

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 9, 1976

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

76-57 The invocation was given by Mayor Lila Cockrell.

76-57 Members of the City Council and the audience joined in the Pledge of Allegiance to the Flag of the United States.

76-57 The minutes of the meetings of November 24, 1976 and December 2, 1976 were approved.

76-57 SICK LEAVE BENEFITS FOR
FIREMEN AND POLICEMEN

The following discussion took place:

MAYOR LILA COCKRELL: At this time before we go into the rest of the business, I would like to report on the Executive Session that was just held and make an announcement on behalf of the Council.

The Council considered the advice of the City Attorney and City Manager relative to certain legal questions which have been raised regarding the retroactive provision of the law which set up the payment for unlimited sick leave accrued to be paid in a lump sum benefit at the time of retirement. It is our understanding that the City Attorney has raised certain legal issues which he feels should be clarified. Accordingly, the City Council wishes to announce that it has directed the City staff to pay for those retirements that will be forthcoming, those payments which have been earned but to withhold any payment due because of the retroactive provisions of the law. It has further instructed the City staff to institute a legal proceeding to clarify the legality of the retroactive provision.

We feel that this clarification is needed. It is something that we feel must be done on behalf of the taxpayers and the general public to see whether or not the retroactive provisions are, in fact, entirely legal. Now, should they be found to be legal, obviously, the City will follow the direction of the Court in this matter. I would like to ask the City Manager or the City Attorney if they have any further comments as to the remarks I have just made.

CITY MANAGER THOMAS RAFFETY: Thank you, Madam Mayor. I appreciate your announcement which, I think, was due in fairness to those employees who have signed for retirement by the end of 1976. There's no guarantee which can be made as to the outcome of any Court suit. The City Attorney, of course, will be in charge of it. We will be to the Council next week with an ordinance authorizing the institution of the suit.

MAYOR COCKRELL: All right. I would like to further make these comments. At the present time, there are a number of retirements that are pending.

I would like to just say, as one individual, it is certainly my hope that there may become opportunity for any individual who may be retiring sooner than perhaps he originally anticipated to reconsider his position. The City Council needs all of its dedicated employees. I would just like to lay before our employees the fact that the Council appreciates the service of all of its employees and certainly if there are any who wish to reconsider their decisions at this time I'd like to ask the Manager if he would comment on the ability of any person to withdraw a request.

CITY MANAGER RAFFETY: There is no problem involved at all. It's simply a matter of withdrawing the request for resignation. Very straightforward and very simple.

MAYOR COCKRELL: Fine, thank you, sir. Mr. Pyndus.

MR. PHIL PYNDUS: Thank you, Mayor. I was wondering if he would comment on the financial state of affairs that would occur, the figures that were given to us in the Executive Session, how it would affect the City.

MAYOR COCKRELL: May I ask Mr. Raffety to explain the figures that are also pertinent.

CITY MANAGER RAFFETY: There are 73 requests for retirement. Of the 73, only 14 are retiring on the basis of age. The cost of the sick pay provision alone for these retirements is approximately \$1,300,000. The retroactive portion of the statute would account for approximately \$700,000 of that amount. The budget and the available funds of the City can handle that portion of the sick leave payment which is attributable to the previous situation of 90 days accumulated sick leave. But it can not provide for the remaining amount of approximately \$700,000. That money is not budgeted. That money is not available without taking other actions which would directly affect the citizens and the budget position of the City.

MAYOR COCKRELL: Thank you. I would like to say also that as the Chairman of the Fire and Police Pension Board, I was going to request a postponement of the meeting scheduled the first of next week to allow full opportunity for anyone who's request for retirement is pending to reconsider that position before the Board meets again.

CITY ATTORNEY JAMES PARKER: One clarification, I think, Mrs. Cockrell. The City, as I understand, will be paying the full 90 days as of the first of September, 1975, plus in accordance with the provision of the law, unlimited since that point in time but not prior to the enactment of that provision.

MAYOR COCKRELL: That's right. I think I have stated that it was only the portion due to the retroactive provision that would be held pending the legal clarification of the issue. Yes, Dr. Cisneros.

DR. HENRY CISNEROS: I think also that it should be stated that the course of action on which the City has embarked this morning, the decision to pay the 90 days as according to previous law and the decision to sue relative to the retroactive provisions of the now standing law is part of a comprehensive approach that includes continuing discussion on the legislative front about changes that might occur in the next legislative session. And, also, the Task Force that you appointed which might involve some voluntary concessions on the part of the Police and Fire Association on other benefits to offset damage that was done by the present provisions.

MAYOR COCKRELL: That's correct, there are on-going talks. We are still very hopeful that some joint approach may be achieved, although we are not at that point yet, relative to long-term amendments or consideration of

amendments to the act. Those discussions are going on and the doors are still open. The discussions are still continuing. This is simply on the specific matter that on the resignations that are now pending, the fact that the City Attorney has furnished us with his comments relative to the possibility that there may be a question about legality due to the retroactive affect, we feel a responsibility to see that this issue is definitely clarified.

DR. D. FORD NIELSEN: The brief point that I wanted to make is that I think the citizens, employees, Council members, everybody are increasingly aware of the responsibility we have in the terms of the City's operation and how that affects the employees, but the overall responsibility to maintaining good services to improving those areas that everybody seems to be so sensitive about, but the basic fact is that if dollars are not there, we have to choose the most responsible alternative. It seems to me that the Council is, in fairness to everybody, attempting to do that in this case. I think that making that clear, it may begin to give us a sense of a new direction. I think that for many many years in this town there's been kind of an attitude that if it isn't resolved now, we'll put it off and do it later. I think we're beginning to face up to the hard facts of the economic impacts and the personal responsibility and I think it's a good step.

MAYOR COCKRELL: Fine, thank you. Mr. Pyndus.

MR. PYNDUS: Mayor Cockrell, several weeks ago, we had encountered the fact that we would have budget problems. I had requested that we have a budget review and the concensus of the Council did not go along with that request. I would like to repeat that request this morning - that we have a review of the budget of this City after December 31st to see where we can find the additional funds. In that area I would, if it's in order, I would so move that the Council go into the budgetary matters that soon and not wait until the end of the fiscal year.

MAYOR COCKRELL: Let me just point out that when Mr. Raffety assumed the duties of Acting City Manager, one of my first requests to him was that as his first order of business he evaluate our budgetary position which he did and he did make a report to us overall of where he felt we were. We will be, of course, having a new City Manager come on board in early January and I think perhaps as his out-going function, Mr. Raffety, as our Acting Manager, could probably assist the in-coming Manager and the Council both by giving an evaluation as of the termination of his responsibilities as Acting Manager. So, if there's no....I think that would be agreeable with everyone on the Council that we do have a report from Mr. Raffety as he is concluding his term and also the analysis he gave us at the beginning of his term as Acting Manager.

MR. PYNDUS: My second area of concern is the fact that the entire community can see the position that their City government has been placed in and I feel that a resolution is in order this morning asking for an amendment to the bill that has put this financial burden on the City. I would like to move, I would like to make a motion that the Council go on record as supporting an amendment to the bill that has placed this burden on the City's taxpayers.

MAYOR COCKRELL: All right, may I ask through the City Manager of the City Attorney if a motion on a subject which was not posted under the Open Meetings Law is in order?

CITY ATTORNEY PARKER: It would not be for any official action on it, Mrs. Cockrell. It would have to be posted if it's going to an official action, of a resolution.

MAYOR COCKRELL: So, for that reason, the Chair moves the motion out of order at this time under the provision of the Open Meeting Law.

MR. PYNDUS: May I ask, Mayor, when it may be put on the agenda?

MAYOR COCKRELL: The agenda, of course, is developed week by week and you have the opportunity to discuss that with the Manager and with the Mayor. We have had a policy relative to the placing of items on the agenda and we will go over that with you.

MR. PYNDUS: Mayor, I want to follow through on that. I think this Council should take a position.....

MAYOR COCKRELL: All right, the Council - I will point out that in earlier discussions, Mr. Pyndus, you had, or it was Dr. Cisneros, had pointed out that this Council's action as of today is only part of a total action. That total action includes the on-going discussion with the Fire and Police Associations that staff is conducting. It was the intent to see if a joint approach could be achieved prior to any individual action on the legislative program embarked upon by the City and, of course, any resolution that would be passed by the City prior to any joint agreement being reached would, in effect, terminate any joint approach. So, I just say on behalf of those who were interested in seeing the possibilities of a joint approach explored, they would have to, then, evaluate that from that point of view.

MR. PYNDUS: Well, Mayor, if I may reply. This was discussed several weeks ago and we have not made any progress with reference to the joint talks. This morning we are told that we face a deficit which we cannot pay under our Charter. We cannot pay out money we do not have and we're taking drastic action this morning to cure a \$700,000 deficit. I think that while we are discussing this, I do think that the resolution will be in order as well as the discussion.

DR. CISNEROS: I'd like to just say that while I think that certainly I think I would support such a resolution that it's effectiveness and impact would be limited without some clear sense of direction as to who it is intended to be addressed to and what its substance would be and what kind of suggestion it, in fact, is resolving to support. What I suggest is that we pursue the kind of route that you suggested. On the one hand, the action that we have taken the morning, Secondly, the continuing joint discussion. We do not know because we haven't had an official report as to the outcome of those joint discussions, and my feeling is that some of the movement we're taken this morning and some of the events of the last couple of days may, in fact, precipitate some action out of that joint meeting. Additionally, I think it would be appropriate for the City's representative in Austin, Mr. Henckel, to be directed, as he, I'm sure, will be by the Council on further discussion, to explore some practical, realistic possibilities in terms of what we can expect both out of the Texas House and the Texas Senate. But, until we have something that we can work with, a resolution is just so much waste, whistling in the wind as so many have been in the past. I'd submit that we pursue that more directed and more targeted kind of approach instead of just simply passing a resolution that really has no meaning.

MAYOR COCKRELL: Dr. Nielsen.

DR. NIELSEN: I just think that, fundamentally, our primary responsibility now in the next few days is to decide, as a Council, what we are going to recommend and I would encourage the Council to make that decision very quickly.

MAYOR COCKRELL: Thank you. Yes, Mr. Pyndus.

MR. PYNDUS: Mayor, I feel that the resolution will have direction.

This City has budgeted for the payment of ninety days accumulated sick leave. That's certainly a direction and I certainly think that we can pass a resolution asking our legislative representatives to go back to that provision that has worked in the past. I think it's constructive. I think it's taking an action that needs to correct something that the City cannot afford. I certainly would like to maintain my position that we should move on that as soon as the Council will agree with me.

MAYOR COCKRELL: All right. Let me make one correction to your statement, Mr. Pyndus. I believe that, my understanding of what the Finance Director has told us, is that there is a little bit of difference in what you have stated. It's my understanding that what was budgeted for was the provision in accordance with the State Law as we understood it prior to the challenge by the City Attorney on the retroactive part based on the normal number of retirements that would usually be anticipated within a year. Was that correct, Mr. Raffety?

CITY MANAGER RAFFETY: That's correct, Madam.

MAYOR COCKRELL: It was not based on just ninety days.

CITY MANAGER RAFFETY: This is correct.

MAYOR COCKRELL: Yes, but what has happened, of course, is that there has been a greater impact of persons retiring. All right, fine.

MR. AL ROHDE: Mayor.

MAYOR COCKRELL: Yes, I think we need to move on. We've got....

MR. ROHDE: But, I'm going to challenge the Chair.

MAYOR COCKRELL: Mr. Rohde.

MR. ROHDE: Mayor, I don't feel comfortable with you over ruling Mr. Pyndus for this reason. One of the major concerns and duties of a Councilman, and it comes in his orbit under the Charter, is to express concern and I've had problems before of how do you get a resolution before the Council. I think that Councilmen should be able to come to Council in the public eye and ear and express his concern about it and ask for a resolution. If he can get a second, I think it ought to go through. I feel this that really the agenda has nothing to do with a resolution because it's an expression of his concern for the City's concern and he saw an emergency here and he wished to express that concern. I feel that I'm not challenging that you should overrule the thing, but I feel this, that maybe the agenda should have a period that a Councilman can express a resolution, put it on the agenda. You can't go ahead and say that we're going to have this resolution a week ahead of time and so forth because things move fast in this City. I don't feel comfortable with your ruling and I ask you to reconsider it.

MAYOR COCKRELL: Mr. Rohde, let me say that my ruling was based on the City Attorney's position that the motion, we could not take official action because of the fact that under the Open Meetings Law with which we're trying to comply, it has not been posted for action. Now, and I also did not rule out.....

MR. ROHDE: I didn't hear him that way, Mayor.

MAYOR COCKRELL: Well, may I ask you to repeat it, sir.

CITY ATTORNEY PARKER: Yes, Madam. Any subject matter which the Council is going to take official action on has to be posted two hours prior to the commencement - at least two hours prior to commencement of the meeting if

it's an emergency item. Normally, it has to be posted 72 hours prior to the commencement of the meeting. If there is an emergency exists and is so stated in the notice of it, it can be posted, but it's two hours prior, but it has to be posted at least two hours prior.

MAYOR COCKRELL: All right, yes. I think we need....

MR. ROHDE: Mayor, I ask to follow this through. It's very important to this Council. I would agree with the City Attorney but there's nothing wrong in Mr. Pyndus getting a resolution expressed and then having them type up and post it, then having the official action to pass it. Thank you.

MAYOR COCKRELL: Thank you. Let's move on. Yes, right. Thank you very much. We move on to Item No. 6.

76-57 The Clerk read the following Ordinance:

AN ORDINANCE 47,453

AUTHORIZING THE SPECIAL ELECTION ON JANUARY 15, 1977, TO BE CONDUCTED IN CONJUNCTION WITH ELECTIONS TO BE HELD BY THE SAN ANTONIO RIVER AUTHORITY AND EDWARDS UNDERGROUND WATER DISTRICT; REVISING AND ESTABLISHING CITY VOTING PRECINCTS; ESTABLISHING POLLING PLACES; ESTABLISHING BRANCH OFFICES FOR ABSENTEE VOTING; PROVIDING FOR SEPARATION OF VOTES IN CERTAIN AREAS ANNEXED IN 1972; AND DECLARING AN EMERGENCY.

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Mr. Karl Wurz spoke in opposition to the Ordinance. He said that he does not object to the election but does object to being forced to do anything by the Attorney General.

Mayor Cockrell told Mr. Wurz that all that is being considered in this Ordinance is the matter of a joint election with the San Antonio River Authority and the Edwards Underground Water District.

(Later in the meeting Mayor Cockrell acknowledged her mistake and apologized to Mr. Wurz.)

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

76-57

TITO GUIZAR

Councilman Teniente introduced Councilman Benigno Aguilar Amante who is visiting San Antonio in connection with the Sister City Program. He comes as an official guest from the City of Guadalajara, Mexico. Accompanying Mr. Amante was Tito Guizar, noted Mexican film star, singer and composer. He composed the song "El Rancho Grande" in 1928. Councilman Teniente welcomed them to the City.

Mayor Cockrell presented Tito Guizar with a Proclama naming him Emisario de las Musas.

He responded by thanking the City Council and Mayor Cockrell for this high honor.

76-57 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Black.

AN ORDINANCE 47,454

APPOINTING THOMAS E. HUEBNER AS THE CITY MANAGER OF THE CITY OF SAN ANTONIO, EFFECTIVE JANUARY 3, 1977, AND FIXING THE ANNUAL SALARY AND ANNUAL EXPENSE FUNDS TO BE PAID TO SAID CITY MANAGER.

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76-57

SPECIAL COUNCIL MEETING

Mayor Cockrell announced that a special meeting of the City Council would be held on this same day at 5:00 P.M. for the purpose of appointing Mr. Thomas Raffety as City Manager for an interim period.

76-57

PROPOSED PURCHASE OF FOX RUN WATER COMPANY
BY CITY WATER BOARD

Councilman Cisneros said that on December 8, 1976, the Planning Commission had passed a resolution expressing its opposition to the proposed purchase of the Fox Run Water Company by the City Water Board at its meeting on December 14, 1976. He asked that a resolution in opposition be prepared for the City Council to consider at its meeting later today since there would not be another Council meeting before the Water Board meets.

Councilmen Billa and Nielsen said that they have had no briefing on this matter and would not be prepared to act. They rejected the idea of considering the matter today.

The matter was discussed by all members of the Council and it was finally agreed to have a special meeting of the Council on December 14, 1976, at 12:00 noon at which time the matter would be fully discussed.

During the discussion, reference was made to Mr. Pyndus' request to have a resolution placed before the Council requesting an amendment to the statute providing for payment of unlimited sick leave to Firemen and Policemen. It was agreed that his request would be honored and resolution prepared for the Council meeting of December 16, 1976.

76-57

The Clerk read the following Ordinance:

AN ORDINANCE 47,455

RECOGNIZING AND SUPPORTING FIESTA SAN ANTONIO AS A CIVIC AND PATRIOTIC FESTIVAL OF MAJOR STATUS AND BENEFIT TO THE COMMUNITY; FIXING THE DATE OF FIESTA SAN ANTONIO FOR 1977 THRU 1981 AND DESIGNATING FIESTA SAN ANTONIO COMMISSION, A NON-PROFIT CORPORATION, AS THE AGENCY FOR PLANNING, COORDINATING, AND PROVIDING AND ALLOCATING FINANCIAL SUPPORT TO THE EVENTS OF FIESTA SAN ANTONIO; GRANTING TO FIESTA SAN ANTONIO COMMISSION A LICENSE TO CONDUCT A CARNIVAL IN THE CENTRAL BUSINESS DISTRICT OR ELSEWHERE AND TO ASSIGN SUCH LICENSE SUBJECT TO COMPETITIVE BIDDING AND OTHER CONDITIONS; TO ASSIGN

RIGHTS TO PLACE AND SELL SEATING ACCOMMODATIONS AT DESIGNATED LOCATIONS ON PARADE ROUTES AND TO GRANT CONCESSIONS FOR SALE OF FOOD, BEVERAGES, SOUVENIRS AT PARADES UPON CONDITION; TO ISSUE NECESSARY VEHICLE PERMITS; TO DESIGNATE THE OFFICIAL EVENTS AND SPONSORS OF FIESTA SAN ANTONIO AND TO APPROVE THE USE OF CERTAIN CITY PROPERTIES AND FACILITIES DURING FIESTA SAN ANTONIO; TO CONTRACT FOR TELEVISION AND RADIO COVERAGE OF EVENTS; PRESCRIBING CONDITIONS AND LIMITATIONS UPON THE AUTHORITY GRANTED TO FIESTA SAN ANTONIO COMMISSION; AND PROVIDING A SERVERABILITY CLAUSE.

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Mr. Dave Burnet, Executive Director for the Fiesta Association, introduced Mr. Jerome K. Harris, President of the Fiesta Association.

Dr. Nielsen asked how the Council and Fiesta Association will work together.

Mr. Harris said that Mr. Stewart Fischer has been appointed as liaison between the City and the Association. Mr. Fisher has done an excellent job in this respect and the Association looks forward to continued work with him.

In answer to Mr. Rohde's question, Mr. Cliff Edgar, Director of Market and Parking, said that the Farmer's Market is coordinating its activities for Fiesta with the Fiesta Association. Sufficient space is being retained for use by farmers and other tenants.

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

76-57 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Black, Hartman, Teniente.

AN ORDINANCE 47,456

AMENDING SECTION 38-25.1 OF THE CITY CODE TO PROHIBIT TURNS AT CERTAIN INTERSECTIONS DURING CERTAIN HOURS; AND PROVIDING THAT ANY VIOLATION SHALL BE PUNISHED BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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76-57 The Clerk read the following Ordinance:

AN ORDINANCE 47,457

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH FREEMAN DECORATING COMPANY FOR SPACE IN THE CONVENTION CENTER FOR A TERM ENDING NOVEMBER 30, 1983.

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Mr. Rohde said that under this lease, the City is furnishing the utilities and asked what it amounts to.

City Manager Raffety explained the formula that was used in arriving at the rental note and some of the other terms in the lease agreement.

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

76-57 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Nielsen, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Black, Hartman, Teniente.

AN ORDINANCE 47,458

NAMING A STREET CONSTRUCTED ON CITY PROPERTY IN NCB 8983, WALLACE ROAD.

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76-57 The Clerk read the following Ordinance:

AN ORDINANCE 47,459

PROVIDING FOR A SIX MONTH CONTINUATION OF THE PROBLEM DRINKER EVALUATION CENTER OF THE ASAP PROGRAM, APPROVING A BUDGET AND PERSONNEL COMPLEMENT, AND CERTIFYING THAT THE CENTER WILL BE CONTINUED AFTER THE TERMINATION OF FEDERAL FUNDING, AS REQUIRED BY THE DEPARTMENT OF TRANSPORTATION.

* * * *

Mr. William Donahue, Director of Human Resources and Services, said that this Ordinance provides for the extension of one portion of the Alcohol Safety Action Program for 6 months by utilizing underspent funds that were originally allocated. Bexar County is highly in favor of the continuation of this program and will assume its operation at the end of this six-month period. No City funds are involved.

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

76-57 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Billa, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Black, Rohde, Teniente.

AN ORDINANCE 47,460

CONFIRMING THE LOCATION AND BOUNDARIES OF PROPERTY TO BE ACQUIRED FOR SAN ANTONIO INTERNATIONAL AIRPORT IN ACCORDANCE WITH

THE AIRPORT MASTER PLAN AND DIRECTING THAT PROPOSED SUBDIVISION PLATS, APPLICATIONS FOR REZONING, AND BUILDING PERMITS FOR CERTAIN WORK PERTAINING TO PROPERTIES WITHIN SUCH AREA NOT BE ENTERTAINED, APPROVED OR ISSUED FOR A TIME CERTAIN.

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76-57 The Clerk read the following Ordinance:

AN ORDINANCE 47,461

CHANGING THE NAME OF A PORTION OF MILITARY PLAZA TO PLAZA DE ARMAS.

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Mr. Louis Viramontes, owner of property facing on Military Plaza said that he had originally requested that the name be changed to Plaza De Armas but the Planning Commission had recommended the name Plaza De Las Armas. There is very little difference in the meaning.

Mrs. Pat Osborne, Historic Preservation Officer, said that she had reviewed this request and found that old records and maps showed both names. An old map shows the name as Plaza De Armas.

After consideration, Councilman Nielsen moved that the Ordinance be approved with the street name to be Plaza De Armas. The motion was seconded by Councilman Billa and was passed and approved on the following roll call vote: AYES: Pyndus, Billa, Cisneros, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Black, Teniente.

76-57 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Black, Rohde, Teniente.

AN ORDINANCE 47,462

AUTHORIZING EXECUTION OF FIELD ALTERNATION NO. 7 IN THE AMOUNT OF \$55,465.51 TO THE CONTRACT FOR LEON CREEK WASTEWATER TREATMENT PLANT IMPROVEMENTS, SECTION II, AWARDED TO BURTEX CONSTRUCTORS, INC.

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76-57 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, Nielsen, Cockrell; NAYS: None; ABSENT: Black, Teniente.

AN ORDINANCE 47,463

AUTHORIZING THE PADRE PARK DEVELOPMENT PROJECT AT A COST OF \$236,250, ACCEPTING A GRANT OF \$119,250 FROM THE FEDERAL BUREAU OF OUTDOOR RECREATION THROUGH THE TEXAS PARKS & WILDLIFE DEPARTMENT, AND PROVIDING FOR A CONTRIBUTION OF \$117,000 SECOND YEAR YEAR COMMUNITY DEVELOPMENT ACT PROGRAM.

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AN ORDINANCE 47,464

EXTENDING FOR A ONE YEAR PERIOD AN AGREEMENT WITH PASEO DEL RIO ASSOCIATION FOR THE USE OF RIVER WALK PROPERTY IN CONJUNCTION WITH RIVER FESTIVALS.

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AN ORDINANCE 47,465

EXTENDING THE PRESENT LEASE AGREEMENT WITH CASA RIO MEXICAN FOODS FOR THE USE OF A PORTION OF THE BEAUTIFIED SECTION OF THE SAN ANTONIO RIVER IN CONNECTION WITH A RESTAURANT OPERATION FOR AN ADDITIONAL ONE-YEAR PERIOD COMMENCING JANUARY 1, 1977 AND TERMINATING DECEMBER 31, 1977.

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76-57

RENTAL FEES ON RIVER PROPERTY

City Manager Tom Raffety told the Council that he is going to recommend to the incoming City Manager that a complete reappraisal of charges for use of River Walk property be made. He said that he felt it should be updated about every two years.

76-57

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

AN ORDINANCE 47,466

MANIFESTING AN AGREEMENT WITH VARIOUS YOUTH BASEBALL ORGANIZATIONS TO EXTEND AND AMEND PRESENT LEASE AGREEMENTS FOR THE USE OF CITY-OWNED PROPERTY AND FACILITIES FOR AN ADDITIONAL TWO-YEAR PERIOD, COMMENCING JANUARY 1, 1977 AND TERMINATING DECEMBER 31, 1978.

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76-57

LIGHTS ON RECREATION AREAS

Councilman Hartman said that he felt that flood lights on recreational facilities need to be better controlled.

The matter was discussed but no action was taken.

76-57

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

AN ORDINANCE 47,467

APPROPRIATING \$10,000.00 FROM THE 1970

PARK IMPROVEMENT BONDS FUND FOR PURCHASE
OF MATERIALS AND SUPPLIES REQUIRED TO
COMPLETE THE WILLOW SPRINGS GOLF COURSE
CONSTRUCTION PROJECT.

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76-57

GOLF CARTS

Councilman Nielsen asked if the golf cart problems at Riverside Golf Course had been resolved.

City Manager Raffety said that the Director of Parks and Recreation has written a letter of default to the current operator of the golf carts at Riverside. If he cannot conform to City requirements, his contract will be cancelled. If this should occur then, say, ten carts could be transferred from each of the other City courses to alleviate the situation.

76-57 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, Nielsen, Cockrell; NAYS: None; ABSENT: Black, Teniente.

AN ORDINANCE 47,468

APPROPRIATING THE SUM OF \$8,475.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

* * * *

AN ORDINANCE 47,469

AUTHORIZING THE EXECUTION OF TWO SPECIAL WARRANTY DEEDS CONVEYING TWO TRACTS OF SURPLUS CITY-OWNED PROPERTY OUT OF NEW CITY BLOCK 3211 TO ADJACENT OWNERS FOR A TOTAL CONSIDERATION OF \$1,200.00

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AN ORDINANCE 47,470

AUTHORIZING EXECUTION OF A RIGHT OF WAY EASEMENT DEDICATION TO BEXAR COUNTY, TEXAS OF TWO TRACTS OF LAND IN COUNTY BLOCK 4007 IN CONNECTION WITH THE WIDENING OF BLUE WING ROAD.

* * * *

AN ORDINANCE 47,471

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF DISPOSTION PARCELS L-a-10

AND L-a-11, LOCATED WITHIN THE URBAN
RENEWAL VISTA VERDE PROJECT, TEX.
R-109, TO WILSON, WILSON & ROWLAND,
LANDLORDS, FOR THE SUM OF \$8,545.79
BEING \$0.35 PER SQUARE FOOT.

* * * *

76-57 The following Ordinance was read by the Clerk and after con-
sideration, on motion of Mr. Billa, seconded by Mr. Pyndus, was passed
and approved by the following vote: AYES: Pyndus, Billa, Cisneros,
Hartman, Rohde, Cockrell; NAYS: None; ABSENT: Black, Teniente, Nielsen.

AN ORDINANCE 47,472

APPROVING THE PRICE AND CONDITIONS OF THE
SALE BY THE URBAN RENEWAL AGENCY OF THE CITY
OF SAN ANTONIO OF A PORTION OF DISPOSITION
PARCEL L-a-8, LOCATED WITHIN THE URBAN
RENEWAL VISTA VERDE PROJECT, TEX. R-109, TO
EUGENE C. JUPE FOR THE SUM OF \$57,096.00
BEING \$1.20 PER SQUARE FOOT.

* * * *

76-57 The Clerk read the following Ordinance:

AN ORDINANCE 47,473

AUTHORIZING THE PURCHASE OF REPAIR PARTS
FOR THE ARENA SEATS AT THE CONVENTION
CENTER, A SINGLE SOURCE OF SUPPLY ITEM,
FROM THE AMERICAN SEATING COMPANY, FOR
A NET TOTAL OF \$3,964.00.

* * * *

Councilman Hartman questioned the need for purchasing these
parts since there is an expansion program in progress.

Mr. John Brooks, Purchasing Agent, said that supply of parts
is needed now to keep the seats in full repair to avoid risk of liability.

76-57 The following Ordinances were read by the Clerk and after con-
sideration, on motion made and duly seconded, were each passed and approved
by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Rohde,
Cockrell; NAYS: None; ABSENT: Black, Teniente, Nielsen.

AN ORDINANCE 47,474

AUTHORIZING PAYMENT FOR THE FURNISHING
OF PROFESSIONAL SERVICES IN CONNECTION
WITH THE PRINTING OF ELECTION SUPPLIES
FOR THE CHARTER REVISION ELECTION ON
JANUARY 15, 1977, A SINGLE SOURCE OF
SUPPLY ITEM ON A LOCAL BASIS, TO
CRUMRINE, INC, SUCH PAYMENT NOT TO EXCEED
\$5,620.20.

* * * *

AN ORDINANCE 47,475

AUTHORIZING THE PURCHASE OF LIBRARY
MICROFILM, A SINGLE SOURCE OF SUPPLY
ITEM, FROM XEROX UNIVERSITY MICROFILMS,
FOR A NET TOTAL OF \$23,405.13.

* * * *

AN ORDINANCE 47,476

EXTENDING THE CURRENT CONTRACT WITH GULF
OIL CORPORATION TO FURNISH THE CITY OF SAN
ANTONIO WITH ITS TRANSPORT GASOLINE RE-
QUIREMENTS FOR THE CALENDAR YEAR 1977.

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76-57

LETTER FROM MR. THOMAS HUEBNER

City Manager Tom Raffety said that he had received a communication today from newly-appointed City Manager Thomas Huebner in anticipation of his arrival in San Antonio on January 3, 1977. In it, Mr. Huebner outlined some of his preliminary plans. (A copy of the memorandum is included with the papers of this meeting.)

Mayor Cockrell said that she has discussed with Mr. Huebner the scheduling of a meeting of the City Council and the City Manager to discuss the Council-Manager relationship and procedures.

76-57

The meeting was recessed at 11:30 A.M. and reconvened at 2:00 P.M.

76-57

CITIZENS TO BE HEARD

GOVERNMENT HILL RECREATION CENTER

A group of citizens representing the St. Patrick Government Hill C.O.P.S. organization appeared before the Council to urge that the City include in the forthcoming CDA budget a project for a ten-acre park in the Government Hill area.

Mrs. Jo Ann Murillo, area leader of the organization, said that on September 21, 1976 in a CDA public hearing at Hawthorne School, her group had stated its priorities as:

1. Sandmeyer drainage
2. Milam School Park Design
3. Government Hill Park design
4. Housing Rehabilitation

She said that in the synopsis prepared by City staff, it is erroneously shown that they endorsed the Gateway Project on New Braunfels Avenue. In fact, her group rigorously opposes that project. She asked that she be given a letter acknowledging this error.

Mayor Cockrell assured her that a letter would be sent to the staff calling this error to their attention.

Also speaking for C.O.P.S. were Ira Marie Williams, Gloria Hinojosa, and Lupe Alcoces.

A. C. SUTTON

Mr. A. C. Sutton addressed the Council concerning the need for a traffic signal at the corner of Rigsby and Walters Avenue.

Mr. Stewart Fischer, Director of Traffic & Transportation, said that a traffic count had been made at this intersection and at that time it did not warrant a traffic signal. Walters Street had not been fully open, however, and another count will be made.

Mr. Sutton thanked the Council for the work being done on the Commander's House to be used by senior citizens. He said that about two blocks south of there is some vacant City property that could be turned into a recreation area for senior citizens. The area is between Main Avenue and Flores and between Guenther and Johnson. He asked the Council to give his idea some consideration. (A copy of Mr. Sutton's prepared statement is included with the papers of this meeting.)

MRS. WINONA BLACK

Mayor Cockrell recognized Mrs. Winona Black in the audience and welcomed her.

HELEN R. WALTER

Mrs. Helen R. Walter distributed invitations and tickets to the premiere performance of the Youth Symphony to be held Sunday, December 12, 1976. She said that the youth program is well underway and growing.

E. L. RICHEY

Mr. E. L. Richey spoke urging citizens to attend Council meetings and speak what's on their mind. He commented on the Council's habit of voting one way in the morning and changing in the afternoon.

Mayor Cockrell took exception to his comments saying that out of the hundreds of decisions made by the Council, she could remember only four occasions when it had changed a decision.

KARL WURZ

Mr. Karl Wurz said that the City should make a study of the impact that City cemeteries have on urban sprawl. He said that cemeteries create dead areas in the City. The City should consider a project for a City mausoleum.

MR. C. ELIZONDO

Mr. C. Elizondo spoke of the lack of enforcement of the dog leash law. He asked if the City had any intention of requiring enforcement.

Mayor Cockrell said that money is required to enforce an Ordinance of this type and the City does not have it at this time. She asked that the City Manager prepared an update on facts and figures relating to costs for an effective animal control program.

Councilman Hartman said that the staff should consider the neutering of dogs along with licensing of dogs.

TOM WILSON

Mr. Tom Wilson thanked the Council for proclaiming Friday, December 10, 1976, to be "Greeting Card Mailing Day". On that day, a special box will be in the lobby at City Hall and he urged all City employees to bring their greeting cards then for mailing.

76-57

MRS. D. FORD NIELSEN
MRS. ELIZABETH KELLY

Councilman Nielsen introduced his wife, Merry Nielsen, and his sister, Mrs. Elizabeth Kelly, from Midland, Texas, and welcomed them to the meeting.

There being no further business to come before the Council, the meeting was adjourned at 3:20 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

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