

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 27, 1975.

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

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75-16 The invocation was given by Mrs. Lila Cockrell.

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75-16 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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75-16 CLOSE-UP STUDENTS OF ST. GERARD'S HIGH SCHOOL

Mayor Becker recognized a group of students from St. Gerard's High School called Close-Up. He welcomed Miss Janice Biesenbach, President, to the podium.

Miss Biesenbach stated that this group of students is taking a good look at government and in this connection recently made a trip to Washington, D. C. As a memento of that trip she presented Mayor Becker with a piece of Vermont sandstone taken from a portion of the Capitol when it was remodeled in 1960. It had originally been put in place in 1793.

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75-16 BOY SCOUT TROOP 483

Mayor Becker recognized Troop 483 of the Boy Scouts accompanied by their Scoutmaster, Mr. Jack Mathis.

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75-16 MR. ALVIN G. PADILLA, JR.

Mayor Becker called former City Councilman Alvin G. Padilla, Jr., to the podium to be recognized. He then read the following inscription engraved on a plaque.

IN APPRECIATION OF HIS VALUABLE SERVICE

TO THE

CITY OF SAN ANTONIO

AS A MEMBER OF THE CITY COUNCIL PLACE NO. 8

AND AS

MAYOR PRO-TEM

FEBRUARY 4, 1972.....FEBRUARY 17, 1975.

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He then presented the plaque to Mr. Padilla and all of the City Council personally greeted and congratulated him after which Mr. Padilla thanked the Council for this recognition.

75-16

CITATION TO REV. LUIS URRIZA

Rev. Black recognized Rev. Luis Urriza in the audience and asked him to come to the podium. He then read the following Citation:

CITY OF SAN ANTONIO
(STATE OF TEXAS)

Hereby Presents This

CITATION

to

REV. LUIS URRIZA, OSA

IN RECOGNITION OF HIS MANY YEARS OF DEVOTED SERVICE TO PEOPLE OF ALL RACES AND CREEDS AS PASTOR OF ST. MICHAEL'S CHURCH IN THE SOUTHEAST COMMUNITY OF SAN ANTONIO. HE EXTENDS THE HELPING HAND OF BROTHERHOOD TO BOYS AND GIRLS, TO THE LONELY AND LAME, TO THE SICK AND THE SORROWFUL. HIS CONTRIBUTION TO A BETTER LIFE FOR HIS PEOPLE MERITS THE COMMENDATION OF A GRATEFUL CITIZENRY.

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He then presented the Citation to Rev. Urriza and congratulated him. Each Council member also personally greeted him.

Rev. Urriza then thanked the Council for the honor bestowed on him.

75-16

REPORT OF MAYOR PRO-TEM SAN MARTIN ON
CONVENTION BUREAU GOODWILL MISSION TO MEXICO CITY

Dr. San Martin distributed copies of his written report on his recent goodwill visit to Mexico City, along with members of the staff and other interested citizens. He declared the trip to be highly successful. He praised the work of the staff of the Convention and Visitors Bureau and members of the Convention Bureau Committee. Also drawing his praise was the Happy Jazz Band, which accompanied them. (A copy of Dr. San Martin's report is on file with the papers of this meeting.)

Mr. Bill Ochse also reported on the trip. He highlighted various points and said that he felt that the results of this trip will be felt for many years in San Antonio.

Mr. Ochse then reviewed recent activities of Mr. Henry Nussbaum, Director of the Convention Bureau, and told of his success in contracting with several large conventions to be held in San Antonio in the next few years.

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75-16 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-16-18

DESIGNATING THE OFFICIAL DATE FOR THE MAYOR
AND CITY COUNCIL OF GUADALAJARA TO VISIT
SAN ANTONIO AND THE OFFICIAL DATE FOR THE
MAYOR AND CITY COUNCIL OF SAN ANTONIO TO
VISIT GUADALAJARA IN CONNECTION WITH THE
SISTER CITY ALLIANCE PROGRAM.

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The Resolution was explained by Dr. San Martin, who said that the International Sister City relationship between San Antonio and Guadalajara calls for an annual official visit of one City Council to another. This Resolution simply designates the dates of those visits.

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

75-16 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-16-19

COMMENDING THE TEXAS LEGISLATURE FOR TAKING
THE INITIATIVE TO HONOR AND COMMEMORATE ONE
OF THE MAJOR FIGURES OF TEXAS HISTORY, FRAY
ANTONIO SAN BUENAVENTURA OLIVARES, O.F.M.

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The Resolution was explained by Dr. San Martin, who said that Father Olivares was a Franciscan missionary who actually built the Alamo. There is a bill in the current legislature asking the State of Texas to purchase a statue of Father Olivares and for the City of San Antonio to make a commitment that it will be placed in front of the Alamo. The City would also maintain the statue.

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

75-16 The following Ordinance was read and explained by City Clerk J. H. Inselmann and after consideration, on motion of Mr. Morton, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: None.

AN ORDINANCE 45,065

AMENDING SECTION 2 OF ORDINANCE NO. 44,931
PROVIDING FOR PRECINCT POLLING PLACES FOR
THE REGULAR MUNICIPAL ELECTION TO BE HELD
ON APRIL 1, 1975, AND DECLARING AN EMERGENCY.

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SPECIAL CITY COUNCIL MEETING

Mayor Becker announced that a Special Meeting of the City Council will be held on Wednesday, April 2, 1975, at 1:00 P. M., for the purpose of canvassing the regular election.

Dr. Nielsen moved that a meeting be held, as requested by Mayor Becker. The motion was seconded by Dr. San Martin and on the following roll call vote was passed and approved: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: None.

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The following discussion took place:

MAYOR CHARLES BECKER: Last Friday at a called meeting, Sam Granata, the City Manager, read the contents of an item that he prepared that dealt with the 14% City Public Service revenue and all that sort of thing. We keep reading so much in the paper about certain entities in the City preparing suits against the City of San Antonio over this 14% that some of our Council people were not able to be here last Friday and in order for them to have an opportunity to make their views felt on this thing or at least discuss the situation as they may see fit, I'm bringing it up here again this morning because I don't know of anything that at this particular time is of more far lasting significance than all the quarreling and apprehension that has to do with the acceptance of this money from the City Public Service. Now, Carl, you're the one that was here at the time and read some of this along with Mr. Granata. Would you care to summarize this just briefly as to the most salient points of it. What we're actually receiving is not 14%. I think you said 6 3/4% and what the City had already agreed to divest itself of and not accept and point out the most significant portions of this statement if you will please as you go through it page by page. Can you do that?

MR. CARL WHITE: Yes, sir, I think so.

MAYOR BECKER: All right.

MR. WHITE: As you well know, the indenture provides that the City of San Antonio shall receive 14% of the gross revenues of the City Public Service Board. The Council, back in February, I believe it was - I forget the exact date, voted or elected or chose to rebate the gas passthrough charge or the 14% on the fuel passthrough on gas. That dropped the 14% to approximately 9% of revenues from City Public Service. Then there was an ordinance passed in December that further - it does not go into effect until August - but it further reduces the percentage that the City will receive from City Public Service and in the final analysis what the City is getting is 6 1/2% of the gross revenues from City Public Service.

MAYOR BECKER: Can you move that microphone a little bit closer to you, Carl, I don't know whether everyone back in the audience and so forth can hear your explanation.

MR. WHITE: As you well know, under the state law a utility is permitted to earn a fair return or a return of 8% under the law on their investment. While this is not based on the fair return, it would be much more if it were based on the fair value system but the 6 1/2% is certainly within the confines of the law. In other words, it is certainly within the realm of the present law.

MAYOR BECKER: What was the upshot of the whole situation with respect to the replacement of the monies which are now being accepted by the City? If that money was not accepted by the City of San Antonio that it receives from the City Public Service, what would the tax rate have to be in order to equate to the present amount of monies that we're receiving?

MR. WHITE: All right, the present property tax yields about \$32 million a year. Our 6 1/2 or 9 percent from City Public Service that we're receiving now yields approximately \$28 million, \$28.2 million, so the property tax and the amount from the City Public Service Board are just about equal, they're approximately the same. Which would mean if we were to lose the City Public Service Board income then to replace that would mean a doubling of the property taxes in San Antonio.

MAYOR BECKER: That would be, say, a \$1.89 and doubling that would be.....

MR. WHITE: Would actually be - come out to \$3.64.

MAYOR BECKER: \$3.64.

MR. WHITE: We have a \$2.50 state maximum.

MAYOR BECKER: So we'd be deficient by about 2/3 of the necessary amount to run the City as it's presently being operated, is that correct?

MR. WHITE: It would be about \$18 million short.

MAYOR BECKER: A short fall. All right, now, what would you have to do if you had an \$18 million short fall, what would have to happen to the budget in order to accommodate that type of short fall, in your opinion?

MR. WHITE: Well, we wouldn't have any - there's no other revenue sources, virtually none, that we could tap, in other words.....

MAYOR BECKER: We would have to curtail services?

MR. WHITE: We would have to cut back services approximately 10 per cent across the board and that means the Police Department, the Fire Department, the Public Works Department, the Health Department and all services of the City. You see, one of the things that makes it difficult when we lose revenues of this type we have certain built-in requirements, certain statutory requirements that are fixed requirements. We don't have any flexibility there. The only flexibility we have is in the operating budget of the City and that leads to the curtailing of services. Another effect that this would have is that the tax rate would have to be raised to its limit. We would not have the capacity to sell the balance of the drainage bonds that were voted in November because, you see, those are tax supported bonds and when we increase the outstanding indebtedness of the City, we also increase our obligations to make payments on those bonds. With no growth, zero growth in the tax rate, or the tax increases would not be able to fund those drainage projects.

MAYOR BECKER: So, what you're actually saying, in effect, if I may state it in this context that it would be fiscally ruinous to the City of San Antonio to divest itself of these monies and refuse to accept them.

MR. WHITE: Well, I think it's a fair statement. When you consider the results that would emanate from curtailment of services you're talking about the health and well being of the citizens.

MAYOR BECKER: I have something here that I would just like to read for a moment. It appeared in the editorial section of the San Antonio News, page 8-A, Tuesday, March 25, 1975. It deals with the federal government and was entitled "What slow pokes old timers were".

It took 185 years of our country's history for the federal budget to reach the \$100 billion mark. Can you remember how Lyndon Baines Johnson sweated his first budget for fiscal 1965 to keep it from reaching \$100 billion. He did it but his next one topped the magic figure. But instead of 185 years, it took only five years to jump another \$100 billion and reach the \$200 billion budget. That happened in fiscal 1971. Then it took us another four years to reach the \$300 billion mark. We're doing it during the current 1975 fiscal year but we have been spending slow pokes. In fiscal 1976, the year

starting this July 1st, it seems clear we will be in the \$350 billion and we're likely to reach the \$400 billion mile post in fiscal 1977. This would be a \$100 billion dollars gain in just two years.

MAYOR BECKER: Is it any wonder that the dollar continues to drop in value as nations around the world show little confidence that we will ever control our profit spending, or is there any wonder that inflation is hitting most families so hard.

Now, when you read that thing, it's quite a reminder that somewhere in government, regardless of whether it's federal, state, local or county, or whatever, there must be an adherence and a recognition of just the simple facts of life, and that is, you can't spend more than you're taking in, and do it with any great success over a prolonged period of time without it affecting many, many things in either the economy of the nation, or the city in which it's occurring or the state, or any other place. Now, we keep talking about New York City, and I keep talking about New York City because New York is now fiscally insolvent, financially bankrupt. There is no market of any quality for bonds from New York City at this time. It wasn't too long ago that the local banks in New York, which happen to be some of the largest in the world, of course, refused to loan the City of New York, I think it was \$230 million or \$260 million on a short term basis because they didn't know how they were going to be repaid. Now, you know, who would have ever thought that that would happen to probably one of the greatest cities in the world, and certainly one of the greatest cities in the United States - a capital city if there ever was one. A city that's been the financial center, the cultural center, and every other type of center for not only this nation, but certainly for most of the world, and today, it's totally undesirable as a financeable entity.

I wish some of the people that continually talk about how they want to sue the City of San Antonio to recover this 14 percent or to prevent the City from getting it and all that sort of thing would reflect on just exactly what it is that they're dealing with. This isn't like playing games, you have my marbles and I have your chalk, you know. We're talking about something that's deadly serious. We're talking about the reputation of the City as far as the bond rating that it enjoys, and in the future of this City as far as the effect that this sort of thing would have would be almost irreparable.

MR. W. J. O'CONNELL: There's two things in this report that we got last week that I'd like to again magnify, and one is, we're talking about the fairness of the 14 percent, and we can go to just south of us here to the CPL in Corpus Christi. The CP&L is a nearby privately owned utility, and where we're getting 14 percent, this utility is getting 30 percent. I think that's important for us to know. The other thing is that in this same area, that when we're talking about the 14 percent, it applies to the complete service area of City Public Service, and the City of San Antonio, would stand to lose about 20 percent of this money if the suits would follow through. Sometimes, you wonder what the real reason is for some of these people pushing some of these suits. And I think those two things are important. We don't get back the dollar on the tax even if we could get it back.

MAYOR BECKER: Right. Reverend.

REV. CLAUDE BLACK: Mr. Mayor, I'm particularly interested in this because I think it sets up a kind of a paradox or conflict. On the one hand, the hospital is saying we cannot operate unless we get some relief.

The school is saying we cannot operate unless we get some relief. The citizen out there who is - who does not have anybody suing for him, but is calling me and members of the Council saying I cannot operate unless I get some relief. Now, one of the things I think we need to do, and I think the community needs to recognize is that we are in a boat in an open sea. There are no adversaries here, and that if we've got a bucket to get this water out of the boat, so that we won't sink, that we had all better get together, and we better all get together. Now, one entity of this government can start looking after its own interests without regard for another entity of this government, and when we look up we're all facing a very serious problem of the operation of our City.

Now, I'm interested in knowing to what degree is the City Public Service Board responding to their position that they would not cut off. I recently had a young woman who was married to a military man who is overseas and her check came in late and this is not uncommon with many military families, and yet they had cut her utilities off. Now, what I'm saying is we ought to at least have some kind of report of how they are implementing this and what impact this is going to have on their ability to respond to the City in terms of their commitment of the 14 percent. I think we've got to know this, as a part of the total picture. Just as you have indicated with reference to the hospitals, and the schools and all, what impact will the servicing of these persons and keeping their utilities on, what impact will it have on the response of the City Public Service Board to its commitment of 14 percent to the City of San Antonio.

Now, we've got a body that's dealing with energy. I don't know what kind of body we need to do to bring together all of these forces that are saying they can't survive unless there is some response. But, it seems to me that somewhere we cannot be adversaries. There's no need of me starting a fight with the pilot and we are 32,000 feet above the earth. I don't want that kind of fight that involves. What I'm saying is that I recognize the condition of the schools. I recognize the condition of the hospitals. But I also see exactly what you are saying about our City and its operation. It certainly seems to me that somewhere we've got to resolve the fact that we're not adversaries but that we are to get together and try to keep our City moving.

MAYOR BECKER: Well, this continual, and I mean continual, bickering over all this energy problem has not only progressed from the standpoint of where it's just Oscar Wyatt, Coastal-Lo-Vaca and Coastal States and Lo-Vaca. Now, it's the City of San Antonio versus or the school districts versus the City of San Antonio, and the hospital district versus the City of San Antonio. How much further can it go? How much further can it go and now finally tear the whole house down?

DR. D. FORD NIELSEN: Well, Mr. Mayor.

MAYOR BECKER: That's a question I have to ask myself.

DR. NIELSEN: I think the problem is two-fold. It's basically economic. We're all caught up in that. I think everybody understands that. People in the school districts understand that. There seems to be, however, in midst of all the hard reality of the economics, a little politics and also a bit of a legal question that fortunately, or unfortunately is going to have to be resolved and that is whether or not the 14 percent is a tax. I'm not convinced that it is. I don't think there's anything unfair or unjust about it until it does become an economic crunch and

I think this Council and future Councils have got to make some adjustment. Now, the other thing that overwhelms me is that in the last few weeks of moving all over this town, 95 percent of the people you talk to have no knowledge of what the Council did in December. They just don't know. Now, what happened in terms of education, and the media and information, I'm afraid politics overwhelmed some of that, unfortunately. But I think once you talk to people and they know this, they're a little less anxious. Granted, it is not all immediate, but in just a few months, there's going to be considerable relief. Now, the school districts know this, but you know, they're caught up in their own political process of trying to get money out of the legislature right now. I don't think there's any personal animosity. They just want to know whether it's legal or not that they're even charged 14 percent. I guess we'll have to run that through the courts, unfortunately.

MAYOR BECKER: Well, you know, to have the guns trained on the common enemy and common enemy and that's Mr. Wyatt, Coastal States, Lo-Vaca is one thing, to suddenly turn them on yourselves, is self destructive and that's what I think we're beginning to do here, with all these suits. The only thing that makes me wonder about this is that the following Council, the succeeding Council, whoever those members might be, is going to have to deal with this thing in a straightforward fashion before we're successful in blowing our heads off. You know we can approve all kinds of points I guess and probably make much political hay out of these things and it'll be a very popular issue in the City to see it happen, but how constructive it is. Where are the benefits to be derived from all this constant bickering? I'm going to ask the question - I only have about another month and while I'm here I'm going to ask that question every week, I guess, until I get some sort of an answer, what are the benefits to be derived? How is it going to aid the City in growth? How is it going to aid the City in attracting new industry? How is it going to aid the City in elevating the income levels of about 50 percent of the people in this town who are on what's known as underemployment status, and if I'm not mistaken that means simply that they've never been paid a sufficient wage. How is all this continual harping on this problem going to help solve any of the ailments that seem to afflict San Antonio? I don't find the answer. I might have to go to court every day with ourselves over something, I fail to find it.

DR. NIELSEN: Mr. Reeder, have you had any further conversations with the school's attorney? You made us a brief report last time. I just wonder where that stands.

CITY ATTORNEY REEDER: No, I haven't Dr. Nielsen. The reason is that I agreed with Mr. Hardy, the school's attorney, that I would file the answer voluntarily without his having the sheriff serve us and then when I did that we would then get together at his convenience and that's two weeks from - it's one week I think, from this coming Monday and he said he was tied up anyhow because he's involved in some lawsuits down in South Texas that he couldn't actually get to it. Meanwhile, I've been trying to take advantage of the lapse in time by educating myself so I can catch up with him on the law. He's been a lawyer for 40 years and I've just been a lawyer for 25 so he's got a head start on me. But I don't think we've got, well, I probably shouldn't say this, I don't think we've got a legal problem. I think old Harvey knows that thing is not a tax but we've got to say something, but, in any case, I don't think we're going to have the difficulty with Mr. Hardy and the school districts that we're having it with Mr. Wyatt, Coastal and Lo-Vaca. I think it's the type of thing that we can sit down and at least we can agree on the facts and leave it up to the judge and say here they are, who wins, you know, but it will take a year or a year and a half to get it through the appellate court because that's just the way courts move.

MAYOR BECKER: It becomes just another side show, though, in the mid-way.

CITY ATTORNEY REEDER: Well, old Harvey won't make it a side show and I'll try not to, and I know that the judge won't but then we're not the only people that get involved, you know how it is, Mayor.

MAYOR BECKER: How well I realize that. Well, Cliff, did you want to.....

MR. CLIFFORD MORTON: I don't know what action you all took on this Friday. Apparently it's just a briefing session.

MAYOR BECKER: It was a briefing session.

MR. MORTON: The point that should be emphasized here this morning is that we aren't talking about 14 percent. We're talking about maybe around the neighborhood of 9½ percent, is that right?

MAYOR BECKER: It's six and a half, I think, Carl.

DR. NIELSEN: It's less than 14 now with that.....

MR. MORTON: When we forewent not taking the 14 percent on that and I think essentially what we're saying is that this Council has determined that there is a certain level of services that we want to offer this community and we feel that we are approximately at this level today and there's a certain amount of taxes that we feel that we can charge taking into consideration the fact that 20 percent of whatever we collect from the City Public Service is collected from what I call tax havens or tax sanctuaries and we won't need to call them any of those places but we think that that's a part of the equity formula, here since none of them has come forth and helped us support the Transit and that we resubsidize through their communities, library books that they use freely that the taxpayers of this City had to pay for, that taking all of the equities into consideration, we feel that the tax rate we have is one we go on record as saying that we do not need any more tax money providing we can get certain numbers of dollars out of the 14 percent or now what is 9 percent which is going to be six percent from City Public Service. So I would like to know if this is the position of the Council or are there those people on the Council that would like to say let's give it all away and if they do, of course, I would like to be interested in knowing what services they are going to cut or how much they are in favor of raising taxes because, as I see it, those are the two alternatives that you have assuming that you have a level of management that does not provide, let's say, that as minimum in waste as far as the type of energy we're burning here. (Rest of statement inaudible).

REV. BLACK: I wonder, Mr. Mayor, if it would be possible that we could have both the schools and the hospitals to give set projections of what they see in terms of the relief that is projected by this evidently as you have stated is not altogether clearly understood by many of them, and whether or not they still feel that they can't live with that projection. Now, it seems to me that even though we are talking about how it will be reduced and how we have reduced it and how we have been responsive in the final analysis, the weight of the decision made either by the school leadership or by the homeowner is what his ultimate bill will be, what his bill is, what his bill comes in at, you know, how much it is. He might not understand all of the ramifications of the concessions made, but he does understand what his bill is when it comes to him. Now, it would be well it seems to me that I don't know, since they are filing the suits whether or not we can have this kind of discussion, but it seems to me that it would be well if we could say, all right, what is the impact, what is this going to mean in terms of the reduction of cost to the school system? What is it going to mean in the reduction of cost to the hospitals? What is it going to mean in a reduction of cost to the average user? Then we're dealing, I think, with the practical aspects of what - I think the City has - that we had tried to respond to what we recognize out there was a great need and we're responding in the

light of the tremendous obligations of services in the City but we still - the dialogue I think must still go on between those persons who are running institutions and those individual customers in terms of whether or not this - if it isn't then we still have a problem. We still have a problem of persuading them that we cannot, under the circumstances of our City, reduce it further or we can reduce it further, one or the other.

MRS. COCKRELL: Mr. Mayor.

MAYOR BECKER: Yes, madam.

MRS. COCKRELL: I would like to add these following comments. The Council, of course, by majority vote made the decision of what the plan was for this Council year and that was to forego the 14% on the gas fuel adjustment and then to go on record as favoring the foregoing as of August the 1st of an additional portion on the electric fuel adjustment. The tax rate has been set for this fiscal year and the budget has been completed based on this. It seems to me that it is not possible to make any changes until the next fiscal year which would start August the 1st. I have always stated that I felt that the City was entitled to the 14% on the base rate. I think there's no question about that and I stand firmly on that and it will certainly be up to the new City Council to determine and to review their position on the total fuel adjustment portion - the 14% on the fuel adjustment. Now, what remains now, the only portion of the decision that would really be undecided is what the majority of the new Council will feel only about that portion of the electric fuel adjustment that this Council decided not to forego. So that is the only area that I foresee that there will be discussion in the forthcoming Council. My personal position has been that I would like to forego the 14% on the entire fuel adjustment. That, again, is something that will have to be figured in the next budget year by the new Council.

MR. MORTON: Let me ask this question, just not debating. But is there anybody here that would be in favor of foregoing the 14% or 9% or 6% or 3% or 1% on the fuel adjustment if it meant an increase in the taxes?

DR. NIELSEN: You mean ad valorem taxes?

MR. MORTON: I'm talking about ad valorem taxes. Anybody here want to go on record for raising taxes?

MRS. COCKRELL: I will review that, it's possible, yes.

MR. MORTON: In other words, you're saying you would or wouldn't?

MRS. COCKRELL: I'm not - I'm saying that I would consider it because I think in some ways it would be a fairer thing.

MAYOR BECKER: Well, I just am trying to point out one thing and I'm going to ask Mr. White to give me an idea as to how far the City of San Antonio could go to borrow money to run a deficit operation. The premise of my whole discussion is that the City of San Antonio cannot possibly emulate the actions of the United States government with deficit financing that they seem to be able to engage in up there to the detriment all of us.

MR. TENIENTE: Well, we don't print money.

MRS. COCKRELL: Right? Yes?

MAYOR BECKER: Now, how much could the City of San Antonio actually finance on a deficit basis from a local bank and continue to do it and how long could they do it and for what amount do you think they would permit us to do it?

MR. WHITE: Well, the answer to that question, Mr. Mayor, is zero because the State Constitution, the Charter and everything, the laws and so forth require that the indebtedness of the City has to be paid off by the years end. Now, we borrow money to operate the City during the fiscal year but by the close of the fiscal year, we have to have all of our indebtedness paid off and that's by law.

MAYOR BECKER: I'm afraid that there's a lot of people that get the federal government and the local government confused. They think the local government can start doing the same types of things that the federal government does. But we don't have that license. We don't have that province. We're not permitted to and that's my predicate that we must pay our bills as they come due and stay current, is that not correct?

MR. WHITE: That's absolutely correct.

MAYOR BECKER: All right, so if that is the case, then it's very clear cut as to how much you can either not receive of the money from. Public Service or what percent you have to cut public service or as Cliff says, what percent you have to raise taxes. It's just that simple. You've got a mechanism that is fully hinged and none of it is separate or apart from any other part of the thing. It's all one integral part, is it not?

MR. WHITE: That's correct.

MRS. COCKRELL: Mr. Mayor.

MAYOR BECKER: Yes, madam.

MRS. COCKRELL: I'd like to add these two comments. The raise in taxes that you were referring to or that Mr. White gave figures for referred, as I understood them, to the situation we would be in if we decided to forego the 14% on the entire CPS revenue. Is that correct? I don't want anyone to be under the misapprehension that that related only to the balance of the fuel adjustment portion because those figures related to what would happen if through suits or anything else, we were forced to forego the 14% entirely from CPS. There's one other thing that I think, in terms of budget adjustment, I think that in personal budgets and I think also in public budgets during times when funds are tight as they are now that you simply have to review very, very carefully the entire budget during the budget making process and I would like to suggest that as the budget making process is initiated for this forthcoming year and certainly it will be initiated before this Council goes out of office that the public be invited to join with us in scrutinizing the development of that budget because I think this is where we have to be entirely sure that every appropriation in that budget is something that is absolutely needed. I think that's an area that we need to review very, very carefully.

MR. TENIENTE: I have to speak out probably as a citizen right now because I haven't had as much experience on all of this - all of the workings on the Council so I have followed them as a citizen and now that I sit in the Council, I can kind of say that I don't think anyone here on the Council would be against refunding the entire 14% if it did not curtail the services and if it didn't raise the taxes. I would like to get a reaction on this. You see, if we refund the 14% and then raise taxes, we're just taxing the people of San Antonio where the people in Castle Hills, Alamo Heights, even Castroville and Terrell Hills would just be again getting off easily on something and the people on the west side, the people on the east side would be burdened again and I would like to see that perhaps and I'm not even going to touch on the legality of this but the thing is if we could work on something for the citizens of San Antonio. Actually, this is the way, we're bound by Charter to serve the people of San Antonio and not necessarily create a burden on our bedroom cities but at the same time try to provide a better picture for our citizens in San Antonio. I see that the refunding of this would just benefit a lot of people more than just San Antonio and I don't want to create a burden on the people of San Antonio by raising taxes on them.

MRS. COCKRELL: In other words, you do not favor any additional refund of the 14% fuel adjustment.

MR. TENIENTE: No, I said I'm for it. I would be for it but just for the citizens of San Antonio. I would say just for the citizens of San Antonio.

MR. LACY: It would be illegal.

MR. TENIENTE: I would say that there are many things that are illegal and I think that the only thing that we would have to do is just try to move them that way. For the sake of the citizens of San Antonio, let's do something that perhaps - I'm not going to say the word illegal because I don't want to use that word - but let's do something to provide a service to citizens of San Antonio and then let somebody else tell us that it's not right.

MR. LACY: Mr. Mayor, under the new tax equalization, that is so high that perhaps they picked it up so that it wouldn't exceed the \$2.50 allowed by the state government already. But if it would go that high in reality, we'd be paying an undue burden and I think it would discourage further industry from coming to San Antonio and a lot of the downtown buildings, I understand, are in trouble right now. The Majestic Theatre is one good example. It's closed up and the tax burden becomes so high that we're never going to be able to revitalize San Antonio. In addition, if we can't match those funds and we give away too much, we won't even be able to match government subsidies that we're entitled to receive because we won't have enough money to even pay our dollar matching on that. So we'll soon be coming in a real dilemma if we're not very, very careful.

MR. O'CONNELL: Mr. Chairman, I'd like to recommend that the City staff, I mean recommend the report we got. There's a lot of work been put out here just no matter how your political beliefs are and what you can and you want to do or what you want to say for consumption or for publicity but I think this report really demands a good looking at and a good study and I recommend to the media that they look this thing through thoroughly. There's a lot of time been put in on this. But we also have - the Manager not only did give us some data that we needed and some information we needed, he also made some recommendations and showed us where some of the entities, some of the schools, hospitals and churches, what their - what was happening to the money, the 14%, the basic and the fuel adjustment and the totals. This is an area where this City Council even would still have time yet if the suit against the school were settled or talked through, would still have a chance to give the school and the other hospitals and so forth, some relief. I think we all need to look at this thing, you know, take a real good look at it because there's a lot of facts here and you can juggle them any way you want to but there is some relief here. This report gives some relief and it does make some explanations. I don't think I'd take one part and look at it, I think we need to take the whole thing and look at it.

DR. NIELSEN: I just wanted to raise another question and Carl, will you get us a complete breakdown. I think one thing that is missing in the report on page 4, we're saying that in '75-'76 fiscal year, there will be a total rebate of roughly \$11 million out of \$29 which is about 1/3 under the present ordinance which takes effect August 1st and the action of last December. Would you get us the exact figures on if it were five percent as opposed to 6.5. Would you do that next week for us? We could make a rough estimate now but...

MR. WHITE: Yes, sir.

DR. NIELSEN: And another thing we have to determine, Mr. Mayor, in terms of a very serious policy decision is whether or not you forego all or part of what I feel and I think Mrs. Cockrell disagrees, is a fair service or a fair income for services rendered in terms of the 14%

versus an increase in property taxes. It's my humble opinion and that of a lot of other people that the ad valorem tax hits hardest the middle income and the low income people. The bulk of taxes that are paid in ad valorem taxes and this is what - what are the figures now again? 60 percent of our local income comes from ad valorem taxes, homeowners, residential, which is rather high and any upward adjustment in the ad valorem tax rate hurts hardest the people that I think need not be hurt. It also brings back a question he raised if you give away the whole 14% or a major portion thereof, we're really hurting our own residents first and helping the people in the municipalities around here. Now, I'm all for helping them but not at our own expense.

MRS. COCKRELL: May I ask for clarification? Are you talking about the 14% on the base rate or the fuel adjustment or...?

DR. NIELSEN: Well, either one. See, that brings up the next question. This whole thing is really one rate anyway, no matter how you look at it. We've got to as soon as we can.....

MR. MORTON: Just a minute, you will not have a fuel adjustment if you recognize the price of fuel today in your base rate. So, essentially what you're saying, you have to take the position that over the long pull you are going to have to recognize the price of fuel and once you do that, you no longer have a fuel adjustment and once you do have the adjustment rate, then you are saying that you no longer want 14%, that you want six percent based on gross revenues.

DR. NIELSEN: Right.

DR. SAN MARTIN: That's all you're talking about.

MR. MORTON: It's purely an academic argument but that's exactly what it boils down to and I really don't see anything magic about the fuel adjustment because, frankly, it isn't going to go down. I don't know why there even is a distinction on saying we're going to forego it on one and we're going to put it on the other. Essentially, what you're saying is that we think the price of gas should be 23½ cents. That's what you're saying when you say you establish a 14% on the base rate and you have nothing on the rest of it and I find that a little bit hard to believe that that will ever come back again. It's kind of like saying, I wish for the good old days.

DR. NIELSEN: It's just my humble opinion, you know, that we're in a firestorm right now as far as the suits with the school district and I think we see an even bigger one in my humble opinion, we start raising the tax rate in this town.

MRS. COCKRELL: Let me ask then, is your position that you are in concurrence with foregoing any part of the fuel adjustment - 14% then?

DR. NIELSEN: Oh, yes, I - very definitely. I just can't see the whole thing. I don't think we can be fiscally responsible and do that.

DR. SAN MARTIN: Mr. Mayor, I'd just like to make one comment and that's on page 5, I made a statement last week that the only thing we're talking about is the probable projected surplus of \$3,643,000. I think that when the City Public Service Board comes in for a so-called rate increase or another rate increase which they have kind of forewarned the City Council that there might be another one that this so-called surplus if it materializes be taken into account so that perhaps the increase will be less than what they thought it might be.

DR. NIELSEN: Dr. San Martin, we did discuss that a little bit.

DR. SAN MARTIN: I guess I stepped out of the Chamber for a little while.

DR. NIELSEN: Well, this was last week, I think you were gone. One of the facts about that fund of \$3 million is that - no, it's 3.6. If the legislature passes a bill and reduces the sales tax - the five per cent sales tax which I'm in favor of, that eats up one half of this just like that. So we're down to a million and a half and that's not an excessive amount to have to decide but we will, you're right.

REV. BLACK: Well, I think there's another decision that we're making. Once we decide that we're not going to deal with this 14% because we recognize the relationship that it has to the affairs of the City, then we have the additional decision about what are we going to do about the community of individuals who cannot meet that obligation. When you talk about budget studies, then it seems to me that what you're really going to say about that budget is that the budget is going to have to set up a new set of priorities because what it's going to mean is that the hospitals will then begin to have to readjust their budget, the school systems will then have to readjust their budgets. In the midst of all of that, my experience has been those persons that are most likely to lose their jobs are persons that are at the lowest level of operation within that institution. Now, we saw last week a host of persons who are feeling the economic pinch in this community with reference to one of its industries. I think that what you're saying is really a logical approach but I think it means that we've got to turn to the other side of the coin now and begin to say, all right, how do we deal with the result of that decision, the consequences of that decision of operating the City and at the same time the citizens will find themselves facing these economic hardships and the interesting thing is that they used to go to the employment agencies when they had economic problems but now they come to the City Council. This is where they're going to be.

DR. SAN MARTIN: That's where the action is.

REV. BLACK: That's right.

MR. MORTON: I think one thing though that we have to remember. I'm not insensitive at all to what you're talking about but it isn't the affect of the 14%. It's the amount of dollars that not 14% but the 100% of what they are currently paying on the fuel adjustment. That's where the problem is. So I don't want this Council to feel like they have to bear all of that burden. Those dollars would not have been that big had certain actions been taken many years ago. That is not this Council's fault and somehow or other, I know that we're going to get saddled with it, we have been saddled with it, it's been the albatross around our neck for two years but I very frankly can just say that I do not think that this Council could have changed those numbers.

REV. BLACK: I know and I understand you clearly but I think you would also, if you saw this Council filled with individuals who were struggling with work that you'd want to be able to somehow respond.

MR. MORTON: There's no question about that but all I'm saying is the 14% we keep looking at the 14% and forgetting about the 86%.

REV. BLACK: That's right.

MR. MORTON: And that's where I would like....

DR. NIELSEN: 86.

MR. MORTON: What kind of progress we make on the 86 percent.

REV. BLACK: I think you're right. That's fundamental.

MRS. COCKRELL: Mr. Mayor, let me just add one further word. Speaking about that 86%, I think there are two things that I'd like for the Council to be brought up to date on. One is the progress of the suit in the Houston District Court against those North Texas utilities to set aside

that contract because if we were successful in pursuing the setting aside that contract, we could get more cheap gas channeled into our system which would affect the basic rate. Then the second thing is I really feel that we ought to go back into the Railroad Commission and try to press to get Coastal States levied with a higher monthly assessment than they are currently levied with. They are levied with \$2.5 million per month. I don't think this is enough, I think they ought to be paying more into the Lo-Vaca system and those are two actions that could directly affect the base rate.

DR. NIELSEN: Well, would that second one really affect the base rate very much?

MRS. COCKRELL: It could - it depends on how the money would be applied.

CITY ATTORNEY REEDER: Sure, yeah it could.

DR. NIELSEN: It could huh.

MR. MORTON: 2.5 on gross revenues is how much?

CITY ATTORNEY REEDER: It wouldn't affect it much but it would affect it some a nickel maybe. I'm not any good at math.

MRS. COCKRELL: Whatever we can get out of Coastal States makes me happy.

MAYOR BECKER: I would like to see some of it come out of the hides of the people who were in a position in 1971 to have voted as Trustees of the City Public Service Board to have negotiated for additional amounts of gas and bank those amounts of gas when the prices were 25 and 30 cents a thousand cubic feet. That's where the first mistake was made but I should go back even further than that. The first mistake was committed in 1961 when we engaged in a contract with Alamo Gas Company. That was the commencement of the whole situation. Then the second step, the Phase 2 of this travesty, was when the Trustees of the City Public Service Board refused to recognize a fact that was borne out by their own report which was made by their own consultant that report as I recall it being dated January 14 or February 14, 1970, which pointed out conclusively that 52% of the reserves or something of that order were totally lacking that had been represented as being there by the Alamo Gas Company in its representations that it made to the City Public Service Board in 1961, and they still didn't do anything about it. Now, there's another matter here that I'd like to clean up this morning.

MR. MORTON: Where do we stand on these TUFECO suits? I thought that that suit had been lost.

CITY ATTORNEY REEDER: Well, Mrs. Cockrell brought up the Houston suit and in the Houston suit we have the same controversy going that we had going in the Railroad Commission, that is, should that TUFECO gas be reallocated back into the Lo-Vaca line? The Supreme Court, according to the newspaper, decided that the Railroad Commission didn't have jurisdiction to do that but according to the Supreme Court decision, the Supreme Court affirmatively said the Railroad Commission did have jurisdiction to do that just exactly as we've been contending for two years but for some reason they didn't have to. And I don't understand the decision. As far as the Houston Court.....

MR. MORTON: So in other words, what you're saying is that the Court does not want to take the responsibility for setting aside the contract. They're saying that the Railroad Commission has the authority but does not have the absolute responsibility. Is that right?

CITY ATTORNEY REEDER: All right. Mr. Morton, you're going off the Council, will you make a deal with me? If I get disbarred, will you hire me in some capacity?

CITY ATTORNEY REEDER:

That's exactly what the Court did.

MRS. COCKRELL:

That was the TUFCO case but I'm talking about the Houston case.

CITY ATTORNEY REEDER:

I know but they interlap. The Supreme Court decision in holding that the Railroad Commission did not have to undertake to reallocate that TUFCO gas pointed to the Houston case and said they can wait til that case is overwith. Now that case isn't going to decide anything, Mrs. Cockrell, the case here is what's going to - what we're doing is everytime they make a move in the Houston case, we make a counter move. We're going to get this case tried here before that Houston case gets tried. But you're right, that if we could get that TUFCO gas reallocated back into our system, it would substantially help us. There's no doubt about it. The Railroad Commission has jurisdiction to do that. And there is no doubt about that, the Supreme Court said they did, they just said they don't have to right now if they don't want to.

MAYOR BECKER:

In my estimation, Crawford, your credentials would be enhanced immeasurably were you disbarred.

CITY ATTORNEY REEDER:

Well, then, me and Kenneth Brewer could then join company, I guess.

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Mayor Becker recalled that at the Council Meeting of January 23rd, Mr. David Stein, representing the Veterans of Foreign Wars, spoke to the Council concerning a Resolution passed by the National League of Cities, which would eliminate job preference for veterans in a city's hiring policy. As a result of that discussion, staff had been instructed to advise the headquarters of the National League of Cities to rescind that Resolution within 60 days or the City would withdraw from the League.

Mayor Becker said that the City has not received any word from the League in response to that advice and he therefore recommended that the Council keep its word and tender its resignation.

Mrs. Cockrell said that this matter had been addressed to the Texas Municipal League in January. At its next Board meeting, she had introduced a Resolution, which was passed by the Board. As a result of that action, letters were sent to 40 members of the National League of Cities Board of Directors and 35 State Municipal League directors regarding the matter and urging their attention to it.

Mrs. Cockrell pointed out that if the City does withdraw from the League, it will be losing the opportunity for the City and TML to go to the next League convention to try to get that Resolution removed from the record.

After consideration, Mr. Morton moved that the recommendation of Mayor Becker be approved and that the City's resignation from the National League of Cities be made effective immediately. The motion was seconded by Dr. San Martin and on the following roll call vote was passed and approved: AYES: Cockrell, San Martin, Becker, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: Lacy.

Mr. David Stein thanked the Council for its affirmative action in this matter.

LONE STAR STOCKYARDS

Mr. Gene Sprague said that he is only one of several thousand people in the Valley Hi area that is concerned about the installation of Lone Star Stockyards near their area. He introduced Attorney Bob Thompson, who was spokesman for the residents.

Mr. Bob Thompson said that this stockyard is presently under construction between Ray Ellison Drive and Pearsall Road just outside of Loop 410. It will have the capability of handling 3,000 animals per week. Mr. Thompson said that state statutes give home rule power to define all nuisances and prohibit them outside the city limits for a distance of 5,000 feet.

The people in the area are greatly concerned, because of health hazards to be created, odor, noise, dust, heavy truck traffic. If the stockyard is permitted to operate, it will greatly reduce property values in that section of the City and practically eliminate any further development. He asked that the City do whatever is necessary to stop this project.

In answer to Mayor Becker's question, City Attorney Crawford Reeder said that the City's recourse is to try to get an injunction. It is up to the court to decide if this is a nuisance. He suggested, however, that the Council should give the owner of the stockyard an opportunity to be heard.

After discussion, Mr. Reeder said that he would have the owner contacted immediately and invited to be at next week's Council meeting.

SOUTH TEXAS HEALTH EDUCATION CENTER

Dr. Fernando Guerra, Chairman of the Board of Directors of South Texas Health Education Center, spoke to the Council. He outlined the role and function of the Center, which is located in HemisFair Plaza. He described the exhibit areas and reference material, which is available for use by doctors and students. He said that the Center is in need of funds now and asked that the City provide support in the amount of \$11,000 to help the Center for the remainder of this year.

In answer to Dr. San Martin's question, he said that he has letters from each agency that will use exhibit space making a definite commitment. The total budget to December 1st is \$73,000 and he said that the funds from the City will probably be needed in early summer.

After discussion, Dr. San Martin said that this is a badly needed activity and the potential is tremendous. He asked that the matter be referred to the City Manager for further evaluation to discuss budget and method of operation and timing for appropriations. He asked that a report be made to the Council next week.

PEDESTRIAN BRIDGE

Mrs. Beatrice Gallego, Mrs. Consuelo Pedraza and Mrs. Eloise Guerro, representing C.O.P.S., spoke to the Council concerning the need for an overhead pedestrian bridge where Frio City Road, Zarzamora Street and the Missouri Pacific Railroad converges. There are three schools in the area and many children have to cross here. There have been accidents here. Only this past week, a child lost a hand in an accident.

Mrs. Gallego said that it is common for trains to stop and block this crossing for 15 to 30 minutes at the time children are on their way to school. She asked that the Council take immediate action in considering installation of a pedestrian overhead bridge.

Mrs. Cockrell said she has reviewed this problem. A study was done about a year ago. There was a question of whether the foot bridge would actually be used if it were provided. The bridge would have to be 22' high for proper clearance.

Dr. Nielsen asked that the staff be instructed to prepare a report on this problem and report back in two weeks.

Mr. Morton said that he is not familiar with this problem and asked that the report include a statement of what is unique about this particular location, as opposed to the many other crossings in the urbanized area of Bexar County and also a description of available alternatives.

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Mayor Becker asked that the City Manager request that a representative of the railroad meet with the Council next week to discuss scheduling at this intersection.

CONRAD TRUSS

Mr. Conrad Truss said he simply wanted to express his appreciation to members of the City Council for the service they have rendered.

KARL WURZ

Mr. Karl Wurz, 820 Florida Street, said that City Water Board rates discriminate against the low user. He said there should not be a minimum charge and there is no need to subsidize large users with the current rates.

RAUL RODRIGUEZ

Mr. Raul Rodriguez said that he had heard harsh criticism of Mayor Becker in this campaign and he wished to apologize to the Mayor for it.

Mr. Rodriguez said he will ask the new City Council to pass a resolution asking the legislature to appoint a State Utilities Commission. He then cited telephone rate problems in Rockdale, Texas, and Thorndale, Texas.

VOGEL BELT BUILDING

Mr. Louis Viramontes, 301 Skyview Drive West, said that he would like a clarification of the role and position of the City Council in regards to the development of the Vogel Belt Building. He said that he had seen references in the news media to the possibility of the City purchasing the building. He said that he had been awarded development rights to this building by the Urban Renewal Agency last July.

Mr. Joe Madison said that this matter was scheduled for discussion in "B" Session today and suggested that Mr. Viramontes be present at that time.

75-16 The meeting was recessed for lunch at 12:20 P. M. and reconvened at 2:00 P. M.

75-16 ZONING HEARINGS

A. CASE 5967 - to rezone the North 115' of Lot 7E, NCB 10928, 7800 Block of South Presa Street, from "F" Local Retail District to "I-1" Light Industry District, located on the northeast side of South Presa Street, being 731.22' southeast of the intersection of Chic-Haven Avenue and South Presa Street, with a maximum depth of 234.90'.

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 be accomplished. Dr. Nielsen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: San Martin, Becker, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Black, Lacy, Teniente.

AN ORDINANCE 45,066

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 NORTH 115' OF LOT 7E, NCB 10928, 7800 BLOCK OF SOUTH PRESA STREET, FROM "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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B. CASE 5966 - to rezone the south 149.78' of the east 150' of Lot 57, NCB 12621, 8600 Block of South Flores Street, from "B-2" Business District to "B-3" Business District, located on the southwest side of South Flores Street, being 250' southeast of the intersection of Deely Place and South Flores Street, having 149.78' on South Flores Street and a depth of 150'.

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 be accomplished. Dr. Nielsen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: San Martin, Becker, Black, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Lacy, Teniente.

AN ORDINANCE 45,067

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 149.78' OF THE EAST 150' OF LOT 57, NCB 12621, 8600 BLOCK OF SOUTH FLORES STREET, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

C. CASE 5982 - to rezone Lot 7, NCB 12167, 2637 and 2641 Austin Highway, from "A" Single Family Residential District to "B-3" Business District, located on the northwest side of Austin Highway being approximately 1024.71' northeast of the intersection of Perrin Beitel Road and Austin Highway, having 94.9' on Austin Highway and a maximum depth of 939.1'.

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

No one spoke in opposition.

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

AN ORDINANCE 45,068

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, NCB 12167, 2637 AND 2641 AUSTIN HIGHWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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D. CASE 5977 - to rezone the east 140' of Lot 182, NCB 12008, 100 Block of Bitters Road, from Temporary "A" Single Family Residential District to "B-2" Business District, located on the northeast side of Bitters Road, being 194.55' northwest of the cutback between Bitters Road and San Pedro Avenue, having 140' on Bitters Road and a depth of 174.94'.

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. 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: San Martin, Becker, Black, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Lacy, Teniente.

AN ORDINANCE 45,069

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 140' OF LOT 182, NCB 12008, 100 BLOCK OF BITTERS ROAD, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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E. CASE 5978 - to rezone the east 54.9' of the north 217.5' of Lot 14, Block 103, NCB 11073, 1400 Block of Gillette Boulevard, from "B" Two Family Residential District to "B-2" Business District, located southwest of the intersection of Gillette Boulevard and Lytle Avenue, having 54.9' on Gillette Boulevard and 217.5' on Lytle Avenue.

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

The applicant in this Case was not present.

Mr. Joe Sandoval stated that he had opposed "B-3" zoning at this location but since the request had been changed to "B-2" he did not oppose it.

After consideration, Mr. Morton 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: San Martin, Becker Black, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Cockrell, Nielsen, Teniente.

AN ORDINANCE 45,070

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 54.9' OF THE NORTH 217.5' OF LOT 14, BLOCK 103, NCB 11073, 1400 BLOCK OF GILLETTE BOULEVARD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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F. CASE 5819 - to rezone a 32.198 acre tract of land out of NCB 8702, being further described by field notes filed in the office of the City Clerk, 7531 Broadway, from "A" Single Family Residential District to "R-3" Multiple Family Residential District; a 10.004 acre tract of land out of NCB 8702, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-2" Business District; a 159.419 acre tract of land out of NCB 8702, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "R-A" Residential-Agricultural District for a quarry; and a 202.384 acre tract of land out of NCB 8702, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "I-2" Heavy Industrial District for a quarry and cement manufacturing District.

The "R-3" zoning being located on the south side of Nottingham Drive, being 523.67' west of the intersection of Broadway and Nottingham Drive with a maximum depth of 1110'.

The "B-2" zoning being located southwest of the intersection of Broadway and Nottingham Drive, having 767.76' on Broadway and 523.67' on Nottingham Drive.

The "R-A" and "I-2" zoning being located east of Jones Maltsberger Road, north of Tuxedo, northwest of Nacogdoches Road and south of Sunset Road.

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

Mr. Camargo reminded the Council that this case had been postponed from March 6, 1975 and the zoning also had been revised in accordance with the discussion at that time.

Mr. Ronald Schmidt, attorney for San Antonio Portland Cement Company, reviewed the proceedings concerning this application for rezoning from the time it first went before the Planning Commission in October, 1974 to the present. He also reviewed the reasons given by the City of Alamo Heights in opposing the request.

Since the last time this matter was discussed before the City Council, there have been meetings between the San Antonio staff and the company. The San Antonio Portland Cement Company concurs in the recommendation made to the Council by Mr. Stewart Fischer, Director of Traffic and Transportation.

Mr. Schmidt said that part of his negotiations with the City have had to do with compensation in some form for right of way acreage. He mentioned the tract of land west of Jones-Maltsberger Road owned partially by the company and partly by the City. In time to come, Jones-Maltsberger will have to be widened and relocated. Discussions have been for the company to dedicate a strip sufficiently wide for the expanded road and then the remainder of the property to be deeded to the company by the City.

He said that the dedication of a 20' R.O.W. on Tuxedo and 14' on Nacogdoches offers no problem except to work out the area around the company's office building.

In concluding, he said that he had learned that the City of Alamo Heights does not agree with Mr. Fischer's plan and therefore the problem is not resolved. He said that he now asked the Council to approve the request for rezoning as it has been amended.

Mr. Morton questioned Mr. Schmidt as to the compensation for R.O.W. and told him that he would not consider the zoning case unless the dedication were given and asked that this point be settled before proceeding.

Mr. Schmidt said that the amount of compensation had not been determined at this point.

After discussion of the compensation problem, Mayor Becker recessed the meeting for a brief interval to allow Mr. Schmidt time to consult with officials of the company.

When the meeting reconvened, Mr. Schmidt said that he had been in error and with respect to the 29 foot strip on Tuxedo and the 14 foot strip on Nacogdoches Road so long as the company is reimbursed for the cost of moving the sidewalk, fence and utilities from those strips that would be adequate compensation. However, anything beyond the 29' or 14' strip would require compensation at the going rate for cement quarries.

Mr. Stewart Fischer then showed color photos of Tuxedo and Nacogdoches. He then showed his recommended plan for improvement of the two streets involved and reviewed to expected traffic volume in 1980 and after.

Mr. Charles B. Gorham spoke as a representative of St. Anthony church adjacent to the cement plant on the east side. He said that the church was perfectly content with the present operation of the plant but is opposed to "I-2" zoning as someday this plant will be moved. At that time, some other industrial use might be started which would not be satisfactory. He then submitted a petition signed by 207 persons living in the vicinity opposing the "I-2" zoning. He said that there is no opposition to the "R-2" or "B-2" zoning. He asked that the petition for rezoning be denied.

Mr. Kenneth P. Dunn, speaking for a group of Alamo Heights residents said that the company has not shown a need for "I-2" zoning. If the "I-2" zoning were granted, it should be restricted to what is absolutely necessary. He said also that more R.O.W. is needed than what has been proposed. He pointed out the fact that garages on Nacogdoches are very close to the street and there should be an access road here the same as on Tuxedo. He asked that the request be denied or at least deferred until proper arrangements are made.

Mr. R. L. Schonoff said he was speaking for the nuns and priests of St. Anthony Church. He said that he is opposed to any change in zoning for the same reasons as already stated.

Mr. Bill Worthy, a member of the Alamo Heights City Council said that since the last time this matter was discussed, there have been negotiations with Mr. Fischer and Mr. Moursand. An agreement has not been reached. Briefly stated, he said they are in disagreement on the amount of additional R.O.W. required. He said he has requested an additional 5' on Tuxedo in order to widen the access road. He said that an additional 30' is really needed on Nacogdoches in order to properly take care of the residents and the traffic to be generated. The matter of cost and the amount to be contributed by each entity involved has also not been determined. He assumed that the City of Alamo Heights is prepared to do the proper thing and assume its responsibilities. In answer to Mrs. Cockrell's question, he said that he thought these matters could be resolved by April 17th.

There then followed a general discussion between Mr. Worthy and Mr. Morton concerning right of way requirements on Nacogdoches Road.

Mrs. Cockrell expressed the thought that too much area is being zoned "I-2" and it should be restricted to the area actually needed.

Mayor Becker indicated on the screen a suggested line of demarcation between the "I-2" zoning and the other zoning which would provide more space between the residential area and the "I-2" zone.

Mr. Joe Stubblefield spoke in opposition saying that any change in zoning should be delayed until it is actually required by the company.

The following conversation took place:

MR. CLIFFORD MORTON: I would like to move that we approve the request for "R-2" and "I-2" zoning, as modified on the screen, provided that sufficient area is provided for the construction of a 48' wide major thoroughfare that is separated by an 11' median with a 30' street along Tuxedo Drive and extending north on Nacogdoches Road with the same section and that the right-of-way for such thoroughfares - I mean streets and medians - be resolved within two weeks and that the acquiring of this right-of-way, subject to the mutual approval of both Portland and the City of San Antonio and the City of Alamo Heights, is a condition of this zoning.

DR. JOSE SAN MARTIN: I second the motion with one question. Mr. Finlay, is this a proper procedure? Are we legally on a sound basis?

ASST. CITY ATTORNEY TOM FINLAY: It is pretty complicated. I'm not sure I understand. I don't think this is the same as conditional zoning. What we have done before is tie it to the effective date.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is 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: San Martin, Becker, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: Cockrell; ABSENT: Lacy.

AN ORDINANCE 45,071

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 32.198 ACRE TRACT OF LAND OUT OF NCB 8702, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 7531 BROADWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; A 10.004 ACRE TRACT OF LAND OUT OF NCB 8702, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 159.419 ACRE TRACT OF LAND OUT OF NCB 8702, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-A" RESIDENTIAL-AGRICULTURAL DISTRICT FOR A QUARRY; AND A 202.384 ACRE TRACT OF LAND OUT OF NCB 8702, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-2" HEAVY INDUSTRIAL DISTRICT FOR A QUARRY AND CEMENT MANUFACTURING, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

A RESOLUTION
NO. 75-16-20

AUTHORIZING THE CITY MANAGER TO SOLICIT PROPOSALS FOR PRIVATE REDEVELOPMENT ON CERTAIN CITY-OWNED LAND IN THE CENTRAL BUSINESS DISTRICT.

* * * *

The Resolution was explained by Mr. Cipriano Guerra, Director of Planning and Community Development, who said that last week he had been instructed by the City Council to come back with possible alternatives for making the two sites available for a hotel. Three possibilities were given Council members with staff recommendation for that with the River site available for lease and the Arciniega property to be for sale. The Arciniega site could be for either a hotel or for housing for the elderly as proposed by Dr. Leon Tolle.

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

75-16 The following Ordinance was read by the Clerk and explained by Mr. John Rinehart, Operations Manager for Monitoring and Evaluation, and after consideration, on motion of Rev. Black, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Cockrell, Becker, Black, Lacy, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: San Martin, Teniente.

AN ORDINANCE 45,072

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SALVATION ARMY FOR OPERATIONAL EXPENSES FOR THE HOME FOR GIRLS IN THE AMOUNT OF \$36,000 FROM DATE OF CONTRACT THROUGH JUNE 30, 1975.

* * * *

75-16 The following Ordinances were read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, O'Connell, Nielsen; NAYS: None; ABSENT: Morton, Teniente.

AN ORDINANCE 45,073

ACCEPTING THE LOW BID OF M. H. BRADEN ENTERPRISES FOR CONSTRUCTION OF THE MODEL CITIES SIDEWALK PROJECT IN THE AMOUNT OF \$64,280.30; AUTHORIZING EXECUTION OF A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT, AND AUTHORIZING PAYMENT FOR THE PROJECT, INCLUDING A MISCELLANEOUS CONTINGENCY ACCOUNT.

* * * *

AN ORDINANCE 45,074

ACCEPTING THE LOW QUALIFIED BID OF HEATH AND STICH, INC., IN THE AMOUNT OF \$2,280,569.67 TO PERFORM WORK IN CONNECTION WITH THE NOGALITOS STORM DRAINAGE PROJECT NO. 62; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SUCH WORK; APPROPRIATING \$2,415,321.63 AND AUTHORIZING PAYMENT.

* * * *

75-16 The Clerk read the following Ordinance:

AN ORDINANCE 45,075

AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES TO CONDUCT A SENIOR CITIZENS NUTRITIONAL PROGRAM AT WEST-END MULTI-SERVICE CENTER; AUTHORIZING CITY MANAGER TO EXECUTE NECESSARY CONTRACTS; APPROVING A BUDGET; TRANSFERRING FUNDS; AND APPROVING A PERSONNEL COMPLEMENT.

* * * *

The Ordinance was explained by Mr. Arden Lewis, Administrator of the Metropolitan San Antonio Office on Aging, who said that during the last several weeks several groups living in the neighborhood surrounding the West-End Multi-Service Center have requested the establishment at the Center of a nutrition program for the elderly. The staff has studied these requests and is proposing to open such a facility. This Ordinance provides the funds out of Revenue Sharing. There will be approximately 75 persons accommodated each day.

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

Dr. San Martin said that recently he was told that the Society for the Prevention of Blindness had conducted some tests at the West-End Center and then were billed some \$26 for custodial services with instructions to make payment to an individual. He said he has asked for information on this matter, but has not yet received it.

Mr. Lewis said he would call the matter to Mr. Donohue's attention.

75-16 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, Lacy, O'Connell, Nielsen; NAYS: None; ABSENT: Morton, Teniente.

AN ORDINANCE 45,076

AUTHORIZING WRITE-OFFS OF ACCOUNTS RECEIVABLE TOTALING \$6,234.00 FOR SERVICES RENDERED BY THE CITY EMERGENCY MEDICAL SERVICES DIVISION, FIRE DEPARTMENT, IN ACCORDANCE WITH RECOMMENDATIONS OF THE AMBULANCE REVIEW COMMITTEE.

* * * *

AN ORDINANCE 45,077

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH PUEBLO ARTS, INC. PROVIDING FOR LEASE OF SPACE AT HEMISFAIR PLAZA FOR A TWO YEAR TERM COMMENCING APRIL 1, 1975.

* * * *

AN ORDINANCE 45,078

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH DOROTHY K. PARROTT AND DAN DAGGETT PROVIDING FOR LEASE OF SPACE AT HEMISFAIR PLAZA FOR A ONE YEAR TERM ENDING FEBRUARY 29, 1976.

* * * *

75-16 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, Lacy, O'Connell; NAYS: None; ABSENT: Morton, Nielsen, Teniente.

AN ORDINANCE 45,079

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, AS LESSOR, AND REUBEN E. WEISS, AS LESSEE, TO EXTEND LEASE AGREEMENT ENTERED INTO PURSUANT TO ORDINANCE NO. 37,436 OF APRIL 24, 1969, AS AMENDED AND AS EXTENDED, AT INTERNATIONAL AIRPORT FOR AN ADDITIONAL THREE (3) YEAR TERM, COMMENCING APRIL 1, 1975.

* * * *

AN ORDINANCE 45,080

AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN COMPANIA MEXICANA DE AVIACION, S. A. AND THE CITY OF SAN ANTONIO FOR LEASE OF SPACE IN THE CARGO BUILDING AT INTERNATIONAL AIRPORT FOR A 15 YEAR PERIOD.

* * * *

AN ORDINANCE 45,081

AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN JOHN P. COSTON AND THE CITY OF SAN ANTONIO FOR LEASE OF SPACE IN THE CARGO BUILDING AT INTERNATIONAL AIRPORT FOR A 15 YEAR PERIOD.

* * * *

75-16 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

March 27, 1975
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following vote: AYES: San Martin, Becker, Black, Lacy, O'Connell;
NAYS: None; ABSENT: Cockrell, Morton, Nielsen, Teniente.

AN ORDINANCE 45,082

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH MONIWAYS SERVICES, INC., FOR SPACE AT INTERNATIONAL AIRPORT FOR THE EXCHANGE AND SALE OF FOREIGN CURRENCY FOR A TERM OF FIVE YEARS.

* * * *

AN ORDINANCE 45,083

AMENDING THE PASEO DEL RIO BOATS AND BARGES CONCESSION CONTRACT TO INCREASE ADULT'S AND CHILDREN'S TAXI FARE.

* * * *

AN ORDINANCE 45,084

ACCEPTING THE LOW QUALIFIED BID OF CHARLES C. MADDEN CO. IN THE AMOUNT OF \$321,860.00 TO CONSTRUCT GARZA PARK RECREATION BUILDING; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT WITH SAID COMPANY; APPROPRIATING THE SUM OF \$352,070.00 AND AUTHORIZING PAYMENT.

* * * *

AN ORDINANCE 45,085

AUTHORIZING EXPENDITURE OF CITY FUNDS UP TO \$20,000.00 TO MATCH A LIKE AMOUNT PROVIDED BY THE MUSIC PERFORMANCE TRUST FUND TO CO-SPONSOR A FREE TO THE PUBLIC, TEMPO '75 LIVE MUSIC PROGRAM, ESTABLISHING A SPECIAL ACCOUNT FOR DISBURSEMENT OF SUCH FUNDS AND AUTHORIZING A COOPERATIVE AGREEMENT WITH THE MUSICIANS SOCIETY OF SAN ANTONIO RELATED TO THIS PROGRAM.

* * * *

AN ORDINANCE 45,086

AMENDING THE EMILIE AND ALBERT FRIEDRICH PARK PROJECT ACCOUNT, ESTABLISHING A SEPARATE PROJECT FOR THE EMILIE AND ALBERT FRIEDRICH PARK NATURE CENTER, AND AUTHORIZING ADDITIONAL PAYMENTS FOR ARCHITECTURAL SERVICES.

* * * *

AN ORDINANCE 45,087

APPROPRIATING \$15,000.00 OUT OF PARK BOND FUNDS FOR PURCHASE OF ANNUAL CONTRACT ITEMS AND MISCELLANEOUS MATERIALS NEEDED IN CONNECTION WITH THE RENOVATION OF WILLOW SPRINGS GOLF COURSE AND CLUBHOUSE CONSTRUCTION.

* * * *

The Clerk read the following Ordinance:

AN ORDINANCE 45,088

ACCEPTING THE LOW QUALIFIED BID OF GENERAL ELECTRIC CO. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH SIX CHANNEL UHF PORTABLE RADIOS FOR A NET TOTAL OF \$617,000.00 SUBJECT TO AND CONTINGENT UPON RECEIPT OF A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION.

* * * *

The Ordinance was explained by Mr. John Brooks, Director of Purchasing, who said that City staff has been working for over a year with various vendors in a switchover in the Police Department communications system from VHF to UHF. This is the first series of portable radios to be carried by officers on their person. There have been pre-bid conferences with individual companies and with the companies all together.

After bids were mailed out, a request was received from two companies for addendums. The requests were reviewed and changes were made in specifications accordingly.

Four bids were received. The low bid submitted by Federal Communications does not meet specifications in some very important areas.

The second bidder, Motorola, Inc., did not meet the specifications either. The specifications stated that there had to be a quick turnaround time for units sent in for repair. Previous experience with Motorola was not good. He then explained how Motorola did not meet some of the technical specifications.

Mr. Tom Jacks, representing Motorola, took exception to the decision and said that his bid does meet specifications and asked that the award be made to his company.

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

75-16 The following Ordinances were read by the Clerk and explained by Police Chief Emil Peters, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Teniente.

AN ORDINANCE 45,089

AUTHORIZING EXECUTION AND SUBMISSION OF A GRANT APPLICATION TO THE CRIMINAL JUSTICE DEPARTMENT FOR \$479,305.00 TO BE USED IN CONNECTION WITH PROVIDING EQUIPMENT FOR THE FINAL PHASE OF THE POLICE DEPARTMENT'S RADIO COMMUNICATIONS SYSTEM.

* * * *

AN ORDINANCE 45,090

AUTHORIZING EXECUTION AND SUBMISSION OF A GRANT APPLICATION TO THE CRIMINAL JUSTICE DEPARTMENT FOR \$63,296.00 TO BE USED IN CONNECTION WITH THE CONTINUED FUNDING OF THE SOUTH TEXAS COMMUNICATIONS SYSTEM PROJECT.

* * * *

75-16

CAREER DEVELOPMENT PROGRAM

Dr. San Martin asked Chief Peters about the status of a proposed grant to increase the police force.

Chief Peters said that Mrs. Cockrell had mentioned to him a program in Miami. It is a career development program for recruiting personnel, particularly minority personnel. He said that presently there are only 14 vacancies in the authorized strength of the Police Department. There was an extreme situation existing in Florida. Whether such a grant would be honored in Texas by CJC is not known at this time.

75-16

The following Ordinance was read by the Clerk and explained by Mr. W. S. Clark, Director of Right-of-Way and Land Acquisition, and after consideration, on motion of Dr. Nielsen, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Teniente.

AN ORDINANCE 45,091

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS IN THE TOTAL SUM OF \$2,457.50 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH ARROYO LARGO DRAINAGE; U. S. 281 NORTH; WALTERS-MOORE STREET PROJECT; 24TH STREET IMPROVEMENT PROJECT; STORM DRAINAGE PROJECT #58-C; CUPPLES ROAD IMPROVEMENT; MAYBERRY DRAINAGE (PROJECT #58-D); NOGALITOS STORM DRAINAGE; AND LONE STAR BLVD. OUTFALL.

* * * *

75-16

Item No. 22 of the Agenda, being a proposed ordinance establishing standards of conduct and providing for certain financial disclosures, was withdrawn from consideration.

75-16

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

AN ORDINANCE 45,092

REVISING CHAPTER 17-5 B OF THE SOLID WASTE
ORDINANCE NO. 39,767 TO SET NEW CHARGES FOR
COMMERCIAL REFUSE COLLECTION.

* * * *

75-16 The following Ordinances were read by the Clerk and explained
by Mr. John Brooks, Director of Purchasing, and after consideration, on
motion made and duly seconded, were each passed and approved by the
following vote: AYES: San Martin, Becker, Black, Lacy, Morton,
O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Teniente.

AN ORDINANCE 45,093

ACCEPTING THE LOW BID OF STURDISTEEL COMPANY
TO FURNISH THE CITY OF SAN ANTONIO WITH
PICNIC EQUIPMENT FOR A TOTAL OF \$5,394.60.

* * * *

AN ORDINANCE 45,094

ACCEPTING THE LOW QUALIFIED BID OF CRANE
SUPPLY COMPANY TO FURNISH THE CITY OF
SAN ANTONIO WITH 4x4 PORTABLE SEWAGE
LIFT STATIONS; AND AUTHORIZING AN INITIAL
PURCHASE OF FIVE UNITS FOR A NET TOTAL
OF \$34,538.00.

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AN ORDINANCE 45,095

AUTHORIZING THE PURCHASE OF TWO ADDITIONAL
3 X 3 PORTABLE SEWAGE LIFT STATIONS FROM
CRANE SUPPLY COMPANY FOR \$10,296.00.

* * * *

AN ORDINANCE 45,096

ACCEPTING THE LOW BID OF SWIM-PAK TO FURNISH
THE CITY OF SAN ANTONIO WITH SWIMMING POOL
PAINT FOR A TOTAL OF \$5,205.60, LESS 2% - 10
DAYS.

* * * *

AN ORDINANCE 45,097

AUTHORIZING THE PURCHASE OF CERTAIN LATIN-
AMERICAN CATALOGS FROM G. K. HALL & COMPANY
FOR A TOTAL OF \$3,720.00.

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AN ORDINANCE 45,098

AUTHORIZING THE PAYMENT OF \$11,578.00 TO HONEYWELL, INC. FOR TEMPERATURE CONTROL MAINTENANCE FOR THE CONVENTION CENTER COMPLEX FROM MARCH 1, 1975 TO MARCH 1, 1976.

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75-16

INFLATIONARY PRICES

Rev. Black asked Mr. Brooks to comment on the increase of commodity prices.

Mr. Brooks said that an example is that last fall bids were received on garbage trucks. In 1973, these trucks were purchased for \$8,900 each. Last fall, they were \$17,100 each. The Purchasing Department recommended rejection of that bid. This week these trucks were readvertised and the price for the same number of trucks had come down some \$90,000. There has also been a drop in the price of propane. It is extremely difficult to say what prices will be in the future even though it does appear that some prices are stabilizing.

75-16 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: San Martin, Becker, Black, Lacy, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Teniente.

AN ORDINANCE 45,099

APPOINTING COUNCILMAN RICHARD TENIENTE TO THE CITY-COUNTY CRIMINAL JUSTICE INFORMATION SYSTEM BOARD OF CONTROL TO REPLACE FORMER COUNCILMAN LEO MENDOZA, JR. FOR AN INDEFINITE TERM.

* * * *

AN ORDINANCE 45,100

APPOINTING MR. DARIO CHAPA TO THE PLANNING COMMISSION TO COMPLETE THE UNEXPIRED TERM OF MR. RAY WALKER WHICH ENDS JULY 31, 1975.

* * * *

AN ORDINANCE 45,101

APPOINTING COUNCILMAN D. FORD NIELSEN TO REPLACE FORMER COUNCILMAN LEO MENDOZA, JR. ON THE AACOG AND CJC BOARDS, AND THE SABCUTS STEERING COMMITTEE.

* * * *

The Clerk read the following Resolution:

A RESOLUTION
NO. 75-16-21

EXPRESSING SUPPORT FOR PROPOSED LEGISLATION
PROVIDING FOR STATE FUNDING AND COORDINATION
OF CONTINUING EDUCATION PROGRAMS.

* * * *

The Resolution was explained by Councilman Morton, who said that this bill is now before the Legislature and would provide additional funds for continuing education. The University of Texas has asked for support of this bill and has also asked that we send a copy of this Resolution to other major cities in Texas asking for their support.

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

75-16 The following Ordinance was read by the Clerk and explained by Mr. Cipriano Guerra, Director of Community Development and Planning, and after consideration, on motion of Dr. San Martin, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: Cockrell, Teniente.

AN ORDINANCE 45,102

AUTHORIZING THE CITY MANAGER TO SUBMIT A
PRE-APPLICATION TO THE ECONOMIC DEVELOPMENT
ADMINISTRATION FOR A \$100,000 GRANT FOR
ECONOMIC DEVELOPMENT PLANNING.

* * * *

75-16 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-16-22

PETITIONING THE GOVERNOR OF TEXAS TO PLACE
UPON THE REVIEW BOARD FOR TRANSPORTATION
GRANTS TO THE ELDERLY AND HANDICAPPED OF
TEXAS ADDITIONAL REPRESENTATION FROM THE
AGING FORCES OF TEXAS.

* * * *

Mrs. Ida Kenny, Secretary of Texas Senior Citizens, said that Urban Mass Transit funds are going to be administered thru the Texas Highway Department. The funds for the elderly and the handicapped are going to be administered thru a special review board of 14 members. These members were appointed at a time when the Governor's Committee on Aging was without a director. The final hearing on the funds for transportation of the elderly will be held very soon. The

Texas Senior Citizens organization has no representation on the Board. The purpose of this Resolution is to ask the Governor to place representatives for the elderly on this Board, preferably one from Houston and one from San Antonio. She asked that the Council approve the Resolution and transmit it to the Governor with a copy to the Director on Aging.

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

75-16 Dr. Nielsen asked that the City Manager be instructed to check into the possibility of \$603,000 being granted to the Housing Authority for the hiring of 76 persons thru the Manpower Program. He asked that the Director of the Housing Authority be contacted to see if this is a fact.

75-16 The Clerk read the following letter:

March 21, 1975

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

Gentlemen and Madam:

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

March 19, 1975 Petition submitted by Mr. Alton Echols, requesting permission to build a seven (7) foot privacy fence on the east and north side of his home located at 8227 Bentwood Drive.

March 21, 1975 Petition of Pak-Mor Manufacturing Co., protesting sewer fee of \$3280 imposed on Pak-Mor Subdivision under Section 36-35 (D) (1) of the City Code and requesting relief.

/s/ J. H. INSELMANN
City Clerk

* * * *

There being no further business to come before the Council, the meeting adjourned at 6:45 P. M.

A P P R O V E D

ATTEST: 
City Clerk


M A Y O R
Charles L. Becker

March 27, 1975
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