

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 12, 1974.

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The meeting was called to order at 9:10 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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74-61 The invocation was given by The Reverend Joseph F. Sweeney, St. Agnes Catholic Church.

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74-61 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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74-61 The minutes of the meeting of December 5, 1974, were approved.

74-61 CLASS FROM FREDERICK DOUGLAS ELEMENTARY SCHOOL

Mayor Becker recognized a class of 5th grade students from Frederick Douglas Elementary School and their teachers, Mrs. Mattie McDaniel, Miss Carol Johnson and Miss Georgia Henry. He welcomed them to the meeting and invited them to come again.

Rev. Black stated that attendance of this class is part of a continuing program to get students familiar with their City Council.

74-61 AQUIFER PROTECTION ASSOCIATION

Mayor Becker recognized Mrs. Fay Sinkin, representing the Aquifer Protection Association, and invited her to address the Council.

The following discussion took place:

MRS. FAY SINKIN: My name is Fay Sinkin. I am coordinator of the Aquifer Protection Association. We know the City Council is beset with multitudinous problems, but we believe that none is more important than the drinking water of the people of Bexar County, now and for generations to come. We are the only major, metropolitan area on the edge of the Aquifer and single largest threat to the recharge zone. If we do nothing we cannot expect the other five counties to take action to protect the Aquifer. We are seeking a coordinated effort to purchase the undeveloped land, or portions thereof, in the sensitive areas of the Edwards Aquifer Recharge Zone in Bexar County. We believe that purchase by all four levels of government is the best available method for insuring the future quantity and quality of San Antonio's water. Accordingly, we present to you 21,000 signatures on a petition which reads: "We the undersigned citizens of Bexar County, Texas do hereby petition the City Council of San Antonio, the Commissioners of Bexar County, the Legislature of the State of Texas and the Congress of the United States to cooperate in a joint effort to purchase the Edwards Aquifer Recharge Zone in Bexar County, Texas, for purpose of protecting and insuring the purity of the water supply for the city of San Antonio, and do further petition, that this purchase be completed as part of the Bi-Centennial Celebration for the City of San Antonio." And by the way, we have been designated as an official bi-centennial project by the Bi-Centennial Committee of San Antonio.

December 12, 1974

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The people of Bexar County see the dangers of development over the only source of water we now have. They seem to know that:

1. Streams and springs to the North are drying up. Rooftops and pavements built by developers prevent the necessary seepage that the underground reservoir is dependent upon. If we continue to build, we escalate the drying up process.

2. They seem to know that if we continue to build housing and streets - that if 1604 becomes a 410, they'll be paying for more than one \$48 million bond issue to control the flooding of our city during even minor rainstorms.

3. San Antonio is one of the few cities in the United States with pure water. They seem to know that everyone who buys or rents housing over the recharge zone will be flushing toilets into septic tanks or sewage lines. We have one developer who is asking for a sewage discharge permit from the Texas Water Quality Board. The developer wants a permit that would allow an average sewage discharge of not more than two million gallons a day and not more than one million gallons a day, average, over one month. The treated sewage would be fed into a tributary that would eventually wind up in the San Antonio River.

4. They seem to know that herbicides and pesticides and insecticides and gasoline and oil are chemicals, not bacteria, and very costly to treat (if they can be treated at all), and that eventually they will be paying astronomical costs not for pure water, but for treated water. Not only that but the Express editorial of December 4th says "due to the nature of the Aquifer-honeycombed limestone - there is virtually no filtration of water underground, therefore, anything that generates pollution at the surface is a potential hazard to the entire water supply." If you add up the cost of additional surface water, additional flood control and water treatment plants you can surely see the total comes to a good deal more than the 30 to 60 million dollars we estimate for the cost of approximately twenty thousand acres in the recharge zone, and we wind up with pure water and a lovely park.

We are not asking you to decide now how much money you will allocate, how much land you will buy, what method of acquiring land will be used, how the land will be administered or any of the other technical questions related to purchasing the recharge zone. We are only asking that you will join the county commissioners and commit yourself to answering these questions. We, therefore, submit the following suggested resolution so that you may place it on the agenda next week.

(At this point, Mrs. Sinkin read a proposed resolution which she asked to be placed on the Council's agenda next week. A copy of the resolution is on file with the papers of this meeting.)

We believe the 21,000 signatures indicate the people are ready for purchase of the Edwards Recharge Zone. Thank you very much.

MAYOR BECKER: Thank you very much.

MRS. SINKIN: We are prepared to answer any of your questions, if you have any.

MAYOR BECKER: Are there any questions that any of you Council members might ask Mrs. Sinkin?

DR. JOSE SAN MARTIN: Mrs. Sinkin, there are some questions that I think that should be brought out at this time, I mean for information purposes. I am pretty sure that some time back at this Council Meeting, I made the statement that I thought the purchase of the Aquifer was the only solution to it. So, I am not in any way antagonistic to the concept of the idea. My questions - I don't want them to be construed as being antagonistic, but rather informative in nature for the benefit of the Council. I fully support the concept of the purchase of the Aquifer, but at the same time, I think we need to have a little bit more information than has been presented here so far. I have some reservations as to the ability of our Finance Office to come up in sixty days with a sound recommendation to this Council as to where, how and how much money is going to be purchased.

Now, what I would like to know is, do you have any tentative plans as to the eventual organization of all of these governmental agencies? Who is going to be the head, the Federal Government? Is it a committee of several counties or is it the Edwards Underground Water District or the Texas Water Quality Board? What are your comments as to who will spear head? Somebody is going to have to be the project manager, so to speak, who will coordinate with the various counties and political entities what needs to be done. Do you have any plans on that?

MRS. SINKIN: Our plan, Dr. San Martin, is to have the County appoint a member to this Commission or whatever they want to call it. To have the City appoint a member, to have the State appoint a member, to have the Federal Government appoint a member, to have the counties around us in the recharge zone, the other five counties, if they will go along with it, to appoint a member. Then I think it is up to all those members to decide the organization of that Commission.

DR. SAN MARTIN: Who has the power to create such a Commission? I mean this is for information. Who has the power to create it? Do we just take the leadership here?

MRS. SINKIN: Would you not think that that would be right?

DR. SAN MARTIN: It would be fine, but I am trying to find out. I mean are we creating a Commission at this point to set up such an organization?

MRS. SINKIN: The possibility is always there.

DR. SAN MARTIN: Well, no, I am asking you what is your recommendations?

MRS. SINKIN: We have no recommendations. We gathered petitions on an idea to purchase and the purchase to be by four levels of government. We have completed our mission and we are now going to you. We have gone to the County. We will go to the State. We will go to the other counties, and we will go to the Federal Government.

DR. SAN MARTIN: I am trying to develop information for the benefit of the citizens of San Antonio because if you are going to line up support, I think they should have all the information, because when

it comes time to allocate money, we will have maybe 30,000 people here who will say we don't have enough about it. We don't know who is going to run it. We don't know who is in charge of it. Now, it is your recommendation that, say for instance, the Governor appoint a Commission or ask the Legislature to create a Commission which would include the people that you have talked about.

MRS. SINKIN: We will be going to the Governor. We will be going to the Lieutenant Governor. We will be going to many of the State officials and indeed the Legislature.

DR. SAN MARTIN: I know, but what is your recommendation?

MRS. SINKIN: We have no recommendation.

DR. SAN MARTIN: In other words, anybody can pick up the ball and create a commission?

MRS. SINKIN: Right.

DR. SAN MARTIN: Do we have, say, for instance, wouldn't you think that a State-created Commission would have the, I would say, the ability to include all the counties and the local entities of government.

MRS. SINKIN: It's the possibility also, Dr. San Martin. The City also has the right.

DR. SAN MARTIN: I am trying to develop what may be the strongest approach. So, in this Resolution, I certainly wouldn't mind having some member of this Council appointed by the Mayor or the Council to serve on such a Commission but I think that we need to know how the organization set up is going to be.

MRS. SINKIN: Well, I think a member of the City Council, a member of the County Commissioners could get together and decide if you had a member join with Commissioner Ploch, they could decide what would be the best method. We are not advocating a method. It is up to the Commission to designate a method. All we are asking is that there be a commitment to purchase the Aquifer.

DR. SAN MARTIN: I would like to know a little bit more about how the whole thing is going to be set up.

MRS. COCKRELL: Mr. Mayor. I'd like to add a few comments. First of all, I think that we all appreciate the efforts that you have made and other citizens have made because it does call attention of the community to the importance of safeguarding the Aquifer and safeguarding the purity of the Aquifer. I have talked to several members in the group to try to get a handle on what course of action it was that they were really recommending, and I gather that what some would like to have the City and the County do in particular is to address those portions of the Aquifer that are within our own County and at least make a start. It is highly unlikely that we could purchase the entire Aquifer Recharge Zone. I think we ought to face that fact in the beginning. We also need to review the relationship of our portion of the Aquifer Recharge Zone to the total portion. Twenty-five percent of the land area of the total Recharge Zone is in Bexar County. However, only ten percent of the volume of water that enters the Aquifer enters through Bexar County, which means that ninety percent obviously of the recharge water is entering outside of Bexar County. The pollution - the threat to pollution is certainly aggravated

with a high density of development. We recognize that. It is also though a problem where you have feed lots and large livestock interest, or agriculture interests that use commercial pesticides and that kind of thing. So, it's a problem that covers a wide area and where there are a lot of different governments that are involved. We also have the problem that development has already taken place, and I gather you are not suggesting, for example, that we try to purchase those areas that are already developed over the aquifer.

MRS. SINKIN: No, we have suggested undeveloped land over the Aquifer.

MRS. COCKRELL: I would like to see us do at least as much as having a member of the Council meet with the representative of the Commissioners' Court to explore the idea and see really the total that is involved in it. I know that everyone on this Council is sincerely dedicated to doing what we can to protect the Aquifer, and I would like to see us at least have a committee member appointed to meet with the representative of Commissioners' Court to at least get a handle on the total problem and see what.....I have been told that possibly the purchase of 20,000 acres or the identification of 20,000 acres where there was key density of recharge water going in might be a feasible thing to look at. It is possible even, maybe it is wishful thinking, but I think it's not beyond the realm of possibility that if the project were started that there might be some persons who would even donate land, or even donate funds toward this.

MRS. SINKIN: And there is also the possibility that you could buy leases. It doesn't actually have purchase. We heard that if you had a bond issue, we heard this from someone who had land over the Aquifer, that if you had a bond issue for purchase that he would be willing to take bonds for his land because they are tax deductible. There are many possibilities.

MRS. COCKRELL: Well, I think I would like to at least see us go as far as having some representative or representatives of the Council confer with the Commissioners on the size of the problem to get a handle on it and see what would be a feasible or practical approach for it.

MAYOR BECKER: All right, does anyone else have any questions of Mrs. Sinkin?

MR. MORTON: I have a few.

MAYOR BECKER: All right.

MR. MORTON: A series of questions. I think that what has been established so far is that you are not proposing any particular entity to be the condemning or purchasing authority but you are proposing that we set an example here in Bexar County by purchasing 20,000 acres here which represents only what percentage of the total recharge zone?

MRS. SINKIN: It is 80,000 acres all together so that's a quarter. That's in Bexar County, we're talking about.

MR. MORTON: Bexar County has approximately 80,000 acres, is that correct?

MRS. SINKIN: Right.

MR. MORTON: The total acreage of the recharge zone outside Bexar County is 3.420 million acres.

MRS. SINKIN: 400 square miles.

MR. MORTON: We can see the magnitude of the problem. Assuming we can buy the land in Bexar County for \$2,000, do you think that's a valid assumption?

MRS. SINKIN: Yes, we've been offered some land for three but that was negotiable.

MR. MORTON: I understand, but would you say considering location, present uses and so forth this land at \$2,000 would be fair? Yet, I think that you're in agreement with Mrs. Cockrell when you say that only 10 percent of the water that comes into the recharge comes in over this 80,000 acres.

MRS. SINKIN: I'm not sure about that. We may have somebody in the audience who can give you a figure.

MRS. KROESCHEL: Well, I have the figures at homes.....(rest inaudible).....

MRS. SINKIN: That's Mrs. Kroeschel.

MR. MORTON: I wonder if we could - in my experience in studying this question I find that there is less known than is known about the whole question of the Aquifer.

MRS. SINKIN: That's one of the reasons we better investigate it.

MR. MORTON: Well, of course, I think it is being investigated, and I don't think I am at odds with you at all if this is the way to do it. My question is this, if we expend \$160 million here in Bexar County in order to be able to set an example.....

MRS. SINKIN: How do you figure that?

MR. MORTON: Well, I'm just figuring 80 thousand acres at \$2,000 an acre is \$160 million.

MRS. SINKIN: No, we're talking about 20,000 - you do not have to buy all 80,000 acres. There's much land in Bexar County that cannot be developed.....

MR. MORTON: The recharge portion.

MRS. SINKIN: The recharge portion is 20,000 of the 80,000 acres in the recharge zone that we are advocating needs buying. Not all of the recharge zone is sensitive. You have many dry holes that you drill over the recharge zone. We're talking about the sensitive acres which is 20,000 acres.....

MR. MORTON: What is your criteria for a sensitive area?

MRS. SINKIN: Where the water is.

MR. MORTON: Where the water is?

MRS. SINKIN: Where the water can be brought up from the area. You can drill a well, as you know, Mr. Morton, and find a dry hole, no water. We're not proposing that you buy that land.

MR. MORTON: Even if there might be a cavity there where the water could go or seep off of the surface into the reservoir.

MRS. SINKIN: Well, if there's a cavity there's going to be water.

MR. MORTON: Not necessarily so.

MRS. SINKIN: Well, sometimes yes.

MR. MORTON: No, not necessarily so at all. You take - we're talking here - let's just use your figure of 20,000 now.

MRS. SINKIN: All right.

MR. MORTON: But really there's approximately 3.420 million acres outside Bexar County.

MRS. SINKIN: But that's not in the recharge zone?

MR. MORTON: Well, I believe it is.

MRS. SINKIN: In the five counties you're talking about.

MR. MORTON: In the five counties, yes, madam.

MRS. SINKIN: Are you talking about the Edwards Aquifer, itself?

MR. MORTON: No, madam, I'm talking about the recharge area outside Bexar County. Using a thousand dollars per acre, do you think that would be a reasonable figure once you get outside Bexar County?

MRS. SINKIN: I don't know.

MR. MORTON: I think that's a pretty good figure.

MRS. SINKIN: Are you saying that this City should be responsible for what's outside of Bexar County?

MR. MORTON: I'm just saying I would hate for this City to spend a \$160 million when perhaps only 10 percent of the surface drainage comes into the area that we're purchasing for a \$160 million and the 90 percent outside would have the potential to pollute at the same rate that we would once it's developed. So, let's face it, San Antonio is going to be bigger than Bexar County one of these days.

MRS. SINKIN: But, are you also saying, Mr. Morton, that San Antonio needs to do nothing.....

MR. MORTON: No, I'm not saying this at all, all I'm - is simply saying this, we have a serious problem that I think is being addressed on a responsible basis at the present time. I'm saying that if what is being done is not adequate then I think we ought to determine what will be adequate because regardless of what the price is, you and I are in absolute concurrence on the fact that it should be protected. But my question to you really boils down to why only be concerned with Bexar County. Would it be something for us to spend a \$160 million

here and find a feed lot operation in Medina County that would have a greater potential to pollute than everything we can do here in Bexar County, I think you're only addressing a portion of the problem. I think you have to look at the whole problem. If you look at the whole problem, we're talking about 3.420 million acres of land outside of Bexar County using a thousand dollars an acre that's \$3.4 billion amortized over a 20 year period at 6 1/4 percent which I think would be a reasonable figure for an agency to pay for public bonds. We're looking at an amortization for 20 years of \$318 million a year. Now, this has nothing to do with the maintenance of the area after you've acquired it.

MRS. SINKIN: We agreed, I thought, that only 20,000 was necessary to be bought in Bexar County. That's one quarter so if you take 1/4 of your 3 million acres.....

MR. MORTON: I haven't agreed with your 20 million yet, but I'm just saying that you're only addressing a portion of the problem, and I would find it highly irresponsible to go along with your suggestion to just look at that portion of the problem and ignore what some people say is 90 percent of the problem outside. Then let's expand it a step further yet. Let's say that you buy all of this, what is there is pollution upstream beyond the recharge zone itself because after all we should be concerned.....

MRS. SINKIN: There is pollution.

MR. MORTON: There is pollution. What kind of control do we have over it, what are you recommending?

MRS. SINKIN: Same thing. Go to all those counties. But you have to set an example. If nobody sets an example nobody's going to be interested.

MR. MORTON: In other words, what you're recommending is that we just - you want us to go on record as saying we're willing to spend \$160 million, and we want to set an example for all of these other counties whose orientation is quite different than Bexar County's. I'm sure that is you sat in any of those Edwards Aquifer Task meetings you found the orientation was completely different. Do you really think, you really think that just setting an example is really going to create the kind of urgency on these other counties, that they will say, look at what Bexar County is doing and, therefore, let's do the same thing?

MRS. SINKIN: Mr. Morton, I don't think you have a choice. If you don't do something you have a dead City here.

MR. MORTON: If we don't do something but what you are recommending that we do you are also agreeing may not be adequate at all.

MRS. SINKIN: It will probably be adequate.

MR. MORTON: It will probably be adequate. Will you explain that line of reason. I find a big gap between that and the fact that you've got a potential 90 percent.

MRS. SINKIN: Well, we have discovered that many, many people had never heard of the Aquifer and they are now hearing of the Aquifer and they know of its dangers and they want to do something about it, and I think that this can only proliferate. You do find other counties doing a better job than Bexar County in protecting the water of the Aquifer. We have septic tanks that are leaking into the Aquifer now.

MR. MORTON: Are you saying that other counties don't have septic tanks?

MRS. SINKIN: Yes, they do, but they're doing a better job.

MR. MORTON: Which ones don't have septic tanks?

MRS. SINKIN: No, I'm saying they have septic tanks, but they're doing a better job of protecting. Comal County is doing a better job of protecting its septic tank.

MR. MORTON: In what respect? What are they doing differently than we are?

MRS. SINKIN: Monitoring it.

MR. MORTON: When you say monitoring, how do you do that?

MRS. SINKIN: Well, you know as well as I do so what you're trying to...

MR. MORTON: No, no, really I would like to know how they do it because I'm quite concerned.

MRS. SINKIN: We have rules and regulations here that talk about monitoring our septic tanks, monitoring the sewage disposal plants. You know what that entails.

MR. MORTON: Are you saying that Bexar County does not do this?

MRS. SINKIN: They do, but to a very limited extent because we know of pollution that's taking place.

MR. MORTON: Do you think that we should address the problem of such incorporated and almost completely developed areas as Hollywood Park where you have septic tanks throughout the City?

MRS. SINKIN: Our idea is to purchase the undeveloped land of the recharge zone to a portion thereof, twenty thousand acres is what we estimate can be done, and protect the water in San Antonio and that's all we're talking about.

MR. MORTON: I understand that, but you know, it just seems to me that you may just be addressing yourself to a very small portion of the problem. You're amputating a toe and maybe what you should do is take out a ...inaudible.

MRS. SINKIN: Well that has to be investigated.

MR. MORTON: But in the interim, you're saying go ahead and spend \$160 million.

MRS. SINKIN: No, we're saying spend between \$40 and \$60 million.

MR. MORTON: You're saying do that and then investigate?

MRS. SINKIN: No, I should say not.

MR. MORTON: Don't you think the investigation should come first?

MRS. SINKIN: Yes.

MAYOR BECKER: I think what Councilman Morton is trying to say, Mrs. Sinkin, is simply this. I'm no authority on the Edwards Aquifer, but I have listened by the hour...

MRS. SINKIN: I'm not either, Mayor Becker.

MAYOR BECKER: I have listened by the hour to various hydrologists, accredited scientists discuss this problem. I've never heard one of them agree on much of anything with another one as to the dimensions of it, where it extends to, the permeability and the porosity of the formation and all the various factors that are attendant to this thing and they're constantly putting dye in the water up and down the various streams, the Frio, the Nueces, the Sabinal, at Brackettville and all this business trying to find out something about this thing. One of the most, I think, revealing facts is that our own City Water Board Manager, General Manager, Robert Van Dyke, says that some of the water that we use on a daily basis in the City of San Antonio is 150 to 200 years old and they can determine that by some type of carbon test and all this sort of thing.

I don't fault your desire to see this protected. I think each and everyone of us have identically the same interest in protecting this thing because I've made the statement before up here and I'll make it again, and I only use myself as an example, I'm credited with being a successful person and some people say too successful. That's really not my fault. I don't think that I've worked to earn this, but be that as it may. I probably have my name on as many mortgages and long term financial commitments, notes of all kinds, private financing and everything that you can imagine, probably almost as much as any man in San Antonio. I intend to honor those commitments. Everyone of them is tied in with the future of the City of San Antonio. Would it be likely that I would go out of my way to destroy the very thing that's helping make it possible for me to pay back all this money that I owe and that is what condition the City is in. If it's going to become a ghost town then it stands to reason that I will be hard pressed to honor my commitments.

Now, no one really knows where all this recharge zone begins and ends. I've listened to enough of it to know that much and as far as a line and being able to draw it on a map like we see so many maps indicated with just one single line, it's almost fallacious thinking. It has practically no real application of truth in it. It's an arbitrary line that's been devised by whom I don't know. It could be twenty miles to the North or twenty miles to the South in some areas, and perhaps, even more. Hydrologists will tell you all this if someone will only take the time to listen to them. Now, City of San Antonio and Bexar County Commissioner's Court spent, I don't know how many months here last year, I believe it was, trying to come up with a standard and a set of rules and regulations and the criteria. The sewer lines and all that sort of thing. Councilman Morton is more acquainted with it than I am because he is in the building business. But those sewer lines from what I can gather were practically solid gold the way they were encased in concrete and everything known, device, no trouble was spared, no expense was spared to insure that these things didn't break and all this sort of thing. Now, there's been a great deal of effort made with respect to the protection of the Aquifer, the Edwards Aquifer. I can't believe that anyone could say that the subject has been neglected. I know from first hand information that it has been discussed in San Antonio, for, perhaps, going on 15 years or more and in some circles it has been discussed since almost there was ever such a thing known as the water supply of San Antonio in the Edwards.

Some people have been concerned with this for 50 years or more. Colonel, what's his name over at the....

MRS. SINKIN: Winert.

MAYOR BECKER: Winert has been dealing with it all his life practically. It's been a life work with him and yet I'm not sure that he shares this same feeling that we're approaching doomsday on this thing. This day and age seems to be the time when everything is generally blown out of proportion to its reality. The cause and effect, of course, of polluting the Edwards is certainly a real factor to be dealt with. I think what Councilman Morton's trying to say, and some of us on this Council and some of us on the previous Council attempted to address ourselves to the fact, that regardless of what we do in Bexar County we could absolutely forbid the use of any of this land forever. We could take it away and take it out of circulation and cover it with a tarpaulin or solid plastic sheet, or something and protect it from every bird, field mouse, rabbit, deer, dog, cat and everything else that you could think of. But if something isn't done upstream, by upstream I'm speaking of towards Brackettville, to similarly protect it with the same amount of zeal and sincerity and conviction and conscientiousness that you are trying to exhibit here today and some of us on the Council, and I would like to think that all of us on the Council have tried to exhibit with respect to the protection of the Aquifer, we are just whistling Dixie because they can pollute it faster than we can take care of it.

Now, let's just assume that they do pollute it or anyone else for that matter might pollute it. If the figures of \$318 million, let's say, at 6 3/4 per cent have any application here, if it costs that much to service the debt that Councilman Morton is trying to make an illustration of. I would dare say that we could probably purify practically all the water in the Southwest part of the United States for \$318 million a year and have it just as good to drink as it is right now. So, I don't think anybody is being negligent and I don't think anybody is being unreasonable. I don't think anybody is turning a deaf ear. I don't think anybody's showing a lack of interest when we try to resolve this matter in what I call a logical, reasonable, intelligent and proper fashion, but it's difficult to do sometimes when we have various, and sundry peoples making all kinds of statements to the newspapers. I'm not addressing you when I say that, Mrs. Sinkin, I want you to know that.

MRS. SINKIN: Thank you sir.

MAYOR BECKER: But are just absolutely constantly talking about this thing as if no one on earth gave a hoot or a holler as to what happens to it. That is the farthest thing from the truth. That's the farthest thing from the real facts of the case. I think there's a great many people interested in the Aquifer besides one or two people who have been doing an awful lot of talking about this thing. I think we're all interested in it and it's incumbent upon us as officials of the City of San Antonio and I might say duly elected officials of the City of San Antonio that we share the same type of interest that you and your friends and everyone else shares.

MRS. SINKIN: It's 21,000 other people sir.

MAYOR BECKER: I appreciate that and I would like to think that there's really the entire populous of the City of San Antonio that's concerned with it. But there must be some means besides just saying we want to protect the Aquifer regardless of how much it costs because in the first place the money has to come from somewhere unless you can get 21,000 people that are willing to donate \$1,000, \$2,000 to \$3,000 a piece and that's hard to come by.

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MR. MORTON: Mr. Mayor...

MAYOR BECKER: Yes sir.

MR. MORTON: If I could, let me just say, I can support your position 100 per cent if you were requesting this. If you were saying that we want to create an agency that would have the power to tax, the power to condemn and the power to control whatever needs to be done in the way of control over the Aquifer to insure that we do not have pollution. If that's what you're asking for, I'll support it in a minute, but the thing that you and I are basically in conflict on, I think, Mrs. Sinkin, is just the question that I think you are only looking at part of it. You are only asking for money to spend here in Bexar County. Wouldn't we feel silly, if we spent this \$160 million that you're suggesting or let's cut it half in two, let's say \$80 million, wouldn't we feel silly if we spent that money and we had spent it, and the next year it was polluted because of something that somebody else did elsewhere? Would you like to look people in the face who are going to have to pay for that acquisition if that eventually happened? Would you?

MRS. SINKIN: I don't think that's a fair question.

MR. MORTON: Well, what's unfair about it?

MRS. SINKIN: It just isn't fair.

MR. MORTON: Well, no I'm serious. You have not proved to me at all that your acquisition of this property is going to prohibit the pollution of the Aquifer. Is that a fair question?

MRS. SINKIN: It's a beginning and if we do nothing we know it's going to be polluted.

MAYOR BECKER: Well, I can't accept that assumption, you see, Mrs. Sinkin, for this reason. I know that something is being done about it. Something is being done about it. It's not being totally neglected. Now not as much is being done about it as we would like to see as Council members here. We agree that a commission should be or a body of some type should be appointed either by the Governor of the State of Texas or the legislature or whoever province this falls in to deal with this thing on the basis that it actually is and that is an area of land both on the surface and below that extends from Brackettville, Texas all the way to San Marcos. On the other side of Brackettville it is on the downfall. It's anticline down towards Del Rio. So, in theory, we're not concerned with that portion and I'm not sure that that's true but that's what we're told. But at any rate we can define it as being from Brackettville, Texas all the way to San Marcos and it extends all the way up there to Llano or whatever those towns are up there on the Northern route that you go through. Ozona and all that business out towards Fort Stockton. So it is a gigantic thing and...

MRS. SINKIN: But sir, may I ask you why would you expect a state regulatory agency for water to be more effective than the Railroad Commission or the Texas Water Quality Board?

MAYOR BECKER: Well, my goodness, you know, if we are going to face everything on the past performance of one or two state agencies, there wouldn't be much hope for us. I'm inclined to believe that, perhaps, certain activities that have been forcibly brought to light here of late will serve as a turning point, perhaps, for the future.

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MRS. SINKIN: But I believe we should have our own, we should be in control of our own local affairs.

MAYOR BECKER: It would be nice to be in control of our own local affairs. The only point of this being though that regardless of what we do in Bexar County unless we receive the same cooperation and the same dedication that we're applying to our problem here locally by the other counties to the West of us toward Brackettville and to the North that encompasses this total recharge zone, we're only kidding ourselves because the water is running and flowing from West to East and whatever occurs down there unquestionably has an effect on what we're left with here for a supply of water, a source of water. So, I think that's what Councilman Morton is trying to say and this Council here has endeavored on numerous occasions to bring about some support from the State Government of the State of Texas with respect to getting all these counties together and try to start to formulate a plan as to how we are going to protect this thing so that there isn't sewage dumped into the Rio, the Nueces, the Sabinal and all those creeks down there and rivers. So that cow lots and things like that and feed lots and everything else can't just arbitrarily or summarily be placed whether anybody wants them without some degree of investigation to see whether or not all that residue will eventually seep down into the Edwards. You know there's a cut in the thing where the water comes in and then there's a protective shell above it. And right in this North part of San Antonio at 1604 that's pointed out here, for example, a lot of that soil out there and the subsurface soil and everything is almost like concrete. I don't know that it has any porosity or permeability at all. It's like concrete. It's natural. It's a natural ledge of rock. Now, we're not disagreeing on what we're attempting to do here. I think we're talking about going about it in two different manners perhaps. We hope, though, that we share some success just as you do and this we are attempting to do.

REVEREND BLACK: Mr. Mayor...

MAYOR BECKER: Yes sir.

REVEREND BLACK: I think what we have debated here is the adequacy of the idea. I think that's what we're debating. It seems to me though that this does not do violence to the request being made by this group and that is that if we can continue the debate of the adequacy of this idea by having someone serve with them in order to debate the issues. Now, I'm greatly concerned that we don't become involved in a situation that gives the illusion of an answer because I think it can do a great dis-service to the citizenry of San Antonio because they can put their hopes in that and the great problem of doing an inadequate job is that everybody believes you're doing what needs to be done, you see. Nobody's worried anymore. I think it's incumbent, it's morally incumbent upon this group that they explain the extent to which this proposal serves the end objective because you could mislead and a great number of people can just relax and say we've got the answer. They have the answer and this is it and if it isn't the answer, then we have allowed them to rest their hopes on an inadequate answer. I think that is wrong as well. That is just as wrong as not doing anything. Now it seems to me that here are several issues that need to be raised. One is in spite of the ...of what you might consider the lack of response on the part of those state agencies, it seems to me that anybody that develops a proposal for the protection has to by the very nature of the organization of the state begin to address those parties so they can deal with this. In other words we need the kind of concerted effort. The 21,000 people need to be also involved in influencing or impacting the attitudes of those agencies that have a certain

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responsibility for water supplies. I think the next thing is there ought to begin some kind of dialogue to simply be an example without also at the same time entering into conversation does not give the example any insurance of being effective. I think that the group ought to begin proposing some dialogue with those persons within the other areas to at least say we are in talking terms if we're going... if the example is going to be, you know, you can give me an example but if you don't have an conversation with me I don't even recognize your example. So, I think if you are going to propose this as a solution and as an example for a solution then it seems to me that some conversation needs to take place with those persons in those areas. But I do think, Mr. Mayor, that if in the acceptance of participation this body is not saying you must now agree with our proposal but are simply saying we want your input on our proposal then I don't see any problem that we have as a Council to participate in them. Now, if they are saying that the Council itself must be in agreement with the proposal as a solution then I think we've got a problem in terms of where we stand as a Council, in terms of this being a solution. So, I would like to simply propose, if I understand, address the question which of these are you asking. Are you asking an endorsement of the idea or are you asking for a participation in the community of concerned persons to begin to start this part as a part of concern of the community for the Aquifer? Which one these?

MRS. SINKIN: We're asking for both. We're asking for both, a commitment to the concept of the idea of purchase and to commit one of your members to explore methods and ways and all kinds of things of how to do it, how to accomplish it.

MAYOR BECKER: Well, I have to agree, Mrs. Sinkin, with what Reverend Black said. To give false hope to people that by the purchase of 20,000 acres of land out here we will put all the problems to bed in the future and all concerns will be laid to rest about the future of the Aquifer would be deception of the highest order.

MRS. SINKIN: I don't think we said that, Mr. Mayor.

MAYOR BECKER: I know you didn't but I'm saying that if that were the results inadvertently and the public suddenly came to feel that everything was going to be fine now that we've purchased 20,000 acres of land, taking it out of circulation, put it on the ice box that's on the shelf, so that nobody can ever touch it or encroach upon it, then we have solved all the problems of this thing. That would be deception of the highest order and I don't think you are advocating that in the least. In fact I know you are not and I'll speak for you and make that assertion.

MRS. COCKRELL: Mr. Mayor...

MAYOR BECKER: Yes madam.

MRS. COCKRELL: In view of the fact that the Council appears not to be ready to act on a resolution at this time that would endorse the concept of purchase, may I suggest that we at least appoint one or more representatives to meet with the Commissioner's Court and with the group that is represented by the Aquifer Protection Association to explore the concept in more depth than we are able to pursue right at this particular time and come back at a later time with a further report to the Council.

MR. PADILLA: I'd like to second that motion, Mr. Mayor.

MRS. COCKRELL: Staff support would be accompanying any...

MAYOR BECKER: Well, I'd like to appoint Cliff Morton to work with the County and whatever because I think he understands the problem. I think he understands the problem. I'm not putting a fox in the hen house regardless of what some of the members of the audience may think of this suggestion. I will say one thing he has a good thorough working knowledge of what we are discussing here because he too has sat in the same meetings that I have with the hydrologists at the Water Board and listened to this thing and discussed hour upon hour. So, it's not something that he's unfamiliar with. It's not something that he's not acquainted with and if that suggestion would meet...

MR. MENDOZA: Do we need a motion for that Mayor?

MAYOR BECKER: Well, if you'd like to make it. Cliff you have time to add that to your other duties?

REVEREND BLACK: Is that in motion of...

MAYOR BECKER: Well, Lila...

MRS. COCKRELL: My motion was that the Council authorize the appointment of a representative to meet with the Commissioners to explore the problem in more depth.

MR. MENDOZA: Can we vote on that and then make the appointment?

MAYOR BECKER: All right, all in favor of Lila's motion? (ALL VOTED AYE)

DR. SAN MARTIN: Mr. Mayor, I personally would like to see a little stronger, acceptance of the concept. We have been asked to merely endorse a concept. I'm ready to approve right now the concept of purchase of the Aquifer as one of the solutions that may become necessary. I don't know whether the Council would like to postpone it until next week or the week after. But I think that it would also be an incumbent upon this Council to express its support of the concept of the purchase of the Aquifer in Bexar County as a possible solution.

MAYOR BECKER: Well, Doctor, I have to say...inaudible...I also can describe some other concepts, I think, would probably be just as effective. One, as I said would be to cover it with some type of impervious material out there like you cover a football field and tarpaulin or something and just let it stay there in perpetuity. I think that would also probably accomplish pretty much the same results. I don't think one really isn't any more practical than the other if you'll forgive me for feeling that way about it. If you'd like to vote on it today, you can vote on it but it won't be supportive of the idea of going out and purchasing 20,000 acres of land because in the first place we don't even know how we're going to fund it.

DR. SAN MARTIN: I think my suggestion was that we support the concept to the point that we should involve ourselves in the investigation to see whether this idea is meritorious or not.

MR. MORTON: I wonder if you couldn't broaden it. I don't really know whether we're really in disagreement but I think that we all agree that this Council is in a position to say that whatever it takes to protect it, we are willing to do it. Is that correct?

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MRS. SINKIN: That's just beautiful.

MR. MORTON: I think my disagreement with you is that I think you are only looking at a part of the solution. If you will go back and check the minutes of the Task Force I think that you will find that the City representatives were just as strong on what should have been done as any one on the Task Force and, quite frankly, much stronger than the representation from Bexar County. For example, I don't think that you're going to get the kind of inspection if you leave the inspection to the County as opposed to an agency above the County which would be a sub-agency of the State. For example, let's suppose that the County Judge in Uvalde County owns a feed lot. A County inspector who works for him indirectly has to inspect that feed lot for pollution, now do you think that he's going to be as tough as someone who might be working for the State of Texas instead of for the County Judge?

MRS. SINKIN: I guess you've answered it.

MR. MORTON: What...

MRS. SINKIN: I guess you've answered it.

MR. MORTON: Well, what do you think? I don't think so but they said let's leave it all in the County. Each county that was involved in that Task Force had a different orientation from Bexar County. We have more to lose than all the other counties put together. Not only in terms of population, but in terms of values. I frankly do not think the solution is to say that we're going to rely on the sense of responsibility of those counties whose orientation is completely different from Bexar County. I think it's going to take a law that will make them perform and make them participate in this protection.

MAYOR BECKER: Any questions?

MR. MORTON: Does any of the Council disagree with the basic position?

MAYOR BECKER: I do not.

MR. MORTON: It seems to me that the motion of Councilwoman Cockrell was that the point would be made with the idea of gathering additional information in order that the Council might come to some position with reference to what is being requested of us, if I understood your motion.

MRS. COCKRELL: Yes, let me just comment on a few more things. If, for example, in meeting with the County Commissioners and determining a little more about what their concept was if there were certain areas within Bexar County where there was a higher degree of vulnerability for example, if a lot of the water was going in at certain locations, maybe it would be very helpful to consider purchase at those locations for park purposes. That kind of thing could come out in the study and investigation. So, I think that we are not quite ready to commit to purchase or how much purchase but I think we want to look at it very carefully to see if there are areas. For example, if there are 80,000 acres of recharge, I don't personally know at this moment that 20,000 would be an appropriate amount to consider purchasing. It may be that a lesser or greater amount would be necessary, but I would like for us to really look at it very carefully to weigh the idea. It is certainly an idea which is one of those which should be considered. We've already taken some action through participation in the Edwards Task Force in working toward the stricter controls over the Edwards which is another approach to it.

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I think we should at least look at what the exact picture is and I think while we don't have control over the other counties, I think the concept of setting the kind of an example within our own County and in our own policies that other counties will observe and see that we care about it is certainly commendable so I think we could pursue it along those lines.

MAYOR BECKER: I think one of the ways to set the example, Mrs. Cockrell, and Council members, is to ask our own Bexar County legislative delegation to concern themselves with this question diligently and pursue it with as much effort as possible and we'll support them in every respect. We cannot do it alone right here in the City of San Antonio. We just can't do it.

MR. MORTON: Well, if I may, because of the difference in orientation, in uses of land, rural county versus one that is heavily urbanized, I would suggest that with all due respect to AACOG and would like to be able to use a couple of members from their staff, Notzon particularly, and two other people that we have this, San Antonio, Bexar County and any other cities within Bexar County that would like to participate type of involvement, because I can assure you from my experience that you are not going to get the same level of concern once you get outside of Bexar County. It's just not there. I would suggest that we go this far. If we feel that what has not been done to date, and I'm not completely in agreement with what has been done to date as far as it may be the answer, but I think that whatever study needs to be done is important enough to Bexar County and those cities in it that we insure what should be done, we do it and that we draft it into legislation and we don't leave it to guess or by gosh as far as our legislative delegation is concerned. We hand it to them and say here is what we want, now do it. That's the only way you're going to get it and it may be something that these other counties will have to have thrust upon them but let's face it we have more population than all those other counties combined.

MRS. SINKIN: Incidentally, this is not a, excuse me for interrupting. This is not a new concept. Hawaii has purchased its Aquifer twenty years ago. They not only have it purchased, they fenced it and police it. There are cities like Boulder, Colorado who have set aside money every year in their budget for green belt so that there's an area that can be utilized for other than development. New York State, New York City, has bought up much of New York State to protect the water. You have got to do something.

MAYOR BECKER: Well, we're not saying that we're not trying to do something. Mrs. Sinkin, what we're trying to say is that we want to approach it as reasonably, sensibly and logically as humanly possible and in a way also that has some degree of success, potentiality of success being attached to it. I'd like to say that I'd like to covet the moon, but you know, there's no way on this earth that I can ever hope to succeed in that endeavor. So, let's try and make into something that will become a reality and something that we can all look forward to having some chance of success.

MRS. SINKIN: Would you like to inspect our 21,000 names?

MAYOR BECKER: I'm not denying the fact that you have the 21,000, Mrs. Sinkin, and I commend you and the ladies that are here and all those that signed that petition for having a deep, genuine interest in this problem. We applaud you for that.

MRS. SINKIN: Thank you for hearing us.

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MR. GLENN LACY: I just wanted to say one thing to Mrs. Sinkin, that she may not be aware of and I don't know how the Council is, but ten or fifteen years ago in law school, we didn't even have a course on water. It consisted of one little volume. Today it is voluminous and I've gone to task with the Water Quality Control Board just recently, one in specific, talking in specifics was out here north of town where there was a very large mobile home park. They are on septic tanks. The water was very clear and they said it was very low grade going into a dry creek bed. Well, I'll tell you how effective they were. They ordered it closed immediately if it was hooked onto the sewer line. To hook on to the sewer line consisted of going under the expressway and highway or two, Austin Boulevard, and it cost I don't know how many thousands of dollars. He had to contribute with the City in order to do it. That's how effective they were. Now, I thought that they were stretching a point, but they are really effective, they're working much, much more stringent and scrutinizing things much more severe than you've ever dreamed of. I've already been in two other counties. I've gone to bat with these people and they're strict and they're hard to deal with and it is being enforced and so I just wanted to make the comment that more already is being done from the State level than you would ever dream of and they're really working because I've seen it first hand as a lawyer that they're hard to cope with. They create sometimes a very hard, hardship on the people that they're dealing with. They're really pinning people to the wall. And there is a law that is effective.

MAYOR BECKER: Do you think there is progress that is being made?

MR. LACY: There's a great deal more than anyone has ever dreamed of. Mr. Reeder's got, I'm sure, he'll back me up on that, that there's just a tremendous amount of work been done. Mr. Castleberry out here at St. Mary's University, I think wrote about a ten volume treatise on the water problem and a great, don't you say, Crawford, a tremendous stride in legislation has already been made, and it is effective.

MAYOR BECKER: Thank you very much. We appreciate your being here this morning. Would you like to, I'm addressing the gentleman there behind you, Mrs. Sinkin. Excuse me for confusing you.

MR. RAY PARKER: Mr. Mayor and City Council, I'm Ray Parker, realtor and a real estate appraiser. I was former chief appraiser and chief negotiator for the Land Division. I've really come to listen however I can understand the Council's problem and I'm just as concerned about the Aquifer as Mrs. Sinkin and I'm sure the Council is, but purchasing 20,000 acres is not going to solve this at all. A realistic figure is in excess of \$160 million because there is land along the Aquifer now on the North side of the Loop that is sold for \$15,000 an acre. A lot of it has been zoned. Until you control the entire 80,000 acres which will probably cost in excess of \$2,000 per acre by the time the suits are in, unless you control the entire 80,000 acres, the 20,000 acres really doesn't help. The only way that Council could do it, in my opinion, is to put an ordinance, a protective ordinance, over this 80,000. By doing that I think you take this land through imminent domain regardless of whether you know it at that time or not, and I believe you'd have, the owners would recourse in the courts on this. My opinion is, since the growth of San Antonio has been 90 per cent above Loop 410 and about ten per cent below Loop 410 on the South side, that the City should be very careful in their zoning of this property at later dates but provide sewers to this area because if we stymie the growth to the north we've killed the City of San Antonio. Thank you very kindly.

MAYOR BECKER: Does anyone have any questions of Mr. Parker? Well, thank you very much. We appreciate your comments.

Mr. Don Thomas, Rate Analyst for the City Public Service Board, made his monthly report concerning gas and electric rates. He reminded that this is the season when gas usage rises. That fact along with increased gas rates will certainly reflect increased utility bills in December. He predicted that the average gas and electric bill in December will be \$37.82 compared to the November average of \$31.71. (A copy of Mr. Thomas' report is included with the papers of this meeting.)

Mrs. Cockrell asked if a favorable decision by the Texas Supreme Court in regard to a suit urging the Railroad Commission to act on the gas which was sold to TUFECO and if the Commission reallocates the gas would it have an effect of lowering gas rates.

Mr. Thomas agreed that a reduction would result.

74-61

CITIZENS TO BE HEARDMR. DOUGLAS McDONALD

Mr. Douglas McDonald, 5518 Beech Valley, again addressed the Council concerning rates charged by private water companies. He said that he had been assured that he would have results on this matter by now but he had not heard anything.

Mr. Carl White, Director of Finance, said that an audit of Lackland City Water Company is under way now. Due to the complexity and size of the company the audit is taking longer than he had anticipated and he doubted if it would be completed this month. As soon as the audit is complete, a report and recommendations will be made to the Council. Mr. White also pointed out that there is no assurance at all that there be a recommendation for a decrease in rates.

Mr. McDonald suggested that if he could not be given relief on his water rates that he should be taken off of the tax rolls.

City Attorney Crawford Reeder said that it would be illegal to remove anyone from the tax rolls.

Dr. San Martin said that while he sympathized with Mr. McDonald he felt that he must wait until the audit and all information is in and asked Mr. McDonald to be patient.

MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, spoke of the cost of living allowance being unfair and wrong.

MR. ERVIN CAREY

Mr. Ervin Carey, Route 1, Box 112, Von Ormy, again complained about the high utility bills. He also said that he only got \$3,000 tax assessment exception while senior citizens in San Antonio get a \$10,000 exemption. He said that people who live in the county need protection.

Mayor Becker advised Mr. Carey that his complaints properly should be addressed to Commissioners' Court.

MRS. HELEN R. WALTER

Mrs. Helen R. Walter, 5268 Round Table Drive, again complained about billed by the City Water Board for sewer fees payable to Lackland City Water Company. She contended that the City Water Board has been billing her illegally.

Mr. John Shields, Comptroller for the City Water Board, said that the Board has a contract to collect sewer fees in an area near Mrs. Walter. Recently, by verbal agreement, the Board agreed to collect the sewer fees in Mrs. Walter's area. The Board only collects fees from homes served by the City Water Board. In the event of non-payment of the sewer fees, the City Water Board will take no action.

MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez, 250 Freiling, related circumstances of a disagreement she had had with a neighbor which resulted in her being summoned to the Office of the District Attorney to discuss the matter. She said that she wants to get a copy of the complaint against her but is unable to do so and asked for assistance.

Mayor Becker advised Mrs. Dominguez to discuss the matter with the City Attorney at her convenience.

74-61 The meeting recessed at 11:25 A. M., and reconvened at 11:35 A. M.

The clerk read a proposed ordinance which would direct the City Public Service Board to exclude revenues from gas cost adjustment charges on natural gas delivered directly to customers from computation of the 14% payment to the City under the 1951 revenue bond indenture.

The following conversation took place:

MR. ALVIN PADILLA: Mr. Mayor, I would seriously like for the Council to table this, at least, to give us time to try and see if we can come with something better. I'm not prepared to offer what I would consider to be anything better this morning. I just haven't felt right about this thing ever since we took the vote the other day. It seems to me like in actuality we're passing on something like 66 cents a month to people, and with all due respect to the very tight situation in many families in San Antonio, I seriously doubt that this is the best way to use these funds, I really do. I would like for the Council to table this for a week or two to try to make an attempt to come up with a better and a more workable, and a more solid type of solution to the use of this money.

MRS. LILA COCKRELL: Mr. Mayor, the Council met the other day to review this and we did come to a conclusion. My only regret is that we have not yet taken action on the full amount that the City Manager has said was available for us to continue at this time. I would want us to take the action on passing up the 14 per cent on the gas fuel adjustment today and I would also like for us to reconsider the matter which I brought before us the other day about also passing up the 14 percent on the first 300 kilowatt hours on the electric pass through bill. I feel that this is a first step and true that these two steps together would still not be a major amount in any person's bill. It would be a step towards the right direction. I think if we looked at that as part of the process of rectifying the bills, add to that the hope that we could get the five per cent sales tax added to that through our efforts through the legislature, and then as a long range goal, I would also like to see us work towards eventually passing up the 14 per cent in its entirety on the fuel adjustment. That cannot be done in one step. I recognize that. The most we could do at this time appears to be about \$6.5 million. But as a long range goal over a period of several years I think we could address this problem and work back to where we took the 14 per cent only on the base rate. That is my goal and as a result I would like to move the adoption of the ordinance directing the City Public Service Board to exclude revenues from gas cost adjustment charges as stated in this ordinance.

DR. JOSE SAN MARTIN: Mr. Mayor, I'd like to second that motion. First of all, let me say that I am not reluctant to give any thing such as important as this any further consideration. I told Mr. Padilla a little while ago that I would be amenable to listening to any coordinated plan where we could do a better job than we know we're doing with this. However, I feel that for the last four weeks or so due to the fact that the Mayor was out of the country for two weeks, then I was out of the country for one week, and Mrs. Cockrell was in Houston for a week, we have passed up this for four or five weeks already. Now, I don't feel at this point, unless some member of the Council is willing and able to bring at this point a probable solution for a better use of this money, I don't see how we can, in all conscience, postpone it any longer because we're talking about the first or second week in January. We have a meeting next week but we don't have a meeting during the Christmas holiday week. So, really Mr. Padilla, we're not talking about a week or two. We're probably talking about four more weeks. I think that the meeting that was called by the Mayor specifically for the purpose of discussing this, perhaps, that should have been the place or the time where all the proposals could have been brought forward. However, if there is any member, Mr. Mayor, who can bring up, at this time, any possible solution that looks like a better use of this money, I'm willing to listen.

MAYOR CHARLES L. BECKER: Well, Dr. San Martin, I'm going to have to confess that in the first place, I thought last Tuesday's meeting was for the purpose of discussing the various ways of handling the problem. I don't really think that we dealt with it adequately for the simple reason that we galvanized ourselves more or less into some sort of an immediate action, with respect to the adoption of the task of reimbursing this \$4.5 million. I don't really think that time was given to properly discuss the subject. I must confess that I went home that evening and sat down and thought that really what I had done that day was certainly not constructive, certainly not in the best interest of this City, and I had second thoughts on it that lasted later that evening.

Now, I'd like to address myself to the various points that I have in my own mind at least dealt with, and we've discussed some of them briefly, and that is the usage of this money. Now, in the first place I have to go on record as saying that I don't think it's immoral, sinful, unlawful or that we should by any means manifest a guilt complex for the mere fact that we have found ourselves in a position as being the recipients, if you will, the City of San Antonio, of this money. It wasn't our doing and I know in particular that it wasn't any of my doing, because had anything been done about the request that I made in October of '71 of the Public Service Board, we wouldn't be enjoying any of this pass through money. But since it wasn't handled at that time, then we have fallen heirs of this. Now, last night on the television, I saw television shots of the City of New York where they are going to have to lay off seven thousand workers. And the people that seemed to be the ones earmarked more specifically than any others happened to be police and firemen for some peculiar reason. Cleveland, Ohio is engaging in the same sort of thing, I think, if I'm not mistaken they had to lay off three thousand. Eleven hundred and fifty, is that what it was? San Antonio is in the very fortunate position that we haven't arrived at this fiscal catastrophe or dilemma yet. Now, to take \$4.5 million and distribute it in this fashion, to me when people get as little as 66 cents a month, I'd just as soon take the money and put it into 24 carat gold dust, take it up 40,000 feet in an airplane and salvo it out through a shoot and let it fall where it may and I think everybody would get just about that portion of it. I had an analysis made of our own bills at the Handy Andy Company, which we're on our way to paying \$900,000 a year in utility costs versus \$550,000 last year. If I'm not mistaken, calculations that were made regarding our own share of this refund so to speak, would be in the neighborhood of \$9,100. About one per cent. All right, it's a pittance. I know \$9,000 is a lot of money to an individual, but to a corporation that is paying \$900,000 worth of utility bills, I regard it as a pittance. Now, for those school districts, hospital districts, educational facilities, colleges and all those various things, I think what they should do and properly so, is to go to the City Public Service Company and ask for a specific rate relief that would exempt them from being included in this type of a pass through charge. I can think of buss fares where a person in San Antonio could possibly drive as much savings as 80 cents a day. I'm just using that depending upon where they got on the bus and where they get off and back home again that evening. Eighty cents a day, perhaps, in some type of a lowered charge with no zone rates and all that thing.

A gentleman a little earlier mentioned something about Convention Center and he didn't think it had any application to him and so forth and so on. Well, I submit to the Council that there's only one act we've got going at this particular time of any consequence in San Antonio and that's the Mexican Trade Fair. The Governors of the States of Quetero and Jalisco have both indicated the interest in opening an office here, all year round, not just two weeks, but all year round. This City could become the focal point for the Mexican Trade Fair for all time to come. I think it could also enlarge itself in that connection to become also a focal point for other Central and South American countries, as their trade center you might say. In order to accommodate this, we're going to have to have an enlargement of approximately 100,000 square feet at the Convention Center Exhibit Hall. That's been estimated to be somewhere in the neighborhood of a \$3.5 million expenditure. Is that right, Mr. Granata?

CITY MANAGER SAM GRANATA: Yes sir.

MAYOR BECKER: I can think of the necessity of enlarging upon the River Corridor and the results of the crew therefrom. Not to me or you personally, but from the standpoint of tourism, the people who work in restaurants as cooks, waiters and everybody else that is involved. This money, whether it seems so or not, does spread itself throughout the community when a dollar spent here on the part of the tourists, I don't know how many different kinds of people get a piece each dollar that's spent.

Now, I guess I could go on and on. I just think there's a better way of handling this refund, this rebate than giving it out to many of the people whom we're hoping to benefit the most and all they will get is a 60, or 66 or 70 cent a month decrease in their utility bill, and I don't really believe they'll ever even know that it occurred unless they read it in the paper. So, in that connection, that's the reason why I had to have second thoughts on the matter. I've changed my mind entirely. I was never thoroughly sold on it to begin with it the other day and that's my feelings on it and that doesn't make me right and everybody else wrong. That's just the way I feel about it.

MRS. COCKRELL: Mr. Mayor, I really feel very strongly that while it is perfectly fair for us to take the 14 per cent on the base rate, I think that's what the citizens get out of their utility in lieu of taxes, I feel that the surcharge is a high, extra cost that is not in the regular budget. It isn't in anybody's regular budget. It isn't in anybody's regular budget. It's something the citizens are having to pay and we're just making it harder for them when we add 14 percent on top of the high cost of fuel. I think we should make every effort. We should have a long term goal of giving up the 14 per cent entirely. I think we should take the initial step now. Although I recognize that this is not a big thing for each individual bill, it's a start in the right direction. My phone just rings constanly. I don't know how yours is or the other members of the Council, but I can hardly answer and return the calls of people who are upset about their fuel bills. I think we just have to do everything we can. Sixty-six cents here, maybe another thing we can do will be another 33 cents. I think it all adds up. We have to add all of the little pieces together and then maybe we'll come up with something significatn. I think if we pass this today and I think if we would also pass the resolution urging the Governor to proceed with the legislature in giving up the five per cent, that would be five per cent on the top of everybody's bills. I think all of these little pieces add up. There are a lot of these folks that have so little they can just barely get by, and 66 cents a month amounts to \$8.00 a year and that might make, at least, a little of difference to somebody.

MAYOR BECKER: Well, I'd like to think that would, Lila, and I can appreciate very well your feelings on the matter. I don't think any of us here on the Council are trying to heap additional woe or problems on the backs of the various citizens of the community. I do say, however, that there's, perhaps, a more representative way of doing it. The other day when we were discussing this thing, we started out initially by saying various combinations of choices, alternatives and I don't think that we have explored that sufficiently. We've just taken one shot at the thing and that's all we've done. I don't like to be expeditious to that extent because I don't think we're handling it properly.

DR. SAN MARTIN: Mr. Mayor, I would like to respond to the comment that you just made and I certainly have always respected your comments because I know they're always very sincere. I'd like to say that in the question of the Mexican Trade Fair, I think that next to you, in San Antonio, I'm just about one of the most dedicated persons. I think you beat me by a couple of miles. You have made that quite a project. I can see the benefits of expanding the Convention Center to the tune of perhaps, \$3.5 or \$4 million. I take the position that this is really a capital improvement which belongs in the realm of a bond issue, a general obligation type of thing. Just the way the whole Center was built. The way we built the Tower. Now, in the question of the reduction of the bus fares, I certainly feel that if we bring the bus fare down to 20, 15 cents, we might increase the ridership by double. I bring you back to the same thing I brought to the attention of this Council last week, that the Congress has already passed and I hope President Ford will sign, the mass transportation bill, which will give relief not only for improvement and maintenance but also for operating costs.

So, therefore, we are not neglecting, in my opinion, this very special aspect that you just brought out. But I feel that somewhere along the line we will be able to do these things without using this particular money which in the first place we were not expecting. It really doesn't belong to us because it was not programmed, it was not expected. Therefore, we really don't have...we can keep it. I think we have an obligation to return it because it was not supposed to be there in the first place.

MAYOR BECKER: Well, you know, Doctor, when you say keep it, we're not really keeping it.

DR. SAN MARTIN: I don't mean keep it. I mean reprogramming it.

MAYOR BECKER: We're not keeping it. We're trying to find ways of disbursing it.

MR. BILL O'CONNELL: Mr. Mayor, I'd like to think that we've all had the data regarding the pass through tax. We've had it in our packets and the information in our hands for some time that we've all had a chance to look at it, consider and talk about it. I know I have and I've talked to many people. I happened to go to a junior high school yesterday to have lunch with some children in their project. I sat with the teachers. Frankly, they were really pleased to see that the City Council had finally done something. I mean, this is sincere all the way. I think we ought to go all the way back because you're going to have to go back to your \$14.5 million and find out if you did a good job with the \$8 million you've already got. You can't stop and turn around. The waiting for, like Alvin suggested, waiting is not going to increase the amount. I think the money has got to go back to where it came from. I don't mean to criticize the statements, but I've heard that 60 cents batted around so many times and I took the figures that we had here and worked it backwards and it comes out 69.333. So, really you're talking about 70 cents. I mean let's get out of the 60 and into the 70. That's only a dime.

This money we're talking about here is money that many of these people, the way I understand it, they are going to get this money back on this gas during the cold weather time. They are going to get eight to ten, or whatever it happens to be, they are going to get it back in this coming time. They are going to get it back during this season. This is the time they are going to be using that gas. That's a yearly return. But it's going to come back now. I think right now is the time that the people want, need the little relief. It was theirs to start with. We're just canceling it out.

About the point of the fares, I think we ought to leave the fares of the bus to the experts in that area. Maybe the bill that President Ford, we hope will sign, will have some effect. I know that we had a talk at one of the meetings I attended here a while back about Atlanta's giving out fares for a nickle or a dime and it was a catastrophe. People still, that wasn't the answer to..reducing fares wasn't the answer to riding. I don't want to say more than that because I don't know all of the answers. I do know that people from Atlanta said this wasn't, lowering the fares didn't accomplish the job.

MAYOR BECKER: If it could save you 80 cents a day or something, if you were a bus rider, that would have some meaning, would it not?

MR. O'CONNELL: That is correct, but I'm saying a City that is larger than ours with somewhat the same problem took a regional deal and cut it down and it still didn't accomplish the purpose.

MAYOR BECKER: Everybody is going to suddenly become a bus rider even if you gave the service away. I recognize that.

MR. LEO MENDOZA: Mr. Mayor, I'd like to be recognized. I guess I'm the one that's really rushing this because I'm running out of time and I'd like to vote on this issue. I just have one meeting or maybe just possibly two more meetings. I don't know. It depends on whether or not we're going to have two more between now and the 31st of December.

But I certainly would like to vote on this before I get off the Council. I think I owe it to the citizens of San Antonio to make a decision on these monies that we have acquired and that we are trying to determine what would be the best use for it. Now, I am willing to, if only for the reason of giving someone the opportunity to come up with a better proposal, seconding Mr. Padilla's motion to table it, for one week. Not two weeks because like I said I'm running out of time. I'm like Mrs. Cockrell. I think that we need to find better ways, better means to really get into the nitty gritty and give back some of this money to the citizens. By the same token, when you're talking about 60 to 70 cents, Bill, I'm not sure that we're really doing anything for the citizens. You know, my conscience just kind of bothers me when I say we're giving you back something and people are going to be waiting, in the mail to see if they get some money back and there's no way in the world that they're going to get anything. I do agree that this is a step in the right direction and for that reason I'm willing to second the motion to table only for one week if Mr. Padilla will accept my amendment to his motion. If not I'm ready to vote on it because I think we do deserve, to express our opinions and let the citizens know how we feel about this.

MAYOR BECKER: I think the Reverend was next, Al.

REVEREND CLAUDE BLACK: I think that the common concern of the Council is how the money is going to be used. It's not as if we were going to keep it and the citizens weren't going to get it. It's how do we provide it for the citizens. It seems to me that it's the same thing we do with all other funds that we receive through similar methods. In other words, in lieu of taxes. We take that money and we allocate in a way that serves the City. I think the average citizen is concerned at that level. He's not concerned about, he's concerned about the effective use whatever is provided for the Council in terms of the decisions that it makes. I said yesterday, I looked at, I was trying to look at the other options. The problem I had at the time that there was not available to us options that I felt were available other than this. And this is what we felt we had to go along with as we examined those that were available to us. I would certainly encourage because, as I said, I was not altogether satisfied, but I dealt with it as the best possible approach that we had before us at the time. I would certainly suggest, accept the idea of giving additional time to this. I think that there are a multiplicity of ways that we might give back to the citizens of this City in services, those funds and not necessarily give back to them, but to provide an allocation of funds in a way that would be most serviceable.

It seems to me that while we don't deal with the fares, while we're not dealing with fares that we've just come out of a critical strike, if this is what we want to call it on an extended executive meeting. I think that's what they called it. That has, I am sure, had an impact upon the use of the bus system, the transportation system. It seems that we would be doing two things, not only helping those individuals that use the bus but we would also be designing a program that could overcome the impact that this extended executive session has had on the use of the bus.

I don't know the relationship of the City to health services. But I listened on television where we're facing a critical problem in our City in terms of the allocation of funds for health services. It seems to me that it might be well for us to examine the impact of the shortage of funds in health services upon the community and whether or not we should not be seriously looking at some of these funds in terms of what is being faced by this community. It seems to me that a very serious press conference was called bringing to the attention of this community the serious shortages that are being experienced by this community in finance to carrying on its health services. Now, I don't know the total impact of that announcement upon the citizens of this community. But I think it's worth looking into and the extended time as to whether or not some of these funds might be addressed to that issue. I know in the recent conference that I had in terms of infant deaths in this community that we were informed of the serious need at that level, of the level of dealing with infant mortality, of funds. The announcement that we talked about that was announced just recently brought to our attention the serious limitations of funds on the total

program of health in our community. So, I'm for this extended time. I think we do need to look at some and we can look at them with greater care in terms of the use that the citizens can make of the money that is theirs, really, the citizens can make of that money.

MR. PADILLA: Well, Mr. Mayor, I was going to comment that it's curious that, the position that I find myself in, because I think Claude hit it right on the head, Reverend Black hit it right on the head. It is a matter of the best possible allocation of these public funds. On the other hand I wouldn't have any problem whatsoever over the long pull in joining Mrs. Cockrell in working towards ultimate elimination of this 14 percent type of situation. I think it's a dishonest way of gathering funds. It's a tax really. For many reasons, we don't call it that. There should be a better way. However, we're dealing today with something that the press I think, clearly has played up as something very big and certainly \$14 million is very big. It only becomes a very small amount when you divide it by the number of accounts and you get down to dealing with something between 60 and 70 cents.

My real concern, my only concern is whether this 60 cents is going to benefit them more in terms of \$8.00 additional per year for their pocket, for their household expenses or can it best benefit them in terms of projects that the City can build and provide for them. I know there are thousands of people, though not all of the citizens of San Antonio, but thousands of people, affected by such a thing as floods. Were my house to get wet and where I had the opportunity between a flooded home, even once a year or once every five years or eight dollars a year, I would take the flood relief. I wouldn't take the eight dollars. This is my concern. I realize it's very popular especially in terms of what the press has made of this to refund some of this money. If we were refunding something meaningful, something of substance I could support it with a lot clearer conscience than I can support 60 to 70 cents a month refund, popular as it might be. I think the people are going to be disappointed when they get this kind of refund. They're going to feel like they've been cheated. Here this thing has been played out all out of proportion to what they're going to get. For that reason, I'm convinced that there's a better way of doing it. I would like, first of all, to accept Mr. Mendoza's amendment that we table it a week as his second to my motion. I would encourage the Council to table this thing and that we come up with something better. I think it would be a more responsible thing to do.

MRS. COCKRELL: Are you making a motion? I wanted to ask the status. There was not an official motion to table. I just wondered if that was it.

MAYOR BECKER: Are you making a substitute motion, Leo, is that what you're making.

MR. PADILLA: Yes sir, I did move to table one week consistent with Mr. Mendoza's wishes since he offered to second it.

MAYOR BECKER: Okay, is there any further discussion?

MR. MORTON: Are you talking about tabling it only for one week?

MR. PADILLA: I had originally said two, Cliff, but I didn't get a better offer than Leo's. He seconded it if I agreed to table for one week.

MR. MORTON: Okay, as far as looking at alternatives, how are we going to quantify and evaluate those within the next week as opposed to not already having the opportunity..(inaudible)..other than the fact that the only new fact that has been developed was the answer to the Mayor's question. That was the only thing really that is new. Is that right?

MAYOR BECKER: Cliff, originally, as I recall on this, the Council was, I think, generally in agreement on trying to deal with this thing as of January or February. That's my recollection of it. And the clamor and the pressure and so forth has shoved that up to December. Now I've never agreed with the necessity for going along with the clamor and the pressure. I still think, when is our tax re-evaluation thing going to

actually be finished and all of that information be made available?

CITY MANAGER GRANATA: At the end of this month. The county will be putting it into effect January 1. We go six months later.

MAYOR BECKER: Now, one of the things that's being contemplated and you may care to comment on this, Mr. Granata, is the fact that if these evaluations do indicate and represent the type of increases that we think they will, that there will automatically be a lower tax rate. Is that not correct?

CITY MANAGER GRANATA: Yes sir, that's the indication so far. That does not preclude the fact though that some may be paying a little bit higher taxes, but it will lower the tax rate.

MAYOR BECKER: But the majority of them though will probably be getting a lower tax rate.

CITY MANAGER GRANATA: Hopefully, yes sir.

MAYOR BECKER: So, that occurrence was going to be coupled with this business of trying to figure out a way to handle this money. Now the question that I have to ask myself about this money is, if we gave it all back, who are we giving it back to? Where is it going if we give it back? Now, if we're giving it back and it goes back to the Public Service Company, then I have to suggest that perhaps they can finance their own capital improvements without any further necessity for bond issues as far as this is concerned. Who are we giving it back to?

MRS. COCKRELL: We are foregoing collecting it.

MAYOR BECKER: Where is it going back to?

MRS. COCKRELL: It's going back to every citizen who pays a utility bill and who's bill will be reduced by that amount.

MAYOR BECKER: Well, I just feel, Lila, that's where we differ on thing thing and I can't think of it being, in those terms, when I look at 70 cents Let's accept Mr. O'Connell's statment. Seventy cents a month as compared to what we're discussing it here about the overall good that could be done with respect to health centers and health care and this sort of thing. Something that heretofore we've been unable to do because we have not had the money in the City of San Antonio. I can pay my doctor bills at least up to this point..not everybody can.

MR. MENDOZA: Mr. Mayor, I'd like to say and we're really saying that this is just an average. There's a lot more people who are going to get less than that, I'm sure. Well, if it's an average, I'm just wondering in comparing proportion to those that are going to get more and I'm sure there's a lot more people who are going to get less. I don't have the exact figures but.....

MR. O'CONNELL: Sam quoted that it was \$8.32 annually to \$9.48 annually.

MR. PADILLA: But nevertheless, may I Mr. Mayor..

MAYOR BECKER: Yes sir.

MR. PADILLA: The Mayor just pointed out and I must accept his figures, I have to assume that he knows what's happening at his company, we have something that we're dealing with on an average basis here. One company in town is going to say \$9,000. I'm just wondering why the popularity of the refund in terms of the press. It could mean a whole lot more to business in general than it means to the householder. I'm not concerned with Handy Andy, if you will pardon me, Mr. Mayor, because you always tack it on to the price of tomatoes when the bills go up. But I'm concerned with the low income householder who's going to get the 70 cents. I'm just wondering if keeping his feet dry when it rains a lot isn't a better solution as far as he's concerned.

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MAYOR BECKER: Well, that's the way I view it, Mr. Padilla, and that's just my own personal viewpoint.

MR. MORTON: One thing I'd like to put back into perspective here if I can. I get the impression that this Council is totally oriented towards the poor. I don't want to de-emphasize that, but I would also think that we'd be just as equally concerned with every citizen. After all, let's face it. If we didn't have the upper and middle in, then the taxes for the poor would be much higher than they are. As I listen here, that's all we're talking about, is talking about is poor, poor, poor, poor, poor.

MR. PADILLA: On this issue, Mr. Morton, I'm not talking about the poor. I'm talking about some basic improvements that you and I are fortunate enough to have. When I walk out of my house in a heavy rain-storm, I walk on the sidewalk and I thank God for it. I have to be concerned, call them what you want, I call them poor because they are poor and those that sept out into a puddle. That's the reason that I am an advocate of theirs in this kind of problem because I don't have that kind of problem.

MR. MORTON: Well, as I say, I think that we have a responsibility on this issue just as we do on any other.

MR. PADILLA: There's no question about it.

MR. MORTON: As far as the total impact as opposed to trying to isolate any one particular segment of our economy.

MAYOR BECKER: The only place I don't agree with this business of refund, Cliff, is the fact that it's not only just the citizens of San Antonio that are involved in this refund.

MR. MORTON: Well, Charles, I understand and appreciate that. I think that you know what my views are.

MAYOR BECKER: I know exactly what they are.

MR. MORTON: As far as those outside, but I guess we could use your argument and say, well we're not talking about refunding that much even if it is outside. I personally, feel this way about the delay. Other than, I thought this thing along the amount of delay as far as the individual householder is concerned, the amount of refund, which is 70 cents. Let's look at it this way. If you'll take the trend on the cost of gas, we're talking about a dollar before the end of the first quarter of 1975. So, at what point does it become insignificant? A dollar, again getting back to the poor, a month, that's a significant figure. I know how it hurts you when you look and see that the bills are going to go up on the average \$7.00 this month, but you're going to give them back 66 cents. I know what you're talking about. I'll support the delay a week if we can get the thing behind us. If there are people on the Council that feel uncomfortable with this procedure, the majority of the people feel that way? Fine, well let's wait a week. But let's get on with this thing.

MAYOR BECKER: Well, I would say this in all candor, that if it's dishonest to take any of it or all of it, then it's dishonest to take any of it. And we should either do one of two things. We should either give it all back. I'll support that probably more readily than I will this partial thing with this one exception. That there was an opportunity to do some things in San Antonio that have needed to be done for at least one hundred years that we could go back in the history, in the annals of the City and dig out the need for health centers and all of the things that have been needed on the West Side, the East Side and everywhere else. The fact that if I personally, let's just put it on, if I have to pay an additional amount, you know, on my utility bill to make this possible, it doesn't really bother me one bit because thank God at this time I can afford it. So, if we're going to do, you know, let's either be all the way in or all the way out.

MR. MORTON: Okay, well, let me say this. I think that your question the other day put the issue in focus. I think that the public had been misled into thinking that we are talking about a significant drop in your utility bills if that foot dragging Council will just give back their 14 per cent on the fuel adjustment. Okay, now we know what the figures amount to per month per household. Perhaps, we'll get a different reading entirely as far as what the citizens would like to do now that they know the amount of money that we're talking about. There may be other things that we want to do. They may indicate that to us. But I don't think that the average citizen felt that he was looking at 66 cents before last Tuesday.

MAYOR BECKER: He probably thought it was going to benefit him somewhere in the neighborhood of our or five or six dollars.

MR. MORTON: I'm thinking in terms of 14 per cent off of his utility bill.

MR. MENDOZA: That's exactly right.

MR. PADILLA: Mr. Mayor, I call for the question on the motion to delay or to table, I'm sorry.

DR. SAN MARTIN: For one week.

MAYOR BECKER: Would you call the roll, please, Garland.

AYES: Becker, Black, Morton, O'Connell, Padilla, Mendoza.

NAYS: Cockrell, San Martin.

ABSENT: Lacy.

CITY CLERK: Motion passes.

MAYOR BECKER: Okay, now then what day next week can we get together? Tuesday? Wednesday? Friday?

CITY MANAGER GRANATA: May I help you. You will be having a special Council meeting Wednesday to canvass the police election if that helps you. You have to be here that day at 9 o'clock. There will be a special Council meeting for Wednesday.

MAYOR BECKER: All right, is that agreeable. Nine o'clock Wednesday?

DR. SAN MARTIN: The 18th?

MAYOR BECKER: I think that is the 18th, yes.

MR. O'CONNELL: Could I ask the staff to bring us up to date on more of these things. When this money would be given back, and when will these people get it back, at what time and this latest situation today about the gas. Bring us up to date.

MRS. COCKRELL: Isn't it just excluding the money?

CITY MANAGER GRANATA: If this ordinance would have passed today, effective tomorrow you would begin foregoing any additional 14 per cent of the gas as collecting. In fact some bills that would have been read tomorrow, would have had the advantage of the past month.

DR. SAN MARTIN: Mr. Mayor, I'd like to add one more request to Mr. O'Connell's request for information. I'd like to have Mr. Granata bring to this Council all items that may have been discussed about the subject which actually pertain in the category of capital improvement funds which should or should not be financed by bond issues, including drainage, Convention Center, and such types of improvements that have been mentioned which really belong in the bond issue type of improvement type of thing.

CITY MANAGER GRANATA: All of those have been mentioned.

DR. SAN MARTIN: Bring your recommendations on this.

MRS. COCKRELL: Mr. Mayor, are we going to go with this Item No. IX, then?

MAYOR BECKER: Absolutely.

MRS. COCKRELL: All right, I move adoption of this as soon as the caption is read.

MAYOR BECKER: All right, is there a second?

MR. MENDOZA: I'll second it.

* * * *

74-61 The following Resolution was read by the Clerk and after consideration, on motion of Mrs. Cockrell, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, O'Connell, Padilla; NAYS: None; ABSENT: Lacy, Morton, Padilla.

A RESOLUTION
74-61-70

URGING THE TEXAS LEGISLATURE TO AMEND
THE "LOCAL SALES AND USE TAX ACT" BY
ELIMINATING THE SALES TAX ON UTILITY
BILLS AS RECOMMENDED BY GOVERNOR
DOLPH BRISCOE.

* * * *

74-61 The following discussion occurred after passage of Item No. IX.

CITY MANAGER GRANATA: May I ask a question please. Wednesday, do you care to act at that meeting or will we put that on the Thursday meeting or should I post the consideration to act or what.

MR. MENDOZA: I'd rather have it on Thursday, Mayor, if that's all right.

CITY MANAGER GRANATA: You will again discuss it on Wednesday and then act on Thursday.

MAYOR BECKER: Yes, that's the way it should be. We're being stampeded into the thing like we were a herd of goats.

MR. MENDOZA: We said a week, Mr. Mayor, that was the most.

MAYOR BECKER: That's right. So why don't you put the thing on there for Thursday.

CITY MANAGER GRANATA: Okay, consideration will be on Thursday, the discussions will be on Wednesday.

MAYOR BECKER: Right.

* * * *

74-61 The meeting recessed for lunch at 12:20 P.M. and reconvened at 1:45 P.M.

A. CASE 5833 - to rezone a 7.3 acre tract of land out of NCB 14857, being further described by field notes filed in the Office of the City Clerk, from "R-3" Multiple Family Residential District to "O-1" Office District; and a 15.7 acre tract of land out of NCB 14857, being further described by field notes filed in the Office of the City Clerk, from "R-3" Multiple Family Residential District to "B-2" Business District.

The "O-1" zoning being located 330' northwest of Huebner Road, having a total length of 792.11' and a maximum width of 550'.

The "B-2" zoning being located 648.13' northwest of Huebner Road and east of Woodstone Drive, having a total length of 2234.80' and a maximum width of approximately 687'.

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

AN ORDINANCE 44689

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 7.3 ACRE TRACT OF LAND OUT OF NCB 14857, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT; AND A 15.7 ACRE TRACT OF LAND OUT OF NCB 14857, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

B. CASE 5380 - to rezone the northwest 43' of Lots 2 and 4, Block 5, NCB 14324, being that portion not zoned "B-3", 9200 Block of South Zarzamora Street, from "B" Two Family Residential District to "B-2" Business District, located between Zarzamora Street and Gillette Boulevard, being 300' northwest and 510' west of the intersection of Zarzamora Street and Gillette Boulevard, having 43' on Zarzamora Street and 200' on Gillette Boulevard.

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

AN ORDINANCE 44,690

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 NORTHWEST 43' OF LOTS 2 AND 4, BLOCK 5, NCB 14324, BEING THAT PORTION NOT ZONED "B-3", 9200 BLOCK OF SOUTH ZARZAMORA STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE NORTHWEST PROPERTY LINE.

* * * *

C. CASE 5840 - to rezone Lot 9, save and except the northeast 125' and the southwest 225', NCB 8406, 3500 Block of Fredericksburg Road, from "B-2" Business District to "B-3" Business District, located 125' southwest of Fredericksburg Road being 965' southeast of the intersection of De Chantle Road and Fredericksburg Road, having a width of 395' and a maximum depth of 458.83'.

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

AN ORDINANCE 44,691

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 9, SAVE AND

EXCEPT THE NORTHEAST 125' AND THE
SOUTHWEST 225', NCB 8406, 3500
BLOCK OF FREDERICKSBURG ROAD, FROM
"B-2" BUSINESS DISTRICT TO "B-3"
BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED.

* * * *

D. CASE 5835 - to rezone a 10 acre tract of land out of NCB 15616, being further described by field notes filed in the office of the City Clerk, 5500 Block of Pearsall Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the south-east side of Pearsall Road, being 8120.00' northeast of the intersection of Loop 410 Expressway and Pearsall Road, having 650' on Pearsall Road and a maximum depth of 1083.79'.

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, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected on the east property line abutting existing single family residences. 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, San Martin, Becker, Black, Morton, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Lacy.

AN ORDINANCE 44,692

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 10 ACRE TRACT
OF LAND OUT OF NCB 15616, BEING FURTHER
DESCRIBED BY FIELD NOTES FILED IN THE
OFFICE OF THE CITY CLERK, 5500 BLOCK OF
PEARSALL ROAD, FROM TEMPORARY "R-1"
SINGLE FAMILY RESIDENTIAL DISTRICT TO
"B-3" BUSINESS DISTRICT, PROVIDED THAT
PROPER PLATTING IS ACCOMPLISHED AND THAT
A SIX FOOT SOLID SCREEN FENCE IS ERECTED
ON THE EAST PROPERTY LINE ABUTTING EXISTING
SINGLE FAMILY RESIDENCES.

* * * *

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E. CASE 5697 - to rezone a 1.184 acre tract of land out of NCB 13919, being further described by field notes filed in the office of the City Clerk, 9500 Block of Powhatan Drive, from "B-1" Business District to "B-2" Business District, located south of the intersection of Tioga Drive and Powhatan Drive, having 228.8' on Tioga Drive and 225.67' on Powhatan Drive.

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

Mr. J. L. Rodriguez, representing the applicant, Mr. J. H. Uptmore, spoke in favor of the application. He said that "B-2" zoning is being requested so that a convenience store can be built on the property and sale of beer to go would be possible. He pointed to the various zonings and developments in the area and said that a store of this type is needed. He asked that the Council consider his request favorably.

The following persons spoke in opposition:

Mr. H. B. Behrendt, 3721 Litchfield
 Mr. Lloyd Nelson, 3714 Betsy Rose
 Mr. James Flaggert, 9602 Powhatan
 Mrs. Marilyn Gerson, 9607 Tioga
 Mrs. Judith Spann, 3710 Betsy Rose
 Mr. Roy W. Killey
 Mrs. Barbara Strain, 9520 Powhatan

These persons expressed concern about increased traffic and the effect of having sale of beer so close to a residential area. All were unanimous in stating that ample shopping facilities already exist and there is no need for additional business. They said that the original plan for this subdivision was all right and that it should continue as planned without any change in zoning.

Speaking in rebuttal, Mr. Uptmore stated that the proposed Stop N Go Store would be open from 7:00 A.M. to 11:00 P.M., and would not have a gasoline pump. He described the proposed building and said that suitable screening would be placed on the Powhatan Street side.

Mr. Padilla expressed the hope that the applicant and the neighbors might get together and work out an amicable arrangement to settle the matter. The property owners were not interested in such discussion however.

After consideration, Dr. San Martin moved that the recommendation of the Planning Commission be upheld and the rezoning denied. The motion was seconded by Mrs. Cockrell and on the following roll call vote, the motion failed to carry: AYES: Cockrell, San Martin, O'Connell; NAYS: Becker, Black, Padilla, Mendoza; ABSTAIN: Morton; ABSENT: Lacy.

As a result of the vote there was some confusion as to whether or not the rezoning had been denied and whether an appeal could be made in less than a year. The question was directed to Mr. Tom Finley, Assistant City Attorney.

Mr. Finley said that the request for rezoning had been denied and could not be appealed for at least one year.

The rezoning was denied.

F. CASE 5698 - to rezone Tract A, Block 8, NCB 14024, 3900 Block of Big Meadows Drive, from "R-6" Townhouse District to "B-2" Business District, located south of the intersection of Big Meadows and Vance Jackson Road, having 310' on Big Meadows and 120' on Vance Jackson Road.

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

Mr. Jim Uptmore, the applicant, said that a convenience store is proposed for this site.

Mr. Jess Young, 2515 McCullough, said that he represented many of the persons in the affected area which had retained his law firm to represent them in this Case. He said that a written memorandum has been filed with each Council member.

Mr. Jack Devore, 931 Serenade, spoke as President of the Mission Trace Homeowners Association. At a meeting of the Association a resolution had been unanimously passed opposing this application and directing the President of the Association to appear before the Council to protest. He submitted a copy of the resolution. He then reviewed previous unsuccessful attempts to rezone this property. He described it as a very nice residential area and said that none of the property owners wanted a convenience store at this location.

Mr. G. C. Shoemaker reiterated most of the objections raised. He also reviewed the existing businesses in the area and said that there is no need for additional business.

Mr. Young spoke again and said that the whole thrust in this area had been to single family homes, and it should remain that way.

At this point in the meeting, Mr. Uptmore interrupted and asked to make this statement.

MR. JIM UPTMORE: I counted 16 people that are opposed to this rezoning. The Planning Commission makes it 17. I refer back to the Texas - Texas A & M game. I think the Aggies had the ball twice in the first 54 seconds and the score was 14 to nothing. Immediately thereafter, we kicked off again and Texas got a field goal and it was 17 to nothing and the game was never won by anybody but Texas. So, I don't think I've got a chance to win the game. But really and truly one thing that I think that these people came here today, and I want to apologize to them for taking some of their time. But to see democracy in its true test and to be more or less brought before you as judges in this particular case is something that they can certainly be proud of. I was in Europe last week and those folks over there don't have the opportunity that these people have or that I have as someone presenting to you a request for a change of anything.

So with all recognition of the facts and all, I wish to withdraw the rezoning petition forever, on that particular site. I won't say like the Aggies do, "Wait till next year." I quit.

* * * *

Mr. Uptmore then thanked the Council for its consideration.

74-61 The Clerk read the following Ordinance:

AN ORDINANCE 44,693

AUTHORIZING EXECUTION OF AN AMENDMENT TO THE CONTRACT WITH O'BRIEN & GERE ENGINEERS, INC., FOR CONSULTATION SERVICES PERTAINING TO THE CITY PUBLIC SERVICE BOARD RATE STUDY, SO AS TO PROVIDE BY SUB-CONTRACT FOR THE SERVICES OF A CONSULTANT TO ASSIST IN THE STUDY OF CPS PLANS AND COMMITMENTS FOR COAL SUPPLY, FOR AN ADDITIONAL CONSIDERATION OF \$17,000.00; AND APPROPRIATING SAID SUM FROM THE GENERAL FUND PAYABLE TO SAID CONTRACTOR.

* * * *

The Ordinance was explained by Mr. Carl White, Director of Finance, who said that O'Brien & Gere has interviewed three firms to assist in the evaluation of the coal contract between City Public Service Board and Sun Oil Company. The firm selected is Gates Engineering Company of Beckley, West Virginia. This is a large firm specializing in mining engineering. This firm will evaluate the present coal contract and assure that it is a good, valid contract and all of the details of reserves, transportation, etc. have been proven. They will also investigate the possibility of the use of coal resources existing within 200 miles of San Antonio. (A copy of the Gates Engineering Company proposal is attached to the original ordinance.)

Mr. Cliff Morton stated that he would want to make sure that within the confines of this agreement be included the compatibility of the coal being contracted for with the plant that is scheduled to use the coal.

Mr. White said that he would make sure that item is stipulated in the contract.

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

74-61 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Morton, O'Connell; NAYS: None; ABSENT: Lacy, Padilla, Mendoza.

AN ORDINANCE 44,694

EXTENDING LEASE NO. 610A BETWEEN THE CITY OF SAN ANTONIO AND CROW AVIATION FOR SPACE AT STINSON MUNICIPAL AIRPORT.

* * * *

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AN ORDINANCE 44,695

AUTHORIZING EXTENSION OF THE LEASE AGREEMENT WITH BURDETTE PARKS, D/B/A MELODRAMA THEATRE FOR BUILDING NO. 300 IN HEMISFAIR PLAZA FOR TWO YEARS BEGINNING JANUARY 1, 1975.

* * * *

AN ORDINANCE 44,696

APPROVING THE ASSIGNMENT OF ALL RIGHT, TITLE AND INTEREST OF DIXIE DECORATORS, INC., IN AND TO CITY REVENUE CONTRACT NO. 1117, PROVIDING FOR LEASE OF BUILDING NOS. 311 AND 312 AT HEMISFAIR PLAZA, TO FREEMAN DECORATING COMPANY.

* * * *

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74-61 Mayor Becker was obliged to leave the meeting and Mayor Pro-Tem Cockrell presided.

- - -
74-61 The following Ordinances were read by the Clerk and explained by Mr. Jim Gaines, Director of HemisFair Plaza, and after consideration on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Morton, O'Connell; NAYS: None; ABSENT: Becker, Lacy, Padilla, Mendoza.

AN ORDINANCE 44,697

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH WILLIAM A. BROWNLEE, AN INDIVIDUAL D/B/A "THE BLUE GEM TURQUOISE CO.", PROVIDING FOR LEASE OF SPACE AT HEMISFAIR PLAZA FOR A ONE YEAR TERM, ENDING OCTOBER 31, 1975.

* * * *

AN ORDINANCE 44,698

MANIFESTING AN AGREEMENT WITH SAN ANTONIO SYMPHONY SOCIETY TO EXTEND THE PRESENT LEASE OF SPACE IN HEMISFAIR PLAZA FOR ONE YEAR, AND TO ADD TO SAID SPACE 120 SQUARE FEET FOR AN ADDITIONAL \$60 PER MONTH.

* * * *

AN ORDINANCE 44,699

AUTHORIZING EXECUTION OF A LEASE OF SPACE AT HEMISFAIR PLAZA TO DON O. CHEEK, D/B/A "TEXAS TRAILS GALLERY".

* * * *

74-61 The Clerk read the following Ordinance:

AN ORDINANCE 44,700

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE SOUTHERN PACIFIC TRANSPORTATION COMPANY, PROVIDING TERMS AND CONDITIONS FOR RECONSTRUCTION OF THE NOLAN STREET UNDERPASS.

* * * *

The Ordinance was explained by Mr. Stewart Fischer, Director of Traffic and Transportation, who said that this is the agreement which has been worked out with Southern Pacific relative to the Nolan Street underpass. Under this agreement, the Railroad agrees to do all of the relocation work at its own expense and also to furnish needed right of way. The Southern Pacific participation is estimated at \$197,840 or about 16 percent of the total project.

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

74-61 Mayor Becker returned to the meeting and presided.

74-61 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, O'Connell, Mendoza; NAYS: None; ABSENT: Black, Lacy, Morton, Padilla.

AN ORDINANCE 44,701

APPROPRIATING THE SUM OF \$40,187.00 OUT OF VARIOUS FUNDS, FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS, AND EASEMENTS OVER CERTAIN LANDS; AND ACCEPTING THE DEDICATION OF EASEMENTS OVER CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

* * * *

AN ORDINANCE 44,702

ACCEPTING THE LOW QUALIFIED BID OF R. L. JONES CO., INC., FOR CONSTRUCTION OF THE MATYEAR SANITARY SEWER SIPHON PROJECT AT A COST OF \$30,510.55; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT COVERING WORK ON THIS PROJECT; APPROPRIATING AND TRANSFERRING THE SUM OF \$32,036.00, AUTHORIZING PAYMENT OF \$30,510.55 TO SAID CONTRACTOR, AND PROVIDING FOR A MISCELLANEOUS CONTINGENCY ACCOUNT OF \$1,525.45 IN THIS PROJECT.

* * * *

AN ORDINANCE 44,703

ACCEPTING THE LOW QUALIFIED BID OF NAVARRO CONTRACTING COMPANY FOR CONSTRUCTION OF THE CASTROVILLE DRAINAGE OUTFALL PROJECT AT A COST OF \$1,496,544.60; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT FOR WORK ON THIS PROJECT; REVISING THE BUDGET FOR THIS PROJECT; AND AUTHORIZING PAYMENT OF THE SUM OF \$1,608,793.10, WITH \$1,496,544.60 PAYABLE TO SAID CONTRACTOR, \$37,421.00 PAYABLE AS ADDITIONAL ENGINEERING FEES, AND \$74,827.50 TO BE USED AS A MISCELLANEOUS CONTINGENCIES ACCOUNT IN THIS PROJECT.

* * * *

AN ORDINANCE 44,704

ACCEPTING THE LOW BID OF HOUSTON BRIDGE & ENGINEERING CO., INC., TO CONSTRUCT SIX MILE CREEK STORM DRAINAGE PROJECT 83X (PHASE I) FOR A TOTAL OF \$3,418,986.30; AUTHORIZING EXECUTION OF A CONTRACT, AND APPROPRIATING FUNDS FOR THE PROJECT.

* * * *

AN ORDINANCE 44,705

ACCEPTING THE LOW BID OF B. H. BURNS CO., TO FURNISH THE CITY OF SAN ANTONIO WITH A PARKING CONTROL GATE FOR THE CONVENTION CENTER ARENA FOR A TOTAL OF \$3,575.00; AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE PROJECT.

* * * *

74-61 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Becker, Black, Lacy, Morton, O'Connell; NAYS: None; ABSENT: San Martin, Padilla, Mendoza.

AN ORDINANCE 44,706

AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PROFESSIONAL SERVICES CONTRACT WITH SELIGMAN & PYLE, CONSULTING ENGINEERS, INC., TO PREPARE PLANS AND SPECIFICATIONS AND TO PROVIDE ENGINEERING SERVICES FOR SALADO CREEK WASTE TREATMENT PLANT IMPROVEMENTS; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT OF \$7,530.00 TO SELIGMAN & PYLE, CONSULTING ENGINEERS, INC., AND PROVIDING \$1,000.00 FOR MISCELLANEOUS CONTINGENT EXPENSES IN CONNECTION WITH SAID PROJECT.

* * * *

AN ORDINANCE 44,707

AMENDING ORDINANCE NO. 38695 OF JULY 2, 1970, SO AS TO SET THE 1975 RATE FOR TRANSPORTATION AND TREATMENT OF SEWAGE BY THE CITY OF SAN ANTONIO FOR OUTSIDE CITY LIMITS ENTITIES AT \$0.1485 PER THOUSAND GALLONS OF SEWAGE, BASED UPON 70% OF WATER CONSUMPTION, AND PROVIDING FOR EXCEPTIONS IN CASES WHERE SEWAGE FLOW IS MEASURED BY SEWAGE METERS, OR WHERE EXISTING CONTRACTS PROVIDE FOR A DIFFERENT RATE OR A DIFFERENT METHOD OF DETERMINING FLOW.

* * * *

74-61 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Becker, Black, Lacy, Morton, O'Connell, Mendoza; NAYS: None; ABSENT: San Martin, Padilla.

AN ORDINANCE 44,708

AUTHORIZING THE PAYMENT OF AN ADJUSTED PREMIUM IN THE AMOUNT OF \$4,669.00, BASED ON AN AUDIT OF POLICIES WHICH PROVIDED COMPREHENSIVE GENERAL LIABILITY INSURANCE (PREMISES) ON THE CONVENTION CENTER COMPLEX AND GOLF COURSES, FOR THE PERIOD AUGUST 1, 1973 TO AUGUST 1, 1974.

* * * *

AN ORDINANCE 44,709

AUTHORIZING PAYMENT OF THE SUM OF \$2,500.00 TO MR. FRED A. SEMAAN, FOR PROFESSIONAL LEGAL SERVICES TO THE CITY IN CAUSE NO. SA-74-CA-151.

* * * *

AN ORDINANCE 44,710

APPROPRIATING ONE THOUSAND FOUR HUNDRED SEVENTY FIVE AND NO/100 (\$1,475.00) OUT OF SEWER REVENUE FUND NO. 820-03 PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF THE DEFENDANTS NAMED IN CONDEMNATION CAUSE NO. C-934 IN SATISFACTION OF JUDGMENT IN SAID CAUSE.

* * * *

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AN ORDINANCE 44,711

ACCEPTING THE LOW BID OF TRINITY FORMS COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH MOVING VIOLATION TICKETS FOR A TOTAL OF \$3,092.00.

* * * *

AN ORDINANCE 44,712

ACCEPTING THE LOW BID OF RENCO SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH COLD APPLIED PLASTIC PAVEMENT MARKING MATERIAL FOR A NET TOTAL OF \$5,339.25.

* * * *

AN ORDINANCE 44,713

ACCEPTING THE LOW QUALIFIED BID OF ADAMS INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH COMMERCIAL REFUSE DISPOSABLE RECEPTACLES FOR RESALE FOR A NET TOTAL OF \$247,440.00 AND APPROPRIATING AND TRANSFERRING FUNDS AND AUTHORIZING PAYMENT OF \$247,440.00.

* * * *

AN ORDINANCE 44,714

ACCEPTING THE LOW QUALIFIED BID OF SCHNECK AVIATION, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH POLICE HELICOPTER PARTS AND SERVICE ON CONTRACT BASIS, FOR A TERM ENDING JULY 31, 1976.

* * * *

74-61 Mayor Pro-Tem Cockrell introduced the following Resolution:

A RESOLUTION
NO. 74-61-71

WHEREAS, the crime of forcible rape and other assaults is on the increase throughout the United States, and

WHEREAS, the increase of the incidence of reported rape in the City of San Antonio has caused community concern, and

WHEREAS, Senator Lloyd Bentsen has submitted Senate Resolution 422 to the United States Senate and which asks the Law Enforcement Assistance Administration to conduct a conference to study the incidence of rape and manner in which rape may be prevented, and

WHEREAS, a similar Resolution HR 1415 has been introduced into the House of Representatives by Congresswoman Barbara Jordan which adds additional emphasis to the problem and its solution, NOW, THEREFORE:

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

SECTION 1. That the City Council expresses its full support of the resolutions authored by Senator Bentsen and Congresswoman Jordan and urges that the Congress of the United States take every reasonable action to effect an immediate suppression of the crime of forcible rape in our nation.

* * * *

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

74-61

14% PASS THROUGH DISCUSSION

Mr. Morton said that he wants people to be encouraged to communicate with the City regarding how they would like to have the 14% charge spent if it is not to be deleted. He suggested that Sherrill Thomas be delegated to take this information from people who wish to offer suggestions.

74-61

Mr. Morton stated that he has indications that some of the areas which were annexed in December, 1972, are not being provided City services as they should be. The largest item is police protection followed by street lighting. He asked that the City Manager furnish a report prior to the December 18th meeting indicating which areas are being provided services on a par with older City areas and the areas that are lacking in services and what it would take in dollars to bring them up to par.

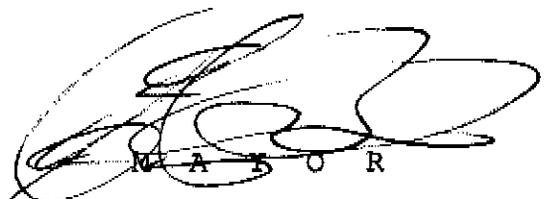
74-61

POLICE DEPARTMENT STRENGTH

Mrs. Cockrell asked that the matter of an increase in authorized strength of the Police Department be placed on the Agenda next week for consideration.

There being no further business to come before the Council, the meeting adjourned at 4:05 P. M.

A P P R O V E D



Charles L. Becker

ATTEST:

H. Audmann
C i t y C l e r k

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nsr