

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 31, 1977.

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The meeting was called to order at 9:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: PYNDUS, BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN, COCKRELL; Absent: NONE.

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77-16 The invocation was given by The Reverend Charles Kemble, Universal City Baptist Church.

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77-16 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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77-16 The minutes of the meetings of March 17, 1977, and March 24, 1977, were approved.

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77-16 CITATION PRESENTED TO MR. F. NORMAN HILL

Mayor Cockrell read the following Citation:

THE CITY OF SAN ANTONIO
(State of Texas)

Hereby Presents This

CITATION

to

F. NORMAN HILL

IN RECOGNITION OF A LONG AND DISTINGUISHED CAREER OF PUBLIC SERVICE AS GENERAL MANAGER OF THE SAN ANTONIO TRANSIT SYSTEM. UNDER HIS EXPERT GUIDANCE THE CITY-OWNED TRANSIT SYSTEM HAS SERVED AS A MODEL OF EFFICIENCY IN THE INDUSTRY AND HAS RECEIVED MANY NATIONAL AWARDS FOR EXCELLENCE IN MAINTENANCE, OPERATIONS AND SAFETY.

ON THE OCCASION OF HIS RETIREMENT THIS CITATION IS AWARDED ON BEHALF OF A GRATEFUL CITY GOVERNMENT AND THE CITIZENS OF SAN ANTONIO.

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Mayor Cockrell, on behalf of the City Council, presented the Citation to Mr. Hill and stated that the City Council is very proud of the Transit System's record of achievement under his supervision.

Members of the Council commended Mr. Hill for his outstanding service to the City.

Mr. Hill accepted the Citation and thanked the Council for this recognition.

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77-16 GOVERNMENT CLASS FROM CENTRAL CATHOLIC HIGH SCHOOL

Mayor Cockrell recognized a government class which was present in the audience from Central Catholic High School accompanied by their instructor, Coach Harold Keller. Mayor Cockrell also commended Central Catholic High School for their five-year development plan.

77-16PRESENTATION FROM MR. JIM REED

Mr. Jim Reed, representing the Southwestern Bell Telephone Company, presented a check in the amount of \$1,978,363.00 payable to the City of San Antonio representing 3% of the gross revenues for the calendar year 1976.

Mayor Cockrell expressed her appreciation to Mr. Reed for conveying the check early.

Mr. Carl White, Director of Finance, thanked Southwestern Bell and urged other large taxpayers to also pay their taxes early which would benefit the City.

77-16LATE TAX PAYMENTS

In response to Mr. Hartman's question on late tax payments, Mr. Carl White stated that the State law provides for a two percent penalty and a one and one-half percent interest.

Mr. Hartman suggested that this matter be addressed to the State Legislature for possible changes to the law.

77-16 ZONING CASE 6803 - to rezone Lots 1, 2, 4 and the east 30' of the North 222.34' of NCB 11848, from "A" Single Family Residential District to "R-5" Single Family Residential District, located southwest of the intersection of Harry Wurzbach Road and Dove Haven Lane, having 420.40' on Harry Wurzbach Road and 278.99' on Dove Haven Lane.

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

Mr. Laddie Denton, representing the applicant, Denton Development Company, explained that they had undertaken the development of the property in January and discovered that they couldn't find an Ordinance rezoning the property. He asked for favorable consideration of their request.

Mr. Hartman expressed concern that a precedent would be set and the Council would be hearing zoning cases each week.

Mr. Teniente stated that, although the third Thursday of the month is set aside for zoning, other issues are presented at that time.

No citizen appeared to speak in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Zoning Commission be approved, provided that the property be replatted, if necessary. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 47,818

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2, 4 AND THE EAST 30' OF THE NORTH 222.34' OF NCB 11848, LOCATED SOUTHWEST OF THE INTERSECTION OF HARRY WURZBACH ROAD AND DOVE HAVEN LANE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-5" SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, IF NECESSARY.

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77-16 The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 47,700

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 90.454 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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No one spoke in opposition.

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

77-16 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros, Nielsen.

AN ORDINANCE 47,819

GRANTING A SIX MONTH EXTENSION TO THE PRESENT OPTION TO TESORO PETROLEUM CORPORATION FOR THE LEASE OF 100,374 SQUARE FEET OF LAND AT INTERNATIONAL AIRPORT FOR THE CONSIDERATION OF \$1,673.74.

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77-16 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Black presided.

77-16 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

AN ORDINANCE 47,820

ACCEPTING THE LOW QUALIFIED BID OF D.E.W., INC. IN THE AMOUNT OF \$42,000.00 FOR BUILDING MODIFICATIONS TO HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS AT SAN ANTONIO INTERNATIONAL AIRPORT - MAIN TERMINAL.

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AN ORDINANCE 47,821

MANIFESTING THE CONSENT OF THE CITY TO THE ASSIGNMENT OF THOSE LEASES BETWEEN THE CITY OF SAN ANTONIO AND STINSON FIELD AIRCRAFT, INC. TO N. A. KALT, AN INDIVIDUAL.

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AN ORDINANCE 47,822

MANIFESTING THE CONSENT OF THE CITY TO THE ASSIGNMENT OF THOSE LEASES BETWEEN THE CITY OF SAN ANTONIO AND FLYING INCORPORATED TO C. E. BREHM LEASING AND AIRCRAFT SALES, INC.

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AN ORDINANCE 47,823

APPROPRIATING THE AMOUNT OF \$89,241.00 OUT OF THE 1970 G. O. STREET BONDS AND AUTHORIZING PAYMENT OF SAID AMOUNT TO THE URBAN RENEWAL AGENCY AS THE CITY'S CONTRIBUTION TO THE ROSA VERDE PHASE IV STREET CONSTRUCTION PROJECT.

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77-16 DRAINAGE ON 300 BLOCK OF WEST COMMERCE STREET

Councilman Teniente stated that there is very poor drainage in the 300 block of West Commerce Street and that the Council should address the Urban Renewal Agency on this matter.

Mr. Billa suggested that the City Manager review this matter and bring back a report to the Council.

77-16 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

AN ORDINANCE 47,824

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND G. W. MITCHELL & SONS, INC. TO PROCURE THE NECESSARY STRUCTURAL STEEL MEMBERS FABRICATED IN CONNECTION WITH THE ADDITIONS TO THE CONVENTION CENTER ARENA, FOR A COST NOT TO EXCEED \$120,000.00.

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77-16 REVIEW OF SIMMANG SUBDIVISION PLAT

The Council reviewed the Simmang Subdivision Plat which is located over the Edwards Recharge Zone.

77-16 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Teniente, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

AN ORDINANCE 47,825

AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PROFESSIONAL SERVICES CONTRACT WITH BROWN ENGINEERING COMPANY TO PROVIDE PLANS AND SPECIFICATIONS FOR THE WETMORE AND THOUSAND OAKS SUBDIVISION OFF-SITE SANITARY SEWER PROJECT FOR A COST OF \$3,300.00: APPROPRIATING THE NECESSARY FUNDS; AND AUTHORIZING PAYMENT AS HEREIN PROVIDED.

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77-16 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Billa, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente; NAYS: None; ABSENT: Rohde, Nielsen, Cockrell.

AN ORDINANCE 47,826

AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PROFESSIONAL SERVICES CONTRACT WITH W. F. CASTELLA & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES AND TO PREPARE PLANS AND SPECIFICATIONS FOR THE WILDWOOD SUBDIVISION OFF-SITE SANITARY SEWER SYSTEM PROJECT.

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77-16 The following Ordinances were read by the Clerk and after consideration on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde; NAYS: None; ABSENT: Teniente, Nielsen, Cockrell.

AN ORDINANCE 47,827

PERMITTING RETENTION OF APPROXIMATELY 48 LINEAL FEET OF FENCING IN EXCESS OF 6 FEET FOR PRIVACY PURPOSES AT 803 TAMMY.

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AN ORDINANCE 47,828

AUTHORIZING THE CITY MANAGER TO SUBMIT A PRE-APPLICATION FOR FEDERAL FUNDS FOR THE FISCAL YEAR 1978 EMPLOYMENT AND TRAINING PROGRAMS UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973 (CETA, PUBLIC LAW 93-203) AS AMENDED.

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77-16 FIESTA PARKING CHARGES

The Clerk read a proposed ordinance instructing the Director of Traffic and Transportation to supervise and control parking on City parking lots during Fiesta Week, 1977, where such lots are not now supervised or where parking is free, including charging limited fees for parking in such lots.

In response to Mr. Hartman, Mr. Stewart Fischer, Director of Traffic and Transportation, explained that the City has a contract with Allright Parking, Inc. to manage these lots. He also explained that the charge is placed on these facilities to provide a means of controlling these facilities during the period of heavy demand. Last year this charge provided \$2,244.33 income to the City.

Mr. Hartman expressed concern that only some areas have free parking and asked if the City could actually operate these lots instead of having them managed by a private company.

Mr. Rohde also expressed his concern over the charge for Fiesta parking on lots which at the present time are free.

Mr. Pyndus stated that this present Ordinance sets a rate on lots during Fiesta and would oppose Mr. Hartman's suggestion to have these lots managed by the City.

Mr. Teniente stated that he, too, was opposed to any charges on these lots and moved to deny the ordinance. Dr. Cisneros seconded the motion.

Mr. Fischer stated that he had just been informed by the Purchasing Director John Brooks that the City is not necessarily making a contract with Allright Parking, Inc. for operating these lots, but rather they are calling for requests for proposals from anyone.

Mr. Hartman suggested that the entire matter of parking lot rates be addressed and discussed in full by the City Council because of present inconsistencies.

Mr. Billa stated that this charge is meant to provide a means of controlling traffic congestion during Fiesta week.

After discussion, the motion to deny the ordinance prevailed by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: Pyndus; ABSENT: Cockrell.

Item 12 was denied.

77-16 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Nielsen, Teniente; NAYS: None; ABSENT: Rohde, Cockrell.

AN ORDINANCE 47,829

PROVIDING FOR RENEWAL OF INSURANCE COVERING THE POLICE DEPARTMENT COMMUNICATIONS SYSTEM EQUIPMENT AND SITES.

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AN ORDINANCE 47,830

AUTHORIZING REFUNDS OF TAX OVERPAYMENTS IN ACCORDANCE WITH RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW.

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AN ORDINANCE 47,831

PROVIDING FOR SUBORDINATION BY THE CITY OF ANY LANDLORD'S LIEN OR OTHER LIEN OR CLAIM AGAINST PROPERTY USED AS COLLATERAL BY HAYES PRODUCTIONS, INC., LESSEE AT HEMISFAIR PLAZA, TO SECURE A \$300,000.00 LOAN USED IN CONNECTION WITH THE HEMISFAIR OPERATION.

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77-16

The Clerk read the following Ordinance:

AN ORDINANCE #47,832

INCREASING THE HOTEL-MOTEL OCCU-
PANCY TAX FROM 3% TO 4% OF THE
CONSIDERATION PAID BY THE OCCU-
PANT, EFFECTIVE SEPTEMBER 1, 1977.

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Mr. William Ochse, Chairman of the Convention and Visitors Bureau Advisory Committee, spoke to the Council regarding the added revenue to be derived from the increase in the hotel-motel tax and asked that they be considered before taxing any action to direct this money into the General Fund.

Dr. Nielsen recommended that the expenditure of these funds be coordinated with the Convention and Visitors Bureau Advisory Committee.

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

77-16

CONVENTION FACILITIES

Councilman Cisneros stated that at the present time there is no advisory body in charge of the physical facilities at the Convention Center and wanted to bring this matter to the Council's attention.

77-16

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

AN ORDINANCE 47,833

APPOINTING R. ROBERT LOZANO PRESIDING
JUDGE OF MUNICIPAL COURT AND SETTING
HIS SALARY.

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77-16

CITATION TO JUDGE MIKE MACHADO

Councilman Teniente requested a Citation for outgoing Municipal Court Judge Mike Machado who recently was appointed a State District Court Judge.

77-16

The Clerk read the following Ordinance:

AN ORDINANCE 47,834

DIRECTING THE CITY ATTORNEY TO JOIN IN
LITIGATION INITIATED BY THE ATTORNEY
GENERAL TO HAVE DECLARED INVALID CER-
TAIN TEXAS WATER QUALITY BOARD RULES
RELATING TO ACTIVITIES OVER THE RE-
CHARGE ZONE OF THE EDWARDS AQUIFER,
AND DECLARING AN EMERGENCY.

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Mr. Hartman moved to approve the Ordinance and read a prepared statement in support of this Ordinance. He further stated that he had testified before the House Natural Resources Committee against House Bill 1929 proposed by Representative Jim Nugent of Kerrville which would have allowed counties to exempt themselves from a state protective order on the Edwards Aquifer.

He asked that our liaison man in Austin be alerted to this Bill in the event that it is resurrected out of the subcommittee.

Mr. Billa seconded the motion. On roll call, the motion carrying with it the passage of the Ordinance prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

77-16 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 47,835

AMENDING SECTIONS 26-14.1 and 26-14.2 OF THE CITY CODE AND ORDINANCE NO. 38503, and NO. 40861, TO CHANGE THE AGE LIMITATIONS CONTAINED THEREIN FROM NINETEEN YEARS TO EIGHTEEN YEARS.

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77-16 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Nielsen, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Nielsen; NAYS: None; ABSENT: Teniente, Cockrell.

AN ORDINANCE 47,836

AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS TO CERTAIN PURCHASERS FOR PROPERTIES ACQUIRED THROUGH TAX FORECLOSURES AND AUTHORIZING PAYMENTS TO OTHER TAXING ENTITIES AND COSTS INCURRED THEREIN.

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<u>DESCRIPTION</u>	<u>PURCHASER</u>	<u>AMOUNT</u>
Lot 36, Block 7, New City Block 2143	Carmella Morgan	\$ 1,015.69
Lot South 80 feet of 33, Block 4, New City Block 2922	San Antonio Development Agency	\$ 1,300.00
Lot 16, Block 14, New City Block 10283	Dolores Fields	\$ 1,556.40
Lot 16, Block 21, New City Block 7535	Jesse and Anna Mae Zamora	\$ 838.20
Lot South 95 feet of North 145 feet of 17, Block 9, New City Block 1567	First Providence Baptist Church	\$ 750.00

A RESOLUTION
NO. 77-16-26

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO FILE SUIT IN DISTRICT COURT SEEKING A COURT ORDER REQUIRING THE OWNER(S) OF PROPERTY AT WESCOTT AND MENELEE STREETS, LOTS 1 AND 2, N.C.B. 11313, TO PLUG A FLOWING ARTESIAN WELL LOCATED ON THAT PROPERTY.

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Mrs. Margarita Perez, 1554 Menefee, spoke in favor of the Resolution and spoke to the Council regarding the current hazardous condition of the well.

Mrs. Carmen Carreon, 2323 Wescott, also spoke in favor of the Resolution.

In response to Dr. Cisneros' question, City Attorney Parker stated that the proposed Resolution will institute a suit asking the District Court to declare the flowing well at Wescott and Menefee Streets a public nuisance and to order the owner to have it plugged.

Mrs. Jessie M. Pina, 1531 Menefee, stated that they have had this problem for over 22 years and asked the Council to approve the Resolution. She then presented a petition with over 100 names in support of this Resolution.

Dr. Cisneros appealed publicly to the owner of the property, Bernard Lifshultz, to take care of this problem.

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

In response to Dr. Cisneros, City Attorney Parker stated that the suit will be filed as soon as possible.

Mr. Billa asked if, perhaps, it would be more economical to have the City plug up the well instead of going to court.

After discussion, the City Manager stated he will report to the Council about what steps the City can take legally in this matter.

77-16 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Pyndus, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Billa, Cisneros, Cockrell.

AN ORDINANCE 47,837

ACCEPTING THE LOW QUALIFIED BID OF SMITH PUMP COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A CONTRACT FOR THE PURCHASE OF PORTABLE SEWAGE TREATMENT PLANTS.

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ACCEPTING THE LOW QUALIFIED BIDS OF WHITE PLAINS ELECTRICAL SUPPLY COMPANY, INC. AND TEXOCOM, INC. TO FURNISH THE CITY OF SAN ANTONIO TRAFFIC & TRANSPORTATION DEPARTMENT WITH SIGNAL CABLE AND WIRE FOR A TOTAL OF \$13,107.00, LESS 1% - 10 - 20 DAYS.

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77-16

EL CENTRO BUS FARE

The Clerk read a proposed ordinance approving the operation of the downtown "El Centro" Bus System free to riding patrons for a one-year period, and providing \$14,700.00 in additional subsidy to the System for the current fiscal year.

Dr. Nielsen asked that this item be delayed one week so that the source of the funds can be identified. He then moved to postpone the ordinance for one week. Mr. Hartman seconded the motion, and on roll call, the motion carried by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cisneros, Cockrell.

Item 24 was postponed one week.

77-16

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

A RESOLUTION

NO. 77-16-27

CALLING A PUBLIC HEARING FOR CONSIDERATION OF THE BUDGET FOR REVENUE SHARING FUNDS FOR THE EIGHTH ENTITLEMENT PERIOD FOR APRIL 13, 1977, AT 7:00 P.M.

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77-16

Item 26 being a proposed ordinance authorizing the City Manager to execute a five (5) year lease agreement between the City and B. T. K. & Company, Inc., for lease of the HemisFair Lake Amphitheatre for the Cypress Gardens Water Ski Show was withdrawn from consideration at the request of the City Manager.

77-16

The Clerk read the following Ordinance:

AN ORDINANCE 47,839

ACCEPTING THE LOW QUALIFIED BID OF MEADER CONSTRUCTION CO., INC. IN THE AMOUNT OF \$65,296.16 TO CONSTRUCT A PARKING LOT AT THE GSA SITE ON DURANGO BLVD.; AUTHORIZING EXECUTION OF A PUBLIC WORKS CONSTRUCTION CONTRACT; AND AUTHORIZING PAYMENT UNDER THE CONTRACT AND OF \$3,268.84 IN CONTINGENT EXPENDITURES FROM THE GENERAL FUND CONTINGENCY ACCOUNT.

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In response to Dr. Nielsen, Mr. Cipriano Guerra, Director of Community Development, explained the proposed Ordinance which awards a \$65,296 construction contract to Meader Construction Company to

construct a GSA-controlled parking lot on Durango Street between Matagorda and Labor Streets. This site is currently owned by the San Antonio Development Agency. Upon completion of the construction, the site will be sold to GSA for approximately \$400,000, which sum will be paid by SADA into the City's Community Development Act Grant funds. In effect, then, the City will have paid \$65,296 in General Fund money to realize a return of \$400,000 in CDA funds.

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

77-16 The Clerk read the following Ordinance:

AN ORDINANCE 47,840

APPOINTING TWO NEW MEMBERS TO THE ECONOMIC OPPORTUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

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Mrs. Ellen Clark, to replace Mr. Oscar Flores for a term expiring June 30, 1977.

Mr. Jose Lopez, to replace Mr. Richard Rios for a term expiring June 30, 1977.

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Mr. Pyndus stated that he would be abstaining from voting because his choice for appointment to this Board was not honored.

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

77-16 The Clerk read the following Ordinance:

AN ORDINANCE 47,841

PROVIDING FOR THE CONTINUATION OF CERTAIN ON-GOING CITY PROJECTS AND ACTIVITIES FUNDED FROM THE 1977 8TH ENTITLEMENT PERIOD REVENUE SHARING FUNDS FOR THE PERIOD APRIL 1, 1977 TO APRIL 30, 1977; APPROPRIATING THE ADDITIONAL SUM OF \$205,895.00 TO BE ALLOCATED FOR SUCH PROJECTS AND ACTIVITIES DURING THIS PERIOD; ESTABLISHING THE NECESSARY FUNDS AND ACCOUNTS; AND AUTHORIZING CERTAIN POSITIONS IN CITY DEPARTMENTS.

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The following discussion took place:

DR. D. FORD NIELSEN: So moved with the remark that I certainly do thank the management for continuing for at least one more month the Homemaker Services.

MR. RICHARD TENIENTE: I second it.

CITY MANAGER TOM HUEBNER: Well, if I could comment a little bit on it. The reason that we are recommending this is because we do have programs with people employed and this would permit them, if they're

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going to be terminated, to have some kind of notice. Secondly, the staff and I have worked out some previous difficulties with access to records with, I believe, two or three organizations that were recommended for denial of funding. They have since come to an agreement by way of a confidentiality maintenance statement and the original reason for my recommending denial of further funding has been removed, and we are completing the audit and evaluation of those projects.

REV. CLAUDE BLACK: May I ask, if this really...does it resolve the problem that you mentioned, that is, addressing the Carver Community Cultural Center. Because I get the impression that what you're saying is that this provides for an on-going until they can pick up those funds later in order that...and my impression was that it did not resolve that problem. Now, I have asked that question, and I think Skip was working on that.

CITY MANAGER HUEBNER: The two organizations I was thinking about are the Family Services Homemaker Program and Bexar County Anemia.

MR. SKIP NOE: That program was not included, I believe, because the programs that were included were on-going programs and involved personnel. It would take a separate Council action to include that amongst the...this is just a continuation of the previous Council policy that those programs be continued, and this would be requiring adding an additional program that was not according to that category that was established before.

DR. NIELSEN: Might I ask, Mr. Huebner, are we still--or is it your understanding that the Council policy of the past of funding these revenue sharing programs whenever possible for a maximum of three years--are we still following that general principle or not? See if you can in terms of any past records or any response from the Council, see if that's being cranked in?

CITY MANAGER HUEBNER: I would need to get back with the staff with respect to that.

DR. NIELSEN: I've been under the impression that we were in every case possible going to follow that principle.

CITY MANAGER HUEBNER: I would think that that's a fairly wise policy myself. We used a similar policy in my previous city that there was a limitation to the funding of programs such as what we were talking about.

REV. BLACK: All right, we have a motion and a second. All right, any further discussion? All in favor:

AYES: Billa, Black, Hartman, Teniente, Nielsen.

ABSENT: Cisneros, Rohde, Cockrell.

MR. PHIL PYNDUS: I would like to vote "no" and I would like to give my reason. I don't think sufficient review has been made of some of the organizations and, I think that, in view of the financial bind our budget is in, there are some agency projects here that should not be included and, I think, that approving them without individual examination is a mistake, and I would like to voice my opposition to allowing the funding to continue without an agency-by-agency review.

DR. NIELSEN: May we get the Manager's response? It is my understanding that there has been agency-by-agency review. Is that correct?

CITY MANAGER HUEBNER: We are involved in...we are obligated to do a monitoring and evaluation process and we did get...

MR. PYNDUS: Let me finish my question.

DR. NIELSEN: Well, let me just say that I am tired of that broad brush accusation. Why don't you get down to cases, Mr. Pyndus?

MR. PYNDUS: Thank you for the opportunity.

CITY MANAGER HUEBNER: I do have in my report that the Council got on Revenue Sharing comments with respect to each program.

MR. PYNDUS: I would like to ask the question, Mr. Huebner, why you continued to fund the BBDC?

CITY MANAGER HUEBNER: Barrio Betterment Development Corporation?

MR. PYNDUS: My question is based on the fact that it receives outside fundings other than City fundings and, perhaps, that could be reviewed previous to increasing their allocation of funds.

CITY MANAGER HUEBNER: Well, we have two things going here. One is that my recommendation here today on the additional one month funding is a blanket recommendation.

MR. PYNDUS: Yes, it is.

CITY MANAGER HUEBNER: And, the recommendations that you have received with respect to General Revenue Sharing is an item-by-item recommendation. The sole reason that I am recommending here today that the Council approve the one month extension is that you have a number of programs with people in it and, if they are going to be terminated, I think, it is only appropriate that the people get at least a couple of weeks' notice.

MR. PYNDUS: Mr. Huebner, in the past, we have had such things presented to the Council because of an impending deadline, and we are all of a sudden in a pressure box and, I think, financial matters can be handled a little bit more calmly and, I think, that, if we are to provide another month's funding for some of these agencies, that we should have looked at it thirty days ago and not today. I think we are a little late in the extension. I think that we could have made a decision so that some of these fundings should be phased out.

CITY MANAGER HUEBNER: Councilman Pyndus, I believe I held my hearing that I was obligated under State law to hold around March 12 or 15, and the original schedule anticipated that the Council would be holding its hearing in the month of March, and it was at the end of March that the funding for these programs was to be terminated. The Council, I forget when actually the decision was made; but that hearing was postponed to April 5, and now it has been postponed to April 13, and that's the reason we have gotten ourselves into a box in terms of having to recommend another one month's funding is that the original schedule didn't call for it to work out this way.

MR. PYNDUS: Well, I'll cease the debate. I have asked for some specifics, and I have some specifics. The thing that I do hope that some of the funding in the past has been based on politics rather than on need, and I don't think we can afford the luxury anymore because of our financial condition. So, I would hope that in your review of these different agencies that you would come up with some recommendations that will be followed by the Council so that we can utilize the monies more efficiently.

* * * *

77-16 The following Resolutions were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cisneros, Cockrell.

A RESOLUTION
NO. 77-16-28

ENDORING AND SUPPORTING THE REQUEST OF
BEXAR COUNTY FOR FUNDING OF EMERGENCY
TRAINING FOR 200 JAIL DETENTION OFFICERS
BY THE CRIMINAL JUSTICE DIVISION OF THE
GOVERNOR'S OFFICE.

* * * *

A RESOLUTION
NO. 77-16-29

URGING THE TEXAS SENATE AND LIEUTENANT
GOVERNOR TO AMEND THE SALES AND USE TAX
ACT BY ELIMINATING THE SALES ON RESIDENTIAL
UTILITY BILLS.

* * * *

77-16 The meeting was recessed at 12:00 Noon for lunch and reconvened
at 1:45 P. M.

77-16

CITIZENS TO BE HEARD

MR. WAYNE POGUE

Mr. Wayne Pogue, 122 Colton, spoke against the proposed
resolution of the Cottonwood Political Club. He spoke about the
homosexual conduct at the Mardi Gras in New Orleans.

MS. NANCY SMITH

Ms. Nancy Smith, Assistant Director of the San Antonio Ballet
Company, presented the Council with 22,600 signatures advocating support
for the San Antonio Ballet Company's request for revenue sharing funds.

MR. KARL WURZ

Mr. Karl Wurz read a prepared statement regarding water rates
and emphasizing density as an element which should be built into the
cost-of-service rates. He suggested that the Council begin a study
for the creation of service areas which will implement this element.
Mr. Wurz also submitted a map of District 8. (A copy of Mr. Wurz's
prepared statement and map are on file with the papers of this
meeting.)

REPLY TO GAYS

A group of citizens appeared to speak in opposition to the
passage of a proposed resolution offered by the Cottonwood Political
Club at last week's Council meeting. They spoke against the use of
City monies to support any activity by gays. They also stated that the
Bible clearly speaks against homosexuality and quoted passages of the
Bible.

The following persons spoke for the group:

Mr. Curtis Bell, Texans for Freedom
Mrs. Hattie Pool, San Antonio Chapter of Citizens for
Decency Through Law
Mrs. Susie Crowley, President of the Archdiocesan of
Catholic Women
Mrs. Bonnie Sunvision, 142 Harcourt
Rev. J. V. Foster, 2210 Basse Road
Mr. Ken Pollard, 119 Greenhill Pass
Mr. Frank Corte, Jr., 7430 Wild Eagle, a student at the
San Antonio Christian School
Mrs. Lucy Grant, Member of Women for Constitutional
Government

* * * *

77-16

The Clerk read the following letter:

March 25, 1977

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

Madam and Gentlemen:

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

March 24, 1977

Petition submitted by Mrs. Charles Thuss, Jr., requesting City Council approval of a variance to build an eight foot wall on the east side of her property.

March 24, 1977

Petition submitted by Advanced Telephone Systems, requesting permission to install a telephone cable from 406 West Commerce to 345 West Commerce.

March 24, 1977

Petition submitted by Mr. S. A. Kohler of the Cox Manufacturing Company, requesting permission to erect a seven foot chain link fence around the east end of their building.

March 24, 1977

Petition submitted by Mr. Robert Opitz, R. W. Opitz & Associates, from Tara Apartments, requesting permission to construct a ten foot chain link fence around two tennis courts located at 151 West Sunset Road.

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

* * * *

There being no further business to come before the Council, the meeting was adjourned at 2:30 P. M.

A P P R O V E D

Lela Cockrell

M A Y O R

ATTEST:

G. V. Jackson, Jr.
C i t y C l e r k

March 31, 1977

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