

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JUNE 8, 1978.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN, COCKRELL; Absent: NONE.

78-26 The invocation was given by Reverend William A. Johnson, St. Paul's Lutheran Church.

78-26 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-26 The Minutes of the meeting of June 1, 1978 were approved.

78-26 NATIONAL WEATHER SERVICE DISCUSSION

Councilman Hartman recognized Mr. Roger Hukstra and Mr. Henry Resendez, employees of the National Weather Service, and spoke of the proposed plans by the National Weather Service to curtail operations at the Hondo and Del Rio Weather Station facilities. Mr. Hartman then read the following Resolution:

A RESOLUTION
NO.78-26-89

EXPRESSING THE CONCERN OF THE CITY COUNCIL
OVER THE CONTEMPLATED REDUCTIONS IN THE
MANNING OF CERTAIN WEATHER RADAR FACILITIES
IN SOUTH TEXAS.

* * * *

Mr. Hartman moved to approve the Resolution. Mr. Steen seconded the motion.

Mr. Roger Hukstra, Chairman of the Southern Region Council of the National Weather Service Employees Organization, stated that the Hondo Weather Station is a very important link to the weather system in the United States. He emphasized the need for full time operation of this facility as well as the facility in Del Rio. He said that the employees are very concerned about the proposed curtailments and thanked the Council for considering the Resolution.

Mr. Pyndus stated that he has requested information from the National Weather Service on the proposed cutbacks and has not yet received a response to his inquiries. He felt that the Resolution is premature and would prefer to receive the information before considering taking action on the Resolution.

Mr. Wing expressed concern about the wording of the Resolution and stated that the United States Air Force is always on call 24 hours and is prepared to issue warnings on inclement weather.

Mr. Hartman stated that the Hondo facility is the first to pick up inclement weather because of its long range radar and sophisticated equipment.

On roll call, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Cisneros, Dutmer, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: Wing, Pyndus; ABSENT: Webb, Alderete.

78-26 Mayor Pro-Tem Ortiz read the following Resolution in its entirety:

A RESOLUTION
NO.78-26-90

COMMENDING THE ATTORNEY GENERAL OF TEXAS
FOR HIS EVALUATION AND URGING CAREFUL
CONSIDERATION BY THE RAILROAD COMMISSION OF
COASTAL/LO-VACA SETTLEMENT PLAN.

* * * *

WHEREAS, the final Settlement Plan is now before the Railroad Commission of Texas and

WHEREAS, the Attorney General of Texas has filed an Evaluation of Settlement raising several points for Commission consideration; and

WHEREAS, the rate payers/consumers of San Antonio have sustained damages in excess of \$431 million due to Coastal/LoVaca's breach of Contract and public utility duty; and

WHEREAS, the City of San Antonio has previously declared its intent that financial benefits of the settlement should accrue to the benefit of the gas and electric consumers; and

WHEREAS, it is the rate payer (ultimate consumer) who ultimately bears the brunt of the financial and economic burden of all corporate and governmental policies and decisions; and

WHEREAS, the City Council of San Antonio as well as the Railroad Commission ultimately are charged with the responsibility of representing and protecting the public welfare and public interest of the Citizens of San Antonio, and the State of Texas; now therefore:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. That the Attorney General of Texas be commended for his Evaluation of the Settlement Plan and identifying areas which merit careful Commission attention, consideration, and scrutiny, and

SECTION 2. That the Railroad Commission of Texas give these items, along with all others, their careful attention and consideration in order to resolve this matter in the interest of the public and the electric and gas consumers in San Antonio, and

SECTION 3. That especially the four major points raised by the Attorney General be given full and complete attention, those points being:

- 1.) to assure adequate compensation terms for the Coastal refinery property in the spin-off as indicated;
- 2.) to reaffirm established Commission policy against 100% gas cost flow-throughs;
- 3.) to provide for flow-through of all financial benefits to Consumers, and
- 4.) to avoid immediate rate increases.

* * * *

Mayor Pro-Tem Ortiz moved to approve the Resolution. Mr. Hartman seconded the motion.

On roll call, the motion, carrying with it the passage of the previous Resolution, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Webb, Alderete.

78-26 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Webb, Alderete, Hartman.

AN ORDINANCE 49446

AMENDING CHAPTER 9 OF THE CITY CODE IN REFERENCE TO INTERMENTS IN CERTAIN CITY CEMETERIES.

* * * *

78-26 The Clerk read the following Ordinance:

AN ORDINANCE 49447

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY OWNED REAL PROPERTY FOR THE LOCATION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, REPAIR, AND MAINTENANCE OF PUBLIC FACILITIES DESIGNATED COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; AND AUTHORIZING THE INSTITUTION AND PROSECUTION TO CONCLUSION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH PROPERTY AS CANNOT BE ACQUIRED BY NEGOTIATION.

* * * *

Dr. Cisneros moved to approve the Ordinance. Mr. Steen seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, stated that out of the 31 parcels involved, between 19 and 23 are not owner occupied and are rent homes.

On roll call, the Ordinance was passed and approved by the following vote: AYES: Eureste, Ortiz, Pyndus, Steen, Cockrell, Cisneros, Wing; NAYS: None; ABSENT: Webb, Dutmer, Alderete, Hartman.

78-26 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: Ortiz, Pyndus, Steen, Cockrell, Cisneros, Dutmer, Wing, Eureste; NAYS: None; ABSENT: Webb, Alderete, Hartman.

AN ORDINANCE 49448

ACCEPTING A \$1,000.00 GIFT FROM THE GEORGE CARSTENS TRUST TO BE USED FOR IMPROVEMENT OF LA VILLITA AT 511 PASEO DE LA VILLITA STREET, ESTABLISHING A FUND AND AUTHORIZING EXPENDITURE OF THE GIFT FOR SAID PURPOSE.

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AN ORDINANCE 49449

CLOSING AND ABANDONING AS PUBLIC RIGHT OF WAY A PORTION OF BRACKENRIDGE AVENUE ADJACENT TO NEW CITY BLOCK 9021, AND AUTHORIZING EXECUTION OF A QUITCLAIM DEED.

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AN ORDINANCE 49450

AUTHORIZING THE CLOSING OF SAN SABA STREET BETWEEN DOLOROSA AND WEST COMMERCE STREETS ON JUNE 9, 10 AND 11, 1978, DURING CERTAIN HOURS.

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AN ORDINANCE 49451

AUTHORIZING EXECUTION OF A CONTRACT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS FOR THE PURPOSE OF IMPLEMENTING THE 1978 YOUTH CONSERVATION CORPS PROJECT.

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78-26

The Clerk read the following Ordinance:

AN ORDINANCE 49452

AUTHORIZING THE CITY MANAGER TO MODIFY THE CURRENT GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF LABOR UNDER THE PROVISIONS OF TITLE II OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973; APPROVING A REVISED BUDGET AND AUTHORIZING THE MODIFICATION OF THE CURRENT SUBGRANT AGREEMENTS WITH THIRD PARTY AGENCIES.

* * * *

In response to Mrs. Dutmer's questions about the differences of money received by the different entities, Mr. Eddie Garcia, Assistant Director of CETA Programs Management Division, Economic Employment and Development, stated the salaries vary because the different entities have different pay plans.

On roll call, on motion of Dr. Cisneros, seconded by Mr. Ortiz, was passed and approved by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSTAIN: Dutmer; ABSENT: Webb, Hartman.

78-26

The following Ordinance was read by the clerk and after consideration, on motion of Mr. Ortiz, seconded by Mr. Eureste, was passed and approved by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: Dutmer, Pyndus; ABSENT: Webb, Hartman.

AN ORDINANCE 49,453

AUTHORIZING THE CITY MANAGER TO MODIFY THE CURRENT GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF LABOR UNDER THE PROVISIONS OF TITLE VI OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973; APPROVING A REVISED BUDGET; AND, AUTHORIZING THE MODIFICATION OF THE CURRENT SUBGRANT AGREEMENTS WITH THIRD PARTY AGENCIES.

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78-26 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Webb, Hartman.

AN ORDINANCE 49,454

ACCEPTING CERTAIN HIGH BIDS FOR CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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78-26 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: Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Hartman.

AN ORDINANCE 49,455

APPROVING CERTAIN ADJUSTMENTS TO THE TAX ROLL AS RECOMMENDED BY THE TAX ERROR BOARD OR REVIEW

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AN ORDINANCE 49,456

ACCEPTING THE LOW QUALIFIED BID OF G.P. FALBO, INC., IN THE SUM OF \$711,717.00 FOR CONSTRUCTION OF BRIGGS AND SOMERSET SANITARY SEWER RELIEF MAINS, PART I, PHASE B; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT THEREFORE; APPROPRIATING THE SUM OF \$774,215.00 AND AUTHORIZING THE PAYMENT OF \$711,717.00 TO G.P. FALBO, INC., \$35,585.00 FOR CONTINGENT CONSTRUCTION EXPENSES AND \$26,913.00 TO SELIGMAN AND PYLE CONSULTING ENGINEERS, INC., FOR ADDITIONAL ENGINEERING FEES.

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78-26 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: Dutmer, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Ortiz, Hartman.

AN ORDINANCE 49,457

ACCEPTING THE LOW QUALIFIED BID OF MEADER CONSTRUCTION CO., INC., IN THE SUM OF \$464,939.30; FOR CONSTRUCTION OF THE FORT SAM HOUSTON SANITARY SEWER RELIEF LINE, APPROPRIATING THE SUM OF \$488,186.17 AND AUTHORIZING PAYMENT OF \$464,939.30 PAYABLE TO MEADER CONSTRUCTION CO. INC., AND \$23,246.87 FOR CONTINGENT CONSTRUCTION EXPENSES.

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AN ORDINANCE 49,458

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT TO PROVIDE SEWER SERVICE TO A SUBDIVISION REFERRED TO AS THE W.R. CRAIG PROPERTY LOCATED IN THE NORTHWEST PORTION OF THE CITY'S ETJ, OUTSIDE THE CITY'S REGIONAL AGENT BOUNDARY.

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78-26LOWER ESPADA SEWER SERVICE AREA

Councilwoman Dutmer asked that the staff prepare a status report on the Lower Espada sewer service area. She stated that this area does not have adequate sewer service.

The request was referred to the City Manager for a report.

78-26 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: Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Ortiz.

AN ORDINANCE 49,459

ACCEPTING THE LOW BID OF STRUCTURAL & STEEL PRODUCTS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH GALVANIZED GUARD RAIL FOR A NET TOTAL OF \$10,478.24

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AN ORDINANCE 49,460

ACCEPTING THE PROPOSAL FROM ARISTA CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LIBRARY MATERIALS FOR A NET TOTAL OF \$3,718.05.

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AN ORDINANCE 49,461

AUTHORIZING THE PAYMENT TO IBM CORPORATION FOR THE MAINTENANCE OF IBM TYPEWRITERS LOCATED THROUGHOUT THE CITY OFFICES DURING THE 1977 CALENDAR YEAR FOR A TOTAL OF \$12,793.81.

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78-26 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Webb, Ortiz.

AN ORDINANCE 49,462

AUTHORIZING THE CITY MANAGER TO SUBMIT IN CONJUNCTION WITH BEXAR COUNTY, AN APPLICATION TO THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR, FOR A GRANT TO FUND THE METROPOLITAN PLANNING UNIT OF THE BEXAR COUNTY METROPOLITAN CRIMINAL JUSTICE COUNCIL.

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78-26

The Clerk read the following Resolution:

A RESOLUTION
NO.78-26-91

SETTING A PUBLIC HEARING FOR 3:30 P.M.
ON THURSDAY, JUNE 22, 1978, IN THE COUNCIL
CHAMBER OF CITY HALL ON AN ORDINANCE
GRANTING A FRANCHISE TO UA-COLUMBIA CABLE-
VISION, INC. TO CONSTRUCT AND OPERATE A CABLE
TELEVISION SYSTEM WITHIN THE CITY OF SAN ANTONIO.

* * * *

Mr. Alderete moved to approve the Resolution. Mr. Hartman seconded the motion.

Mrs. Dutmer stated that she would abstain from voting on this Resolution. She explained that although she was not against the UA-Columbia Proposal, she would like to have an opportunity to review the Storer Proposal.

On roll call, the motion, carrying with it the passage of the Resolution, prevailed by the following vote; AYES: Cisneros, Webb, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSTAIN: Dutmer; ABSENT: Ortiz.

78-26 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Hartman, seconded by Mr. Eureste, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

A RESOLUTION
NO.78-26-92

EXTENDING THE TIME GIVEN THE RIVER LINKAGE
PROJECT HOTEL GROUP FOR COMPLETION OF CER-
TAIN FINANCIAL AND MANAGERIAL ARRANGEMENTS,
WHICH MUST BE COMPLETED PRIOR TO EXECUTION
OF THE MEMORANDUM OF UNDERSTANDING FOR LEASE
OF LAND AS AUTHORIZED BY RESOLUTION 78-2-7
OF JANUARY 12, 1978.

* * * *

78-26 The meeting was recessed at 2:30 P.M., and reconvened at 4:00 P.M.

78-26 Mayor Pro-Tem Ortiz presided in the temporary absence of the Mayor.

78-26

CITIZENS TO BE HEARD

MR. MICHAEL J. TURNER

Mr. Michael J. Turner, 406 Blaze, spoke to the Council regarding the drainage problem in the Kinston Road area near Krueger Middle School. He distributed photographs of the area to the Council and also presented a petition requesting relief to their problem. (A copy of Mr. Turner's petition is on file with the minutes of this meeting.)

Mr. Joe Madison, City Manager's Office, stated that this project was funded in the 1974 Bond Issue and construction should begin in sixty days.

MRS. LINDA RAMIREZ

Mrs. Linda Ramirez spoke to the Council about the City Manager's proposed budget. She said that one of the alternative, that is, to reduce City personnel by 683 workers would affect the lower paid employees. She stated that they are prepared to file a challenge with the Department of Labor and said that CETA Personnel are not supposed to replace regular City employees. Mrs. Ramirez also spoke in favor of a moderate cost of living increase for City employees.

MR. E.L. RICHEY

Mr. E.L. Richey stated that the City Council should trim the City budget by eliminating such programs as the free concerts sponsored by the Parks and Recreation Department of the City. He stated that these programs are in actuality not free and tax payers pay the cost indirectly.

MR. KARL WURZ

Mr. Karl Wurz spoke against the statement made by the President of the Firefighter's Union that personnel in the Fire Prevention Bureau be increased from its present 21 men to 40 men. (A copy of Mr. Wurz' statement is on file with the papers of this meeting.)

78-26 Mayor Cockrell entered the meeting and presided.

MR. HERSHEL BERNARD

Mr. Hershel Bernard, representing Storer Broadcasting Company, stated that their proposal will be presented to Council, Tuesday of next week.

MR. JAIME MARTINEZ

Mr. Jaime Martinez, spokesman for a group who were present in the audience, stated that they would be marching from the Federal Building to City Hall in support of labor law reform. He asked that the City Council support them in their efforts to have a labor reform bill passed which is presently before the U.S. Senate.

Later in the meeting, Mr. Martinez joined by a group of supporters, again addressed the City Council. He stated that 7,000 people are fired illegally each year and asked that the City Council pass a Resolution in support of their efforts to have the labor reform bill passed.

Mayor Cockrell explained the process by which resolutions are brought before the Council for consideration.

After discussion, Mr. Eureste moved that a resolution in support of the labor reform bill be placed on next week's agenda. Dr. Cisneros seconded the motion.

Several Council members stated they would not vote in favor of placing the resolution on the agenda because they did not have sufficient information on it.

On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Alderete, Ortiz; NAYS: Pyndus, Hartman, Steen, Cockrell; ABSTAIN: Dutmer; ABSENT: NONE.

Staff was instructed to place the resolution on the agenda for Council's consideration.

MRS. FAY SINKIN

Mrs. Fay Sinkin, representing the Aquifer Protection Association, read a prepared statement to the Council regarding an ordinance approved by the City Council at the June 1, 1978 meeting which extended sewer service to University Hills. She stated that Council should have waited until the Metcalf and Eddy study was completed before taking this action. (A copy of Mrs. Sinkin's prepared statement is on file with the papers of this meeting.)

City Attorney Jane Macon reviewed the legal procedures which the City has followed in this certain case.

MR. JAMES MCGINNIS

Mr. James McGinnis stated that the leash law should be enforced. He spoke of his particular case and the problems he has encountered because this law is not enforced.

Mr. Hartman stated that the City Council will consider a revised ordinance dealing with this matter in a few weeks.

MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez spoke about the problems at E.O.D.C. and stated that federal monies are not properly utilized. She also spoke about VIA's operations.

MRS. ARMANDINA SALDIVAR

Mrs. Armandina Saldivar spoke to the Council regarding the G.A.O. Report and the problems at E.O.D.C. She asked that the Director of E.O.D.C. be removed from his position. She also stated that she did not agree with the staff's report on the G.A.O. report.

Mrs. Saldivar also spoke about the fees paid to E.O.D.C.'s attorney and stated that she will start another investigation into the activities at E.O.D.C.

RESIDENTS OF WINDSONG SUBDIVISION

A group of citizens appeared to speak before the Council regarding the problems they have encountered with their new homes in the subdivision of Windsong, a development of Morton/Southwest. They spoke about problems with electrical wiring, foundation, plumbing installations and problems in the workmanship of their homes. They stated that they are especially concerned with the fire that occurred at 4223 Dexired and fear that they may have the same experience. They also spoke about the problems that have encountered with the personnel at Morton/Southwest, and calls and letters are not responded to. They asked that the City Council should initiate steps to license homebuilders so that problems like these will not occur in the future. They also stated that proper electrical inspections are not made by the City because of the insufficient number of inspectors. They stated that electrical inspectors are also underpaid.

Those speaking were:

Mrs. Maria Harder, 4235 Dexired
Mr. Hinojosa
Mrs. Dorothy Bowen
Mr. Virgil Herndon
Mrs. Janet Ahmad

200 The residents were advised by the Mayor that the staff will review the record and determine what inspections took place at the residence where the fire occurred.

Mr. Hartman advised the residents that City Public Service will inspect suspected problems with electrical wiring. He recommended that they contact CPS to investigate their problems.

Several Council members then spoke regarding the H.O.W. Program and its one year experimental program which the Council will review and evaluate.

Mr. Ortiz asked that the Legal Department work with these citizens on the types of problems so an assessment can be made of the H.O.W. Program.

The citizens were also advised if there have been violations of the City's Building Code, then the Building and Zoning Department does have jurisdiction.

REFUSE COLLECTION GRIEVANCES

Mr. Frank Kiolbassa, Acting Director of Public Works, gave Council Members a written summary of Committee dealing with the refuse collection grievances. (A copy of the statement is on file with the papers of this meeting.)

MRS. JACKIE KUHLE

Mrs. Jackie Kuhle spoke to the Council regarding specific incidents at E.O.D.C.

78-26 At this point in the meeting, Council was again addressed by Mr. Jaime Martinez. See page 8 of these minutes.

78-26 The Clerk read the following Letters:

June 5, 1978

May 23, 1978

Petition submitted by Ernest Lugo, requesting permission to leave his business sign at its present location

May 26, 1978

Petition submitted by Mrs. Eugenie Tharratt, requesting permission to re-erect a chain link fence previousl on her property which enclosed a portion of the alley at the rear of her home.

/s/ G.V. JACKSON, JR.
City Clerk

There being no further business to come before the Council, the meeting adjourned at 6:55 P.M.

A P P R O V E D

Lela Cockrell
M A Y O R

ATTEST: *G.V. Jackson Jr.*
City Clerk

June 8, 1978
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