February. At the same time we also asked our attorneys to proceed as expeditiously as possible in view of the proceedings in the Railroad Commission with this suit for damages.

This spring several of us have continued to ask - I'm sure every member of the Council has been interested in the progress of this case. I know it has taken a considerable amount of time. It takes a lot of research. It is, I understand, a 60 page document.

In voting for the ordinances this morning, I am going to reaffirm my desire that that lawsuit be filed at the most expeditious time - that it be filed just as quickly as possible. I am relying and am confident that the members of the Board at the City Public Service will do this. I will state that I am not hung up on any one day such as today or tomorrow but I am hung up on a reasonably short time. I am stating in voting for this that I am taking full recognition that the final sale of the bonds will again depend upon a vote of the City Council. Am I correct that we will have the right to vote again on the final sale of the bonds? "

MR. SAM MACLIN: Yes, madam.

MRS. COCKRELL: Thank you. With that statement I will conclude.

MR. MENDOZA: Mr. Mayor, mine will be a very brief statement. I would like to just say that for the record I would like to take the same position that Mrs. Cockrell has taken. I will vote for it, but I wanted to qualify my vote.

DR. SAN MARTIN: Mr. Mayor, I just want to say that when I introduced the resolution on January 31 of this year which was supported unanimously by the City Council, it was my understanding, it was my sincere belief and I also felt that it was the sincere belief of every member of this Council who voted unanimously that this was not merely a window dressing type of resolution or public relations type of resolution. We really meant to proceed expeditiously with legal action. I just want to join Mrs. Cockrell and assure the citizens of San Antonio that we are not merely spinning our wheels or trying to look good or trying to make things easier for ourselves; I think that we should assure the citizens of San Antonio that we mean every word we said back on January 31st and that is still the same position that we have at this time.

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After consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, the Ordinance was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Mendoza; NAYS: Black, Padilla; ABSENT: None.

74-34 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Mendoza; NAYS: Black, Padilla; ABSENT: None.

AN ORDINANCE 44,060

DIRECTING THE GIVING OF NOTICE OF THE INTENTION OF THE COUNCIL OF THE CITY OF SAN ANTONIO TO PROVIDE FOR THE EXTENSION AND IMPROVEMENT OF THE ELECTRIC AND GAS SYSTEMS OF THE CITY AND TO ISSUE REVENUE IMPROVEMENT BONDS TO PAY THE COST THEREOF.

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74-34 REPORT ON ALLEGATIONS BY MR. RUDY ZIMENEZ

Mayor Becker called to the attention of the news media a report by Finance Director Carl White concerning allegations made by Mr. Rudy Zimenez at last week's Council meeting. On the day following the Council meeting another meeting was held in the Office of County Tax Assessor Charles Davis to consider these allegations. Mr. Ximenez attended that meeting. All of Mr. Ximenez' charges were found to be erroneous and with no substance. (A copy of Mr. White's report is included with the papers of this meeting.)

74-34 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: Cockrell, San Martin, Becker, Black, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Mendoza.

AN ORDINANCE 44,061

AUTHORIZING EXECUTION OF A LEASE AT SAN ANTONIO INTERNATIONAL AIRPORT TO JOHN BURKE D/B/A BURKE AVIATION.

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AN ORDINANCE 44,062

MANIFESTING AN AGREEMENT AMENDING THE CONTRACT WITH CHAPARRAL TRAVEL FOR LIMOUSINE SERVICE AT INTERNATIONAL AIRPORT.

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Mayor Becker asked Mr. Raffety if the cab companies operating out of International Airport are being more cooperative in transporting fares. There had been recent reports of cab drivers refusing fares because they were not going far enough.

Mr. Raffety said that when complaints are received they are discussed with the cab companies who in turn take the matter up with the drivers. For a time this seems to stop the complaints. Other than that there is no control.

City Attorney Crawford Reeder said that the City Code requires cab drivers to transport fares wherever they wish to go. If they fail to do so, he recommended that the company's license be suspended.

Mayor Becker directed that this part of the Code be brought to the attention of the cab companies at once.

74-34 The following Ordinance was read by the Clerk and explained by Mr. Ron Darner, Director of Parks and Recreation, and after consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 44,063

EXTENDING FOR A THREE-YEAR PERIOD THE CURRENT CONTRACT WITH R. E. YARBROUGH AND COMPANY FOR THE TERRESTRIALSCOPE CONCESSION CONTRACT AT INTERNATIONAL AIRPORT AND SUNKEN GARDENS.

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The Clerk read a proposed ordinance repealing Ordinance No. 38330 and establishing a revised use policy for the Sunken Garden Theater.

The Ordinance was explained by Mr. Ron Darner, Director of Parks and Recreation, who said that the new guidelines for use of the theater were:

1. Limited to events sponsored or co-sponsored by the City and to events sponsored by non-profit organizations.
2. No rental fees will be charged.
3. No admission charges will be permitted.
4. User will provide clean up.

\* \* \* \*

Mr. Darner said that a number of local organizations have been contacted and have agreed to perform in the theater free of charge.

The matter of controlling sound in the theater as well as in other public areas was discussed at length. Excessive sound has been the cause of numerous complaints from persons living near the theater.

Mrs. Cockrell said that one complaint that has been received recently concerns the problems caused by the vast numbers of people attending functions at the Theater or other park areas. The problem relates to enforcement of security and maintenance. She asked that she be given a report before next week's budget hearing concerning staffing levels in the Parks Department for maintenance and security.

Mr. Tom Martin, representing Mr. Joe Miller, owner of Jam Enterprises, Inc., stated he has put on many rock concerts in San Antonio and in the county. Mr. Martin contended that the ordinance discriminates against profit oriented organizations who might wish to use the outdoor theater. He asked that action on this ordinance be postponed 30 days during which time his client and other interested businessmen could meet with the staff and work out an ordinance which would effectively control the situation but would still allow use of the facility by profit oriented groups.

After discussion, Council members decided to postpone action on this ordinance for 30 days during which time no bookings would be made for events unless they were co-sponsored by the City.

74-34 The following Ordinance was read by the Clerk and explained by Mr. George Vann, Director of Building and Planning Administration, and after consideration, on motion of Mr. Morton, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Mendoza.

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## AN ORDINANCE 44,064

GRANTING PERMISSION TO DR. ORVIS E. MEADOR, JR., TO ERECT A 7' 8" PRIVACY FENCE ALONG THE EAST PROPERTY LINE AND 8' PRIVACY FENCE ALONG THE NORTH PROPERTY LINE OF THE PREMISES AT 151 CAVE LANE.

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74-34 Item Nos. 6 and 7 of the Agenda being ordinances declaring structures on the premises at 214 Callaghan and 302 Mary to be "dangerous buildings" and authorizing their demolition were withdrawn from consideration at the request of the City Manager.

74-34 "DANGEROUS BUILDING - 618 E. Euclid"

The Clerk read a proposed Ordinance declaring that the structure on the premises at 618 East Euclid is a "dangerous building" and authorizing its demolition.

Mr. George Vann, Director of Building and Planning Administration, stated that the owner of the property is Louis Miller, 111 West Travis. Mr. Vann reviewed the contacts made with Mr. Miller and the notices which had been sent to him. The building is located across the street from Stephen F. Austin Elementary School. There have been many complaints from the neighborhood concerning this structure.

Mr. Marvin Miller, representing his father, said that he had been trying for several months to obtain a building permit but the permit has been refused. If the City would issue a permit the structure would be repaired.

Mr. Vann said that Mr. Miller has never agreed to do all that is required to bring the structure up to minimum standards.

Mr. David Cadena, Senior Inspector, read excerpts from the Building Code and explained what is needed in the way of repair. He estimated that it would cost \$10,000 to repair the building.

In answer to Mr. Padilla's question, Mr. Miller said that he would be willing to sign an affidavit to the effect that he will repair the house and bring it up to minimum standards within 90 days.

After consideration, Mr. Padilla moved that in view of the agreement by Mr. Miller to bring the house up to standard within 90 days, action on this ordinance be delayed for 90 days. The motion was seconded by Dr. San Martin and carried by the following roll call vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, O'Connell, Padilla; NAYS: Morton, Mendoza; ABSENT: None.

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## AN ORDINANCE 44,065

DECLARING THAT THE STRUCTURE ON THE PREMISES AT 620 WEST EUCLID IS A "DANGEROUS BUILDING" AND PRESENTS AN IMMEDIATE DANGER TO THE LIFE OR SAFETY OF INDIVIDUALS WHO COME INTO CONTACT WITH IT; AUTHORIZING AND DIRECTING THE DIRECTOR OF HOUSING AND INSPECTIONS TO CAUSE THE IMMEDIATE DEMOLITION OF SAID STRUCTURE.

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The Ordinance was explained by Mr. George Vann, Director of Building and Planning Administration, who said that this building is on the property adjoining the case just previously discussed. It is owned by the A & M Produce Company. He described the condition of the building and stated that being across the street from Stephen F. Austin Elementary School it does constitute a hazard to the school children.

The owner has stated that he does not care to do anything about the building. He recommended adoption of the Ordinance.

No one spoke in opposition.

After consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, the Ordinance was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Morton.

74-34 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Mr. Morton, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: Cockrell, Becker, Black, Lacy, Morton, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: San Martin.

## AN ORDINANCE 44,066

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH PAPE-DAWSON CONSULTING ENGINEERS, FOR ENGINEERING SERVICES IN CONNECTION WITH CONSOLIDATED FREIGHTWAY TERMINAL SUBDIVISION OFF-SITE SANITARY SEWER MAIN; APPROPRIATING THE SUM OF \$5,344.75, WITH \$5,090.25 PAYABLE TO PAPE-DAWSON CONSULTING ENGINEERS, AND \$254.50 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT.

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74-34

CITIZENS TO BE HEARDREV. WILBURN JONES

Reverend Wilburn Jones, speaking for the San Antonio Ministers and Citizens Consumer Association, read a prepared statement asking relief for poor people from the hardships caused by the increase in electric rates. His statement made certain demands on the Council relating to the City Public Service Board. (A copy of Rev. Jones' statement is included with the papers of this meeting.)

REV. D. H. HALL

Rev. D. H. Hall spoke in support of Rev Jones' statement and urged that a black person be appointed to serve on the City Public Service Board.

74-34 Mayor Becker was obliged to leave the meeting and Mayor Pro-Tem Alvin Padilla presided.

MR. AL ABREGO

Mr. Al Abrego, Guadalupe Community Center, said that he has been made aware of the extreme difficulty people are having in paying their bills, particularly the utility bills. In some cases, people don't have enough money left to buy food stamps. He asked that somehow the Council establish an emergency fund to assist these poor people.

Dr. San Martin pointed out that everything is inflated, not just the utility bills. People should write to the President and Congress and urge them to take effective action.

MR. JAMES WALTERS

Mr. James Walters, Vice President of the A. Phillip Randolph Institute, also spoke of the plight of the poor people facing the high utility bills.

MRS. ESTHER GARCIA

Mrs. Esther Garcia, President of San Antonio Welfare Rights Organization, asked that funds which were to be allocated to the Chamber of Commerce in the amount of \$201,000, the Museum Association and the Zoological Society be used instead to assist poor people to pay the increased utility bills. The Welfare Rights Organization also asked that the City provide it with office space in the Westside Multi-Service Center furnished with desks, chairs and file cabinets at no charge.

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MRS. JO ANN GUTIERREZ

Mrs. Jo Ann Gutierrez spoke as a member of the San Antonio Welfare Rights Organization in support of statements made by Mrs. Esther Garcia. She said that she felt that some funds should be coming from the State as well as the City and asked the Council to pass a resolution supporting this. Mrs. Gutierrez said that some people cannot buy food stamps if they are forced to pay their utility bills. She said that a person in the audience had an electric bills that went from \$30 to \$219.

Mrs. Cockrell said that anyone who has an extremely abnormal bill should call City Public Service to investigate and possibly re-read the meter. She reviewed for Mrs. Gutierrez the factors that have had an impact on the utility bills. She also explained the policy of CPS to assist in hardship cases and the time payment plan which is available.

Mr. Padilla said that the time payment CPSB has set up is helpful but it may not be adequate for all people that are affected. He asked that the City Manager instruct the Department of Human Resources to try to determine the extent of the problem in terms of the number of people affected.

Rev. Black supported Mr. Padilla's request. According to CPS most complaints received come from middle income groups. Human Resources Department should determine the situation of persons on welfare or on a fixed income.

Mrs. Gutierrez said also that the City Welfare Department has very stringent requirements and a person must be in very dire need before getting any benefits.

Mr. Padilla asked the City Manager to report on criteria used to determine need.

MRS. RENA McCALLEB

Mrs. Rena McCaleb, Director of National Welfare Rights Organization in Texas, asked that the Council pass a resolution in support of a resolution her Organization is submitting to the San Antonio Legislative Delegation. She also supported the request that \$201,000 which was to be allocated to the Chamber of Commerce be used to help poor people.

Mr. Padilla assured Mrs. McCaleb that the magnitude of the problem is under study and that her petition will be studied by the Council.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 729 McKinley Avenue, said that she had discovered just today that the discussion concerning planned building groups took place last week in "B" Session. She said that she had mistakenly informed her group that the matter would be discussed on July 24. She reviewed for Mr. O'Connell the ongoing problem with a large tract of land in the southeast part of town. She reviewed the history of this part of the Zoning Ordinance and said that she will have all of the interested persons present on August 1st to talk to the Council when the public hearing is held.

REV. CLIFTON BYRD

Rev. Clifton Byrd, President of the San Antonio Ministers and Citizens Consumer Association, spoke regarding the high utility bills. He supported allegations made earlier in the meeting that the City Public Service Board is not racially balanced and is therefore illegal. He asked that no bonds be authorized by the Council until there is a Black member on the Board. He also asked for another public hearing for poor people so that they can make suggestions.

(Mayor Becker returned to the meeting and presided.)

Mayor Becker explained the overall situation concerning electric rates and the need for additional revenues. He assured Rev. Byrd that everything possible is being done to alleviate the situation.

MR. WILLIAM WALLACE

Mr. William Wallace said that relief could be given to the poor people by using the 14 percent that the City gets from City Public Service Board. He referred back to his plan for Project NOW which he proposed to the Council on July 11. He asked that no more electric services be disconnected until the whole utility matter is settled.

Mayor Becker assured Mr. Wallace of the Council's intense interest in the matter.

74-34 The meeting recessed for lunch at 12:30 P. M., and reconvened at 1:55 P. M.

74-34 The meeting was reconvened and called to order by Rev. Black in the temporary absence of Mayor Becker and Mayor Pro-Tem Padilla.

74-34 ZONING HEARINGS

D. CASE 5599 - to rezone Lots 1 and 2, Block 2, NCB 7342, 600 Block of Fair Avenue, from "B" Two Family Residential District to "B-2" Business District, located southeast of the intersection of Fair Avenue and Piedmont Avenue; having 114' on Fair Avenue and 120' on Piedmont Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mrs. Cockrell made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected on the south and east property line and that proper replatting is accomplished. Mr. Mendoza seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Becker, Padilla.

AN ORDINANCE 44,067

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 LOTS 1 AND 2, BLOCK 2, NCB 7342, 600 BLOCK OF FAIR AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE SOUTH AND EAST PROPERTY LINE AND THAT PROPER RE-PLATTING IS ACCOMPLISHED.

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E. CASE 5610 - to rezone the east 20' of Lot 23 and the west 32' of Lot 24, Block 18, NCB 9238, 2719 Culebra Road, from "B" Two Family Residential District to "B-2" Business District, located on the north side of Culebra Road, being 195' west of the intersection of General McMullen Drive; having 52' on Culebra Road and a depth of 115.4'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mrs. Cockrell made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected on the west and north property lines and that proper replatting is accomplished. Mr. Morton seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Becker, Padilla.

AN ORDINANCE 44,068

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 THE EAST 20' OF LOT 23 AND THE WEST 32' OF LOT 24, BLOCK 18, NCB 9238, 2719 CULEBRA ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE WEST AND NORTH PROPERTY LINES AND THAT PROPER REPLATTING IS ACCOMPLISHED.

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F. CASE 5611 - to rezone Lot 34, Block 3, NCB 11189, 300 Block of Palo Alto Road, from "B" Two Family Residential District to "B-2" Business District, located northwest of the intersection of Palo Alto Road and Hopi Street; having 50' on Palo Alto Road and 150' on Hopi Street.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Mendoza made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected on the west property line and that proper replatting is accomplished. Mr. Lacy seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Becker, Padilla.

AN ORDINANCE 44,069

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 34, BLOCK 3, NCB 11189, 300 BLOCK OF PALO ALTO, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE WEST PROPERTY LINE AND THAT PROPER REPLATTING IS ACCOMPLISHED.

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G. CASE 5612 - to rezone Lot 7, NCB 11268, 8200 Block of Somerset Road, from "B" Two Family Residential District to "B-3" Business District, located on the northwest side of Somerset Road, being 2692.04' northeast of the intersection of South Panam Expressway (I.H. 35) and Somerset Road; having 564' on Somerset Road and a maximum depth of 539'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mrs. Cockrell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Becker, Padilla.

AN ORDINANCE 44,070

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 7, NCB 11268,  
8200 BLOCK OF SOMERSET ROAD, FROM "B"  
TWO FAMILY RESIDENTIAL DISTRICT TO "B-3"  
BUSINESS DISTRICT, PROVIDED THAT PROPER  
PLATTING IS ACCOMPLISHED.

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H. CASE 5592 - to rezone the west 50' of Lot 6, Block 10, NCB 8500, 1900 Block of San Francisco, from "B" Two Family Residential District and "D" Apartment District to "B-1" Business District; and Lot 5 and the east 34.6' of Lot 6, Block 10, NCB 8500, 701 - 707 West Avenue, from "D" Apartment District to "B-3" Business District.

The "B-1" zoning being located 104.6' southwest of the intersection of San Francisco and West Avenue; having 50' on San Francisco with a maximum depth of 125'.

The "B-3" zoning being located northwest of the intersection of West Avenue and San Francisco Street; having 125' on West Avenue and 84.6' on San Francisco Street.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mrs. Cockrell made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected on the west property line adjacent to the single family residences and that proper replatting is accomplished. Mr. Mendoza seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Becker, Padilla.

AN ORDINANCE 44,071

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 THE WEST 50' OF  
LOT 6, BLOCK 10, NCB 8500, 1900 BLOCK  
OF SAN FRANCISCO, FROM "B" TWO FAMILY  
RESIDENTIAL DISTRICT AND "D" APARTMENT

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DISTRICT TO "B-1" BUSINESS DISTRICT; AND LOT 5 AND THE EAST 34.6' OF LOT 6, BLOCK 10, NCB 8500, 701 - 707 WEST AVENUE, FROM "D" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE WEST PROPERTY LINE ADJACENT TO THE SINGLE FAMILY RESIDENCES AND THAT PROPER REPLATTING IS ACCOMPLISHED.

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74-34 Mayor Becker returned to the meeting and presided.

B. CASE 5506 - to rezone the south 100' of Lot 8, Block 216, NCB 3943, 1511 Hildebrand Avenue, from "B" Two Family Residential District to "B-3" Business District, located on the north side of Hildebrand Avenue being 100' west of the intersection of Hildebrand Avenue and Santa Paula Avenue; having 50' on Hildebrand Avenue and a depth of 100'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

The applicant, Mr. Marcos O. Sanchez, was not present.

Mr. Robert Gill, 1507 West Hildebrand Avenue, said that he was not opposed to this rezoning but does want a screen fence erected on the east side of the property to protect his home.

No one spoke in opposition.

After consideration, Mr. Padilla made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected on the north property line and the east property line beginning at the building setback line and that proper replatting is accomplished. Mr. Mendoza seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Becker, Black, Lacy, Morton, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: San Martin.

AN ORDINANCE 44,072

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 THE SOUTH 100' OF LOT 8, BLOCK 216, NCB 3943, 1511 HILDEBRAND AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

\* \* \* \*

July 18, 1974  
nsr

A. CASE 5605 - to rezone the north 75' of Lot 1, Block 23, NCB 9745, 3500 Block of West Avenue, from "F" Local Retail District to "B-3" Business District, located on the west side of West Avenue; being 203' south of the intersection of Nassau Drive and West Avenue; having 75' on West Avenue and a depth of 200'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Camargo stated that a petition opposing this application had been submitted. The petition represents more than 20 percent of the area within 200' of subject property. This would require seven affirmative votes of the Council to approve the rezoning.

Mr. Leonard Davis, representing the applicant, said that some misrepresentations have been made to surrounding property owners in this case. In view of the fact that only eight Council members were present, he asked that consideration of this case be postponed. This will also give him time to discuss the matter with the opposition.

Mr. Davis discussed the matter with Mr. John O'Connell, Attorney for the opponents, and it was agreed that the case could be heard on August 22, 1974.

C. CASE 5554 - to rezone a 19.03 acre tract of land out of NCB 12168, being further described by field notes filed in the office of the City Clerk, 2700 Block of Austin Highway, from "F" Local Retail District to "I-1" Light Industry District, located southwest of the intersection of N. E. Loop 410 Expressway and U. S. Highway 81 North having 1519.45' on N. E. Loop 410 Expressway, 561.41' on U. S. Highway 81 North and 440.63' on the cutback between N. E. Loop 410 Expressway and U. S. Highway 81 North.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Tom Martin, representing the applicant, described the proposed project which would include a light industrial park, offices and small warehouses. Vicar Street would be improved and extended through the property to improve traffic flow.

Mr. Marshall Fein, representing several owners in the area, spoke in opposition to the application. He said that there would be an increase in noise and traffic. The residents also feared that they might be called on to participate in the expense of improving Vicar Street.

Also speaking in opposition were:

Mrs. M. Eidelbach, 2619 Austin Highway  
Mrs. J. R. Marshall, 2721 Austin Highway

Mr. Richard Lampkin, owner of a large tract adjacent to the subject property, spoke in favor of the proposed rezoning.

After consideration, Mr. Padilla made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Mendoza seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Becker, Black, Morton, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: San Martin, Lacy.

AN ORDINANCE 44,073

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 A 19.03 ACRE TRACT OF LAND OUT OF NCB 12168, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 2700 BLOCK OF AUSTIN HIGHWAY, FROM "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

\* \* \* \*

74-34 The Clerk read a proposed ordinance authorizing the write off of bills totaling \$7,155 for Emergency Ambulance Service.

Mr. Carl White, Director of Finance, explained that these bills are deemed uncollectible by the Ambulance Review Committee for various reasons. A list of the bills and the reasons are included with the ordinance. He estimated that total revenue from the Emergency Medical Service would be about \$250,000 the first year. Collection ratio will be about 40 percent.

Various facets of the subject were discussed after which Mr. Padilla suggested that this item be pulled from the agenda and discussed in "B" Session.

Council concurred with Mr. Padilla's suggestion.

74-34 Item No. 12 of the agenda being a proposed ordinance restricting speed limits on certain portions of Interstate Highway 410 during construction was withdrawn from consideration at the request of the City Manager.

74-34 The following Ordinances were read by the Clerk and explained by Mr. Crawford B. Reeder, City Attorney, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Becker, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: San Martin, Lacy, Morton.

July 18, 1974  
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AN ORDINANCE 44,074

APPROPRIATING TWO THOUSAND FIVE HUNDRED TWENTY TWO AND 50/100 (\$2,522.50) DOLLARS OUT OF SEWER REVENUE BOND FUND NO. 820-06 PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF DAVID COKER LUCKE, MELISSA DIANE LUCKE, MICHAEL WAYLAND LUCKE, STEPHEN CHAPMAN LUCKE AND KATHLEEN ELIZABETH COUSER IN SATISFACTION OF THE AWARD OF SPECIAL COMMISSIONERS IN CONDEMNATION CAUSE NO. C-1085, AS WELL AS TO THE COUNTY CLERK FOR COURT COSTS, ALL IN CONNECTION WITH THE ACQUISITION OF A PERMANENT SEWER EASEMENT TO 0.464 ACRES OF REAL PROPERTY, MORE OR LESS, IN NCB 12065, SAN ANTONIO, BEXAR COUNTY, TEXAS, NEEDED FOR THE SALADO CREEK SEWER EXTENSION PROJECT.

\* \* \* \*

AN ORDINANCE 44,075

AUTHORIZING PAYMENT OF THE SUM OF \$4,500.00 AND ALL COURT COSTS OUT OF FUND NO. 799 IN FULL AND FINAL SETTLEMENT OF ALL OF PLAINTIFF'S CLAIMS AGAINST THE DEFENDANT CITY OF SAN ANTONIO IN DAMAGE SUIT NO. 73-CI-5087 IN THE 131ST JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS, STYLED RALPH MCBURNEY VS. CITY OF SAN ANTONIO.

\* \* \* \*

7A-34 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: Cockrell, Becker, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: San Martin, Lacy, Morton.

AN ORDINANCE 44,076

ACCEPTING THE LOW QUALIFIED BID OF WITTIG'S INC., TO FURNISH THE CITY OF SAN ANTONIO WITH DOUBLE TIER LOCKERS FOR A NET TOTAL OF \$1,971.20.

\* \* \* \*

AN ORDINANCE 44,077

ACCEPTING THE LOW QUALIFIED BID OF WATSON DISTRIBUTING CO., INC., TO FURNISH THE CITY OF SAN ANTONIO WITH GREENSMOWERS FOR A NET TOTAL OF \$6,060.00.

\* \* \* \*

## AN ORDINANCE 44,078

ACCEPTING THE LOW QUALIFIED BID OF R. P. KINCHELOE COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN X-RAY MACHINE FOR A NET TOTAL OF \$27,720.00.

\* \* \* \*

## AN ORDINANCE 44,079

ACCEPTING THE LOW QUALIFIED BID OF MOTOROLA, INC., TO FURNISH THE CITY WITH RADIO COMMUNICATIONS EQUIPMENT FOR A NET TOTAL OF \$5,031.20; AND AUTHORIZING PAYMENT.

\* \* \* \*

74-34 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: Cockrell, Becker, Black, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Lacy, Padilla.

## AN ORDINANCE 44,080

ACCEPTING THE LOW QUALIFIED BID OF FRICK-GALLAGHER MANUFACTURING CO. TO FURNISH THE CITY WITH REVOLVING BINS FOR A TOTAL OF \$3,873.96, LESS 1% - 10 DAYS; AND AUTHORIZING PAYMENT.

\* \* \* \*

## AN ORDINANCE 44,081

ACCEPTING THE LOW QUALIFIED BID OF CENTRAL TIRE COMPANY TO FURNISH THE CITY WITH INDUSTRIAL TIRES FOR A NET TOTAL OF \$5,874.00; AND AUTHORIZING PAYMENT.

\* \* \* \*

## AN ORDINANCE 44,082

ACCEPTING THE LOW QUALIFIED BID OF ST. REGIS PAPER COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH PAPER REFUSE BAGS FOR A NET TOTAL OF \$9,320.00.

\* \* \* \*

AN ORDINANCE 44,083

ACCEPTING THE LOW BID OF ADAMS INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH PLASTIC BAGS FOR A NET TOTAL OF \$3,073.80.

\* \* \* \*

AN ORDINANCE 44,084

ACCEPTING THE PROPOSAL OF SEAGRAVES FIRE APPARATUS TO FURNISH THE CITY WITH CERTAIN SEAGRAVE FIRE VEHICLE REPAIR PARTS FOR A NET TOTAL OF \$1,083.08; AND AUTHORIZING PAYMENT.

\* \* \* \*

AN ORDINANCE 44,085

ACCEPTING THE BID OF CLIFF'S FENCE CO., INC., TO FURNISH THE CITY WITH CHAIN LINK FENCE FOR A TOTAL OF \$3,003.92, LESS 2% - 10 DAYS.

\* \* \* \*

AN ORDINANCE 44,086

ACCEPTING THE BID OF VULCAN SIGNS & STAMPINGS, INC., TO FURNISH THE CITY WITH ALUMINUM STREET SIGN BRACKETS AND RELATED HARDWARE FOR A NET TOTAL OF \$14,468.60.

\* \* \* \*

AN ORDINANCE 44,087

AMENDING ORDINANCE #43912 BY CANCELLING THE ACCEPTANCE OF THE BID OF D.E.W., INC., FOR CERTAIN AIR CONDITIONING MAINTENANCE AND ACCEPTING THE BID OF TEZEL & COTTER AIR CONDITIONING CO.

\* \* \* \*

74-34

The Clerk read the following Ordinance:

AN ORDINANCE 44,088

ACCEPTING THE LOW BIDS OF ADVANCE DRUG & SURGICAL SUPPLY, INC., AMERICAN HOSPITAL SUPPLY, CENCO MEDICAL HEALTH CO., GENTEC HOSPITAL SUPPLY CO., AND STANLEY SUPPLY CO., INC., TO FURNISH THE CITY WITH MEDICAL INSTRUMENTS AND EQUIPMENT.

\* \* \* \*

The Ordinance was explained by Mr. John Brooks, Director of Purchasing, who said that these are new medical instruments for use in the Southwest Health Center. There were two items on which no bids were received. They will be readvertised at a later date.

Mrs. Cockrell asked if items of this kind might be purchased through the Bexar County Hospital District.

Mr. Brooks said that medical equipment prices are about the same. There can be a savings affected by joint purchase of medical supplies. A contract with the hospital district is now being negotiated.

After consideration, on motion of Mr. Mendoza, seconded by Mrs. Cockrell, the Ordinance was passed and approved by the following vote: AYES: Cockrell, Becker, Black, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Lacy, Padilla.

74-34 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Mr. Mendoza, seconded by Mr. O'Connell, was passed and approved by the following vote: AYES: Cockrell, Becker, Black, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Lacy, Padilla.

AN ORDINANCE 44,089

ACCEPTING THE LOW BID OF HEWLETT-  
PACKARD CO., TO FURNISH THE CITY  
WITH A SPECTRUM ANALYZER FOR A TOTAL  
OF \$14,462.48.

\* \* \* \*

74-34

SOUVENIR CONCESSION CONTRACT

The Clerk read a proposed ordinance extending the contract of Century Souvenir Company at HemisFair Plaza on a month-to-month basis.

The Ordinance was explained by Mr. John Brooks, Director of Purchasing, who said that the current contract was awarded in 1969 and expires October 31, 1974. Since merchandise to be sold carries logos or other local features sufficient lead time is needed to give the successful bidder adequate time to acquire his merchandise. This was discussed with the Council in "B" Session about a month ago. Staff recommended a month to month extension of the contract until a formal plan for HemisFair Plaza has been adopted.

Mr. Jerry Dawson, representing Festive Enterprises, said that he is prepared to bid on this concession now. He asked that since the Tower will remain in place in any event that the concession for the Tower and the grounds be awarded separately. He said that his is a local concern currently employing five welfare workers. He distributed samples of souvenirs he proposed to offer.

Mr. John Daniels, representing Century Souvenirs, reviewed the history of the concession agreement and said that the performance of his client has been entirely satisfactory and that it would be advantageous to the City to leave it on a month to month basis until plans for HemisFair Plaza are completed.

The Council discussed the matter at some length and decided not to act on the ordinance at this meeting. The ordinance was withdrawn from consideration.

74-34 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: Cockrell, Becker, Black, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Lacy, Padilla.

AN ORDINANCE 44,090

APPOINTING COUNCILMAN W. J. O'CONNELL  
AS A MEMBER OF THE BEXAR COUNTY CRIMINAL  
JUSTICE COUNCIL AND THE COUNTY/CITY  
CRIMINAL JUSTICE INFORMATION SYSTEM BOARD  
OF CONTROL. (FOR AN INDEFINITE TERM)

\* \* \* \*

AN ORDINANCE 44,091

APPOINTING COUNCILMAN W. J. O'CONNELL  
AS A MEMBER OF THE STEERING COMMITTEE  
OF THE SAN ANTONIO-BEXAR COUNTY URBAN  
TRANSPORTATION STUDY. (FOR AN INDEFINITE  
TERM)

\* \* \* \*

AN ORDINANCE 44,092

APPOINTING FOUR ADDITIONAL MEMBERS TO  
THE BICENTENNIAL CELEBRATION COMMITTEE.  
(TERMS TO EXPIRE DECEMBER 31, 1976)

\* \* \* \*

Mr. Carlos Freymann  
Mr. Jann Roy

Mr. C. S. McMillan  
Ms. Marie Johnson

\* \* \* \*

74-34 The following Ordinance was read and explained by J. H. Inselmann, City Clerk, and after consideration, on motion of Mrs. Cockrell, seconded by Rev. Black, was passed and approved by the following vote: AYES: Cockrell, Becker, Black, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Lacy, Padilla.

July 18, 1974  
nsr

## AN ORDINANCE 44,093

AUTHORIZING EXECUTION OF AN AGREEMENT  
WITH THE COUNTY OF BEXAR FOR THE RENTAL  
OF VOTING MACHINES.

\* \* \* \*

74-34 The Clerk read the following letter:

July 12, 1974

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

Gentlemen and Madam:

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

July 5, 1974           Petition of H. M. "Mick" Cox, Agent for Callaway and Schlueter, Inc., 8606 Village Drive, requesting permission to build a ten (10) foot high chain link fence along the north property line of Lot 29, Block 2, NCB 12984 located at 1635 N. E. Loop 410 and also continuing along the north property line of Lot K, Block 2, NCB 12984, 1611 N. E. Loop 410.

July 8, 1974           Petition of Mr. E. F. Remmers, Cliff's Fence Company, 1721 Culebra Road, in behalf of Dr. Orvis E. Meador, Jr., requesting permission to install a privacy fence which will be 7 feet, 8 inches high on the east side and 8 feet high on the north side, to be located at 151 Cave Lane.

/s/ J. H. INSELMANN  
City Clerk

\* \* \* \*

There being no further business to come before the Council, the meeting adjourned at 3:52 P. M.

A P P R O V E D

M A Y O R

ATTEST:

C i t y   C l e r k

July 18, 1974  
nsr

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