

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JUNE 7, 1973.

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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: SAN MARTIN, BECKER, BLACK, LACY, MORTON, BECKMANN, PADILLA, MENDOZA; Absent: COCKRELL.

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73-29 The invocation was given by The Reverend Bruce D. Hatt, Community United Church of Christ.

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73-29 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

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73-29 The minutes of the meetings of May 24 and May 31, 1973, were approved.

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73-29 CITIZENS TO BE HEARD

MR. EDWARD A. WILLIAMS, JR.

Mr. Edward A. Williams, Jr., General Manager of the Carter-Taylor Mortuary located at Center and Hackberry Streets, stated that he had heard that Mrs. Norva Hill has requested permission to take over all of the old Carver Library to provide a recreation area for members of the Job Corps when they are in San Antonio. He said that he had no objection to the City allowing Mrs Hill's organization to use the building but he is much opposed to having the Job Corps members in the neighborhood. He expressed fear that all types of criminal activity would increase.

Mr. Odell Bradshaw also spoke in opposition to the intended use of the old library building.

Mayor Becker and Rev. Black pointed out that there may be a great need for a meeting place for Job Corps youths and that if such a place were provided it might be a means of reducing some of the criminal activities.

City Manager Granata stated that the subject was merely mentioned by Mrs. Hill and no formal request has been made. When such a request is made, it will be brought before the Council. He said also that Associate City Manager William Donahue is working on the Job Corps problem.

Mr. Padilla suggested that talking with the Job Corps instructors at Camp Gary is also effective.

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MR. STEPHAN HARVESTY

Mr. Stephan Harvesty, Executive Secretary of Involved Texans, read a prepared statement opposing a contemplated nuclear power plant on the Texas Coast. He particularly objected to the City Public Service Board being a participant in such a venture. (A copy of Mr. Harvesty's statement is included with the papers of this meeting.)

MR. JOHN M. PRIDGEN

Mr. John M. Pridgen, 227 West Huisache, complained about a house at 238 West Huisache being converted into a rooming house, and this being an area for single family residences. He reviewed the actions that have been taken but, to date, nothing has effectively halted this illegal use. At the present time there is a case filed against the owner of the property, but it keeps being postponed.

Mr. Paul E. Dumont also spoke about this situation. He said that there are several utility meters at the location which is proof that the house is being used as a multi-family dwelling.

Dr. San Martin asked if the City Public Service Board couldn't be required to check with the City before installing meters.

City Manager Granata said that he would check this out through the Department of Building and Planning Administration.

After discussion, the City Manager was asked to look into the entire matter and try to get it resolved.

MRS. EDWARD DUNCAN

Mrs. Edward Duncan spoke to the Council regarding the great need for a post office sub-station on the east side in the area of Spriggsdale and Nebraska Streets. She described the hardship imposed on that part of town due to the need for such a facility.

After discussion, the City Clerk was asked to convey Mrs. Duncan's request to the Postmaster.

REV. TRACY STEEN, SR.

Rev. Tracy Steen, Sr., East St. Matthew's Church, said that the Fire Department is slow in responding to alarms in a certain part of the east side. He had lost everything in a fire. He lives at 631 Ferris Street.

Assistant Fire Chief Al Martinez said that he is very familiar with the area and that it is in the three minute response range. He said that coverage in this area is equal to any in the City.

After discussion, the City Manager was asked to investigate incidents reported by Rev. Steen as to when it occurred and how long it took for equipment to arrive. The first event happened on Yucca Street.

Dr. San Martin said that due to reported gasoline shortages some people are stocking gasoline in cans and storing it in their garages. This is, of course, extremely dangerous. He suggested that the Fire Department promote a campaign to point out the dangers of this practice.

Chief Martinez agreed with Dr. San Martin and said that action would be taken.

Mayor Becker asked that a press release be prepared on this subject and also asked that the Fire Department arrange a demonstration to be shown on television.

REV. R. A. CALLIES, SR.

Rev. R. A. Callies, Sr., spoke to the Council regarding a variety of conditions on the east side which need to be corrected. He distributed a prepared description of the various projects and then showed a series of color slides to go with the written presentation. (A copy of the prepared presentation is included with the papers of this meeting.)

Members of the Council thanked Rev. Callies for his presentation.

City Manager Granata said that each request will be answered. Some of the requests are covered by the 1970 bond funds, others are in the province of the Highway Department. He said that he would try to report back in two weeks.

NOLAN STREET UNDERPASS

Mr. Padilla inquired regarding the status of the Nolan Street underpass.

City Manager Granata said the underpass is still closed. The last correspondence with the railroad contained a suggestion for filling the underpass and having a grade crossing. He said that the Revenue Sharing budget comes up in July and strong consideration will be given to completely redoing the underpass with those funds. Later an effort will be made to get a portion of the expense back from the railroad.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley Avenue, said that she is in sympathy with those persons opposing the Job Corps Center in their neighborhood. She reviewed her problem with the Patrician Movement and said that it has brought an undesirable element into her neighborhood.

She also reviewed the need for a bridge on Rice Road which had been a part of Rev. Callies' presentation.

73-29 The meeting was recessed at 10:20 A. M. and reconvened at 10:40 A. M.

73-29 Mr. Padilla read the following Resolution which was unanimously adopted by the City Council.

A RESOLUTION  
OF RESPECT  
NO. 73-29-28

WHEREAS, the City Council has learned of the death of Mr. Sam Granata, Sr., the beloved father of City Manager Sam Granata, Jr., and

WHEREAS, his passing will be sorely felt by the members of his family and his many friends and associates, NOW, THEREFORE,

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

The Mayor and Members of the City Council hereby express their heartfelt regrets and extend, to the family and relatives of Mr. Sam Granata, Sr., deep and sincere sympathy.

BE IT FURTHER RESOLVED:

That this Resolution be inscribed in the minutes of this meeting and that a copy be sent to the members of the bereaved family.

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73-29      ZONING HEARINGS

A.      CASE 4895 - to rezone Lots 2 and 3, Block 24-E, NCB 7747, 2009 and 2011 Mission Road, from "F" Local Retail District to "B-3" Business District, located on the west side of Mission Road, being 50' north of the intersection of Young Street and Mission Road; having 100' on Mission Road 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.

The applicant, Mr. Alfred Guerra, said that there is no opposition to the application. He did question the fact, however, that the City had forced him to remove a mobile home from the premises which he claimed was there before the mobile home ordinance was passed.

It was explained to the Council by staff members that Mr. Guerra did appear before the Board of Equalization to establish non-conforming rights for the mobile home. However, the Board did not feel that the evidence presented supported his plea. He was, therefore, required to remove the trailer.

Mrs. Helen Dutmer supported Mr. Guerra's position and said that the utilities had been connected to the trailer.

No one spoke in opposition.

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

AN ORDINANCE 42,303

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2 AND 3, BLOCK 24-E, NCB 7747, 2009 AND 2011 MISSION ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE WEST PROPERTY LINE.

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73-29 Mr. Padilla said that last year the Council had discussed the matter of coordination and planning between departments. He asked Associate Manager Guerra if there has been any improvement in coordination between the City and the utilities and between departments in the City.

Associate Manager Guerra said that the problem is being worked on but as of now it is not a fact. It requires contract scheduling and some means of keeping everyone concerned informed.

Mr. Mel Sueltenfuss, Acting Director of Public Works, said that there is a Utilities Liaison Committee that meets once a month to swap information regarding projects. All of the bond projects such as major street improvements do go to the various utilities at these meetings.

B. CASE 4918 - to rezone a 12.4823 acre tract of land out of NCB 11672, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-2" Business District.

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.

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After consideration, Mr. Padilla made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Lacy 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, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,304

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 12.4823 ACRE TRACT OF LAND OUT OF NCB 11672, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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C. CASE 5000 - to rezone Lot 21, NCB 12171, 2400 Block of Harry Wurzbach, from "B-2" Business District to "B-3" Business District, located 270' north of the cutback between Corinne Drive (Old Austin Highway) and Harry Wurzbach; having 195.13' on Corinne Drive, 185.47' on Harry Wurzbach Road and a maximum distance of approximately 248.84' between Corinne Drive and Harry Wurzbach Road.

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, on motion of Mr. Mendoza, seconded by Mr. Padilla, the recommendation of the Planning Commission was passed and approved by the passage of the following Ordinance by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,305

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 21, NCB 12171, 2400 BLOCK OF HARRY WURZBACH ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

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D. CASE 5025 - to rezone P-15, NCB 15684, 11650 Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the southeast side of Nacogdoches Road, being 1068' southwest of the intersection of Perrin-Beitel Road and Nacogdoches Road and a maximum depth of 555.56'.

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

AN ORDINANCE 42,306

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 P-15, NCB 15684,  
11650 NACOGDOCHES ROAD, FROM TEMPORARY  
"R-1" SINGLE FAMILY RESIDENTIAL DISTRICT  
TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED  
THAT PROPER REPLATTING IS ACCOMPLISHED.

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E. CASE 5025 - to rezone a 5.534 acre tract of land out of NCB 12059, being further described by field notes filed in the office of the City Clerk, 13300-13400 Block of San Pedro, from "A" Single Family Residential District to "B-3" Business District, located southwest of the intersection of San Pedro Avenue and Bitters Road; having approximately 293.94' on Bitters Road, 706.74' on San Pedro Avenue and 105' on the cutback between San Pedro Avenue and Bitters Road.

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

## AN ORDINANCE 42,307

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 5.534 ACRE TRACT OF LAND OUT OF NCB 12059, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13300-13400 BLOCK OF SAN PEDRO AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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F. CASE 5010 - to rezone a 32.271 acre tract of land out of NCB 14862, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-2" Business District; and a 191.138 acre tract of land out of NCB 14862, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District.

The "B-2" zoning being located on the south side of De Zavala Road, being 308.68' west of the cutback between De Zavala Road and I. H. 10 Expressway; having 1384.81' on De Zavala Road and a maximum depth of 1003.38'.

The "R-3" zoning being located 1003.38' south of De Zavala Road and 611.91' west of I. H. 10 Expressway; having 3326.45' in length and 3128.52' in width.

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. Padilla made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Mendoza seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: COCKRELL.

AN ORDINANCE 42,308

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 32.271 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 191.138 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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G. CASE 5013 - to rezone a 86.746 acre tract of land out of NCB 14743, 14744, 14745, 14748, 14749, 14750, 14751, 14889 and 14890, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located southeast of the intersection of University Boulevard and Mockernut Road; having a frontage of 5186.42' on University Boulevard and a maximum depth of approximately

1115'. A 2.84 acre tract of land out of the 86.746 acres is located northwest of the intersection of Hausman Road and Mockernut Road; having 915' on Mockernut Road and 173.14' on Hausman Road.

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

No one spoke in opposition.

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

AN ORDINANCE 42,309

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 AN 86.746 ACRE TRACT OF LAND OUT OF NCB 14743, 14744, 14745, 14748, 14749, 14750, 14751, 14889 AND 14890, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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H. CASE 4997 - to rezone an 11.231 acre tract of land out of NCB 12116, being further described by field notes filed in the office of the City Clerk, from Temporary "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the west side of Perrin-Beitel Road, being 110' north of the intersection of Comstock Drive and Perrin-Beitel Road; having 160' on Perrin-Beitel Road and a maximum depth of 1832.35'.

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

Mr. George Gaiser, 4118 Goshen Pass, representing Mr. Joseph Hudson, owner of the property, said that he wanted to amend his application to rezone. Instead of the requested "R-3" zoning, he wished to request "R-6" zoning on the east 900' of the tract and to leave the remainder of the property zoned for single family residences.

In answer to a question, City Attorney Howard Walker said that what the applicant proposes is substantially different from what was considered by the Planning Commission, and he felt that the case should be referred back to the Planning Commission for consideration.

Mr. Gaiser said that many of the neighbors were present, and he would like to go ahead with the hearing. Mr. Morton concurred in this thought.

Mr. Vernon Moen, 4107 Barrington, said that he opposed the original proposition and felt that the matter should be referred back to the Planning Commission.

After consideration, Dr. San Martin moved that Case No. 4997 be referred to the Planning Commission for study of the revised application. The motion was seconded by Mr. Mendoza and carried by the following roll call vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

73-29 Mr. Mendoza asked that Mr. Camargo discuss Case No. 4969 which the Council passed on May 3, 1973.

Councilman Padilla asked City Attorney Howard Walker if it is in order to reconsider a case once it has been acted on.

City Attorney Walker said that no provision is made in the City Code for new evidence to be heard by the City Council even though this has been done in the past.

Mr. Mike Wish said that when the Council passed the Ordinance rezoning this property it was zoned "B-2" and a 50' x 50' section in the northeast corner was zoned "B-3" to accommodate gasoline pumps. As it turns out, the pumps would be located in the middle of a curb cut. The request for rehearing is to consider moving the "B-3" zoning about 50' to be between two curb cuts. He distributed diagrams to illustrate what he meant. He said that he felt that it was by error that a sketch was not shown to the Planning Commission.

Mr. Walker suggested that this case be readvertised and notices sent to adjacent property owners so that it can be reconsidered in three weeks.

Mr. Padilla suggested that in all zoning cases a map of the property should be prepared with the various proposed zones drawn on it with dimensions so that it will be clear just what is being rezoned. Such map or diagram should be make a part of the record.

After consideration, Mr. Beckmann moved that the staff readvertise Case No. 4969 and notices be sent adjoining property owners for the purpose of reconsidering the location of the "B-3" zoning only. The motion was seconded by Mr. Padilla and was adopted by the following roll call vote: AYES: Becker, Black, Lacy, Beckmann, Padilla; NAYS: San Martin; ABSENT: Cockrell, Morton, Mendoza.

73-29 Mrs. Margaret Lecznar, Vice-Chairman of the Planning Commission, spoke to the Council wishing to clarify some points. She asked if it would be helpful to the Council if the Planning Commission minutes were to reflect all zoning changes which were proposed and rejected by the Planning Commission.

Mayor Becker commented that with the great number of combinations of zoning, it would be very difficult to set out in the minutes everything that had been considered and rejected.

Dr. San Martin said that he felt that putting too much detail in the Planning Commission minutes would restrict the Council in its actions and take away some of the flexibility that it needs.

No formal action was taken.

73-29 The Clerk read the following Ordinance

AN ORDINANCE 42,310

ACCEPTING THE LOW BID OF FEDERAL SIGN  
AND SIGNAL CORPORATION TO FURNISH THE  
CITY WITH CERTAIN AURAL WARNING CONTROL  
EQUIPMENT FOR A NET TOTAL OF \$13,398.40.

\* \* \* \*

The Ordinance was explained by Mr. John Brooks, Director of Purchasing, who said that the air raid warning devices which were installed in 1957 are radio controlled. The equipment authorized by this Ordinance is to update and modernize this warning system.

Mr. Padilla asked if an evaluation had ever been made as to the need for this system.

Mr. Martin Eser, Civil Defense Director, said that one of the prime requirements of the City of San Antonio receiving federal funds is that there be an operating aural warning system. The system can be used for tornado and hurricane warning as well as air raids.

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

73-29 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: Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell, San Martin.

AN ORDINANCE 42,311

ACCEPTING THE LOW BID OF RCA MOBILE  
COMMUNICATIONS TO FURNISH THE CITY  
WITH CERTAIN RADIO COMMUNICATIONS  
EQUIPMENT FOR A TOTAL SUM OF \$9,720.00.

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AN ORDINANCE 42,312

ACCEPTING THE LOW BID OF TEMPLE, INC.  
TO FURNISH THE CITY OF SAN ANTONIO  
WITH CERTAIN GALVANIZED GUY WIRE FOR  
A NET TOTAL OF \$2,760.00.

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AN ORDINANCE 42,313

ACCEPTING THE LOW BID OF RENCO SUPPLY TO FURNISH THE CITY WITH CERTAIN COLD-APPLIED PLASTIC PAVEMENT MARKINGS FOR A TOTAL SUM OF \$6,380.77.

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AN ORDINANCE 42,314

ACCEPTING THE LOW BIDS OF AUTOMATIC SIGNAL DIVISION AND EAGLE SIGNAL DIVISION TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN TRAFFIC CONTROL EQUIPMENT FOR A NET TOTAL OF \$23,636.20.

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AN ORDINANCE 42,315

ACCEPTING THE LOW BID OF TRAFFIC SUPPLIES, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN TRAFFIC ALUMINUM SIGN BLANKS FOR A TOTAL OF \$7,235.70.

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AN ORDINANCE 42,316

ACCEPTING THE LOW BID OF STANDARD PAPER & SUPPLY COMPANY TO FURNISH THE CITY WITH CERTAIN PRINTED FORMS FOR A TOTAL AMOUNT OF \$1,822.20.

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73-29

The Clerk read the following Ordinance:

AN ORDINANCE 42,317

ACCEPTING THE LOW BIDS OF S & W SERVICE AND AMOCO OIL COMPANY TO FURNISH THE CITY WITH CERTAIN FUEL STORAGE TANKS FOR A TOTAL SUM OF \$51,422.82.

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Mr. John Brooks, Director of Purchasing, said that this Ordinance provides for additional fuel tanks for the City to enable the City to take transport loads of diesel fuel and LP gas. He said that the large LP gas tank manufacturers normally bid through a major oil company. The oil company, when it sells a tank to a municipality, does not make profit on the tank. It is installed at cost.

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

73-29 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, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,318

ACCEPTING THE LOW BID OF TODCO GRAPHIC SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH A POWER PAPER CUTTER FOR A TOTAL SUM OF \$2,300.00.

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AN ORDINANCE 42,319

ACCEPTING THE LOW BID OF OSBURN SAND COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH SILICA SAND AT A PRICE OF \$4.00 AND \$5.60 PER CUBIC YARD.

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AN ORDINANCE 42,320

AUTHORIZING PAYMENT OF \$5,457.00 TO TEZEL & COTTER AND \$2,263.00 TO DALTON TRANE SERVICE AGENCY FOR EMERGENCY REPAIRS OF THE AIR CONDITIONING UNIT AT SAN ANTONIO INTERNATIONAL AIRPORT.

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73-29 The following Ordinance was read by the Clerk and explained by Mr. Mike Kutchins, Assistant Director of Aviation, and after consideration on motion of Mr. Lacy, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Mendoza; NAYS: None; ABSENT: Cockrell, Padilla.

AN ORDINANCE 42,321

AUTHORIZING EXECUTION OF THREE LEASE AGREEMENTS WITH THE U. S. GOVERNMENT-FEDERAL AVIATION ADMINISTRATION, PROVIDING FOR LEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A ONE YEAR TERM, RENEWABLE THROUGH JUNE 30, 1977.

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73-29 The following Ordinance was read by the Clerk and explained by Mr. Mike Kutchins, Assistant Director of Aviation, and after consideration, on motion of Mr. Lacy, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: San Martin, Black, Lacy, Morton, Beckmann, Mendoza; NAYS: None; ABSTAIN: Becker, Padilla; ABSENT: Cockrell.

AN ORDINANCE 42,322

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE DEE HOWARD COMPANY, PROVIDING FOR CITY'S CONSENT TO A SUBLEASE OF CERTAIN SPACE IN LEASE AREA 301 AT SAN ANTONIO INTERNATIONAL AIRPORT FROM DEE HOWARD COMPANY TO HANDY ANDY, INC.

\* \* \* \*

73-29 The following Ordinances were read by the Clerk and explained by Mr. Mike Kutchins, Assistant Director of Aviation, 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, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,323

MANIFESTING AN AGREEMENT WITH DANIEL McDUFF, AN INDIVIDUAL D/B/A "MAVERICK AIRWAYS", TO AMEND THE CURRENT LEASE AGREEMENT PROVIDING FOR LEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT, BY CHANGING THE LOCATION AND SIZE OF THE LEASED PREMISES, AND REDUCING THE TOTAL RENT PAID THEREFOR TO REFLECT SAID CHANGE.

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AN ORDINANCE 42,324

AUTHORIZING EXECUTION OF TWO AGREEMENTS WITH THE U.S.A. - DEPARTMENT OF TRANSPORTATION, WHEREBY THE CITY SHALL PROVIDE CUSTODIAL/JANITORIAL, AIR CONDITIONING AND TRASH PICK-UP SERVICES FOR FEDERAL AVIATION ADMINISTRATION OFFICES AT SAN ANTONIO INTERNATIONAL AIRPORT AND STINSON MUNICIPAL AIRPORT, AT A RATE OF \$1.45 PER SQUARE FOOT OF LEASED SPACE PER YEAR.

\* \* \* \*

73-29 The following Ordinances were read by the Clerk and explained by Mr. Bob Frazer, Director of Parks and Recreation, 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, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,325

AMENDING THE CITY'S CONTRACT WITH HARLANDALE SCHOOL DISTRICT FOR LEASE OF McCOLLUM HIGH SCHOOL POOL BY ELIMINATING POOL ADMISSION FEES.

\* \* \* \*

AN ORDINANCE 42,326

ADOPTING A RELOCATION PLAN AND RELOCATION PAYMENTS SCHEDULES AND PROVIDING ASSURANCES WITH RESPECT TO RELOCATION REQUIREMENTS

ASSOCIATED WITH HUD PROJECT OSL-TX-06-59-  
1033, RIVERSIDE ENTRANCE PARK.

\* \* \* \*

73-29 The following Ordinances were read by the Clerk and explained by City Attorney Howard Walker, 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, Beckmann, Padilla, Mendoza;  
NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,327

APPROPRIATING \$75,000.00 IN HIGHWAY  
LAND AND RIGHT OF WAY BONDS, 1970,  
FUND NO. 409 TO APPROPRIATION ACCOUNT  
40-90-01, EXPENSE ACCOUNT 5-04;  
AUTHORIZING PAYMENT THEREOF TO THE  
OWNERS OF 2.0455 ACRES OF LAND, MORE  
OR LESS, IN NEW CITY BLOCK 12058 IN  
LIEU OF DEPOSIT OF COMMISSIONERS'  
AWARD IN CONDEMNATION CAUSE NUMBER  
C-904 FOR ACQUISITION OF SAID PROPERTY  
NEEDED FOR U. S. 281 NORTH EXPRESSWAY;  
AND AUTHORIZING THE CITY MANAGER TO  
EXECUTE A CONTRACT WITH SAID OWNERS  
FOR IMMEDIATE LEGAL POSSESSION OF SAID  
PROPERTY BY THE CITY OF SAN ANTONIO  
AND THE STATE OF TEXAS FOR SUCH  
PURPOSES.

\* \* \* \*

AN ORDINANCE 42,328

APPROPRIATING SEVEN THOUSAND SEVEN HUNDRED  
EIGHTY FIVE AND NO/100 (\$7,785.00) DOLLARS  
OUT OF SEWER REVENUE FUND NO. 82-06 PAYABLE  
TO MELVIN W. BECK, FARREL E. BECK AND MARGUERITE  
E FARMER AS OWNERS AND TO W. PAT CAMP AND ROBERT  
C. PATTERSON, THEIR ATTORNEYS IN CONSIDERATION  
FOR THE CONVEYANCE OF A PERMANENT EASEMENT AS  
WELL AS A TEMPORARY CONSTRUCTION EASEMENT TO  
TRACTS B AND 9, N.C.B. 12163, IN SAN ANTONIO,  
BEXAR COUNTY, TEXAS, ALL MORE PARTICULARLY  
DESCRIBED IN THE EASEMENT DEED, SAID EASEMENTS  
BEING NEEDED FOR THE SALADO CREEK SEWER OUTFALL  
PROJECT.

\* \* \* \*

73-29 The Clerk read the following Ordinance:

AN ORDINANCE 42,329

AUTHORIZING THE CITY MANAGER TO EXECUTE  
A LANDFILL LEASE AGREEMENT WITH THE OWNERS  
OF TRACTS B AND 9, N.C.B. 12163, LOCATED IN  
SAN ANTONIO, BEXAR COUNTY, TEXAS.

\* \* \* \*

The Ordinance was explained by City Attorney Howard Walker.

Dr. San Martin asked why Assistant City Managers were included as being authorized to execute this agreement.

Mr. Walker said that by ordinance authority has been delegated to the Assistant City Managers so that in the City Manager's absence someone would be available to sign documents.

By agreement, the phrase "or Assistant City Managers" was deleted from the Ordinance.

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

73-29 The following Ordinance was read by the Clerk and explained by City Attorney Howard Walker, and after consideration, on motion of Mr. Lacy, seconded by Rev. Black, was passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,330

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY IN SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR PUBLIC PURPOSES, TO WIT: THE LOCATION, CONSTRUCTION, OPERATION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENANCE OF THE WALTERS-MOORE STREET PROJECT; AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION CONDEMNATION PROCEEDINGS TO ACQUIRE SO MUCH THEREOF AS CANNOT BE ACQUIRED THROUGH NEGOTIATION.

\* \* \* \*

73-29 The Clerk read an Ordinance authorizing the City Manager in concurrence with other taxing entities to execute Quitclaim Deeds to certain purchasers to properties acquired through tax foreclosures and authorizing payment to other taxing entities and costs incurred therein.

The Ordinance was explained by Mr. Ted Wagner, Back Tax Attorney, who said that the twelve properties covered by the ordinance were acquired through tax foreclosures. Of the twelve parcels, two are being redeemed by the prior owner, nine are vacant lots. Approximately \$3,300 in tax revenue will be recovered.

Mr. Raul Rodriguez spoke to the Council in opposition to the manner in which tax delinquent properties are disposed of. He asked that a list be published or placed on a bulletin board showing the names of owners, the street address, how much they were sold for and who bought them. He said that the average person cannot tell anything about it the way the properties are handled now.

Mr. Wagner explained to Council members the steps taken to notify property owners before any legal steps are taken; he also reviewed state laws governing tax sales.

After discussion of the matter, Item 22 of the agenda was withdrawn from consideration, and the Back Tax Attorney's office was instructed to post a list of properties being sold on the City Hall bulletin board and to publish such list in a newspaper other than the Commercial Recorder, such list to include street address or other identification.

Mr. Frank Cortez, Director of Community Relations for Radio Station KCOR, offered free radio time for the Council to discuss this matter on the air. He also offered time for discussion by City employees of other municipal problems.

Mayor Becker said the matter would be discussed with the City Manager.

Rev. Black and Mr. Morton supported the position of Mr. Rodriguez. Mr. Morton suggested that a sign be placed on a piece of property advising that it will be acquired or sold as the case might be.

City Manager Granata said that he will instruct the City Attorney to have a new policy drawn up and then to brief the Council on the procedure.

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73-29 The meeting recessed for lunch at 1:26 P. M. and reconvened at 2:00 P. M.

— — —  
73-29 Mayor Becker was obliged to leave the meeting and Mayor Pro-Tem Black presided.

— — —  
73-29 The following Ordinance was read by the Clerk and explained by Mr. William T. Donahue, Associate City Manager for Social Services, and after consideration, on motion of Mr. Beckmann, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: San Martin, Black, Lacy, Morton, Beckmann, Mendoza; NAYS: None; ABSENT: Cockrell, Becker, Padilla.

AN ORDINANCE 42,331

AUTHORIZING EXECUTION OF AN AMENDMENT  
 TO THE CONTRACT WITH BEXAR COUNTY  
 PERTAINING TO THE CITY'S ALCOHOL  
 SAFETY ACTION PROGRAM AND AUTHORIZING  
 A TRANSFER OF FUNDS.

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73-29 The following Ordinance was read by the Clerk and explained by Associate City Manager George Bichsel, and after consideration, on motion of Dr. San Martin, seconded by Mr. Lacy, was passed and approved by the following vote: AYES: San Martin, Black, Lacy, Morton, Beckmann, Mendoza; NAYS: None; ABSENT: Cockrell, Becker; ABSTAIN: Padilla.

AN ORDINANCE 42,332

ACCEPTING THE GRANT IN THE AMOUNT OF \$69,942 FROM THE CRIMINAL JUSTICE COUNCIL FOR FUNDING OF THE NIGHT MAGISTRATE PROGRAM.

\* \* \* \*

73-29 The following Ordinance was read by the Clerk and explained by Associate City Manager George Bichsel, and after consideration, on motion of Dr. San Martin, seconded by Mr. Lacy, was passed and approved by the following vote: AYES: San Martin, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell, Becker.

AN ORDINANCE 42,333

ACCEPTING THE LOW BIDS OF DICTAPHONE CORPORATION, SOUND DISTRIBUTORS, INC. AND HOLT MACHINERY COMPANY FOR PROVIDING EQUIPMENT FOR THE CENTRALIZED COMMUNICATIONS SYSTEM FOR THE SAN ANTONIO POLICE DEPARTMENT.

\* \* \* \*

73-29 The Clerk read the following Ordinance:

AN ORDINANCE 42,334

AUTHORIZING THE MAYOR TO EXECUTE A COOPERATION AGREEMENT FOR THE CITY OF SAN ANTONIO WITH THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO FOR THE UNDERTAKING AND COMPLETION OF AN URBAN RENEWAL PROJECT TITLED NEIGHBORHOOD DEVELOPMENT PROGRAM, TEX. A-8, FOURTH ACTION YEAR AND APPROVING THE FEASIBILITY OF RELOCATION.

\* \* \* \*

The Ordinance was explained by Mr. Jack W. Curington, Assistant Executive Director of the Urban Renewal Agency, who said that this is the renewal of the Neighborhood Redevelopment Program in the Model Cities area. The Council has previously authorized filing of the application as part of the Annual Arrangements funding agreement with HUD.

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

73-29

EMERGENCY MEDICAL HEALTH CARE

MR. ALVIN G. PADILLA: May I interrupt for just a moment to bring something up that I discussed yesterday on the phone with Mr. Bichsel. I'd like to give you a bit of background since this involves some of the action taken by the previous Council.

I want to talk about the Emergency Medical Health Care - loosely called by some people the ambulance system that we are putting in. I have noticed that we have appropriated monies recently for ambulance bodies and so forth, and we are continuing to do so as the need arises. We just graduated a new class of firemen that are supposed to replace the 50 some odd men - I'm not sure of the figure, but the men that will be transferred into driving slots and will service the ambulances.

The point that is bothering me is that the previous Council, and I would like this Council's concurrence in this, and it's a point that is very important to me since I was one of the three people that went to Chicago and to Dallas to review their ambulance systems when we first started talking about all of this with the Medical Society and other people. That is that the previous Council, and I would like this Council's concurrence as I said, made it very clear all along that we wanted a complete emergency medical health system. This includes the receiving of people at the local hospitals and for them to be stabilized medically until they are able to be transferred without regard to ability to pay. Now, this is very logical because without it this whole system would be about as useful as rushing a fire truck to a fire with all that it entails and then not being able to tap the fire plug. So, we stayed after them constantly, through me primarily, about getting a commitment in writing from the hospitals that they will treat emergency patients without regard to financial condition, and that they make this commitment in writing. As far as I know, and I addressed myself to Mr. Bichsel yesterday and they didn't. He was very helpful I might say, and he told me that he would take it up with Dr. Williamson and the Bexar County Medical people that are taking care of this.

As far as I know - to my knowledge - we have already started spending money on this system and we as yet do not have this assurance from the hospitals that they will receive patients and give them emergency medical health care without regard to ability to pay.

I would like for this Council to instruct the staff to make it clear that that is the policy because Mr. Bichsel has already told me that he will bring the subject up again and try to get these assurances in writing from the administrators. As yet we do not have it and yet we are already spending money for this system. This is what I wanted to apprise the Council of, and I hope that the Council concurs that we get busy with getting these agreements because they have always been - all the way through - been part and parcel one of the qualifications the City placed on this as part of the price for the City's participation in it.

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CITY MANAGER SAM GRANATA, JR.: We will continue to prusue from Dr. Williamson, I know that the Council made them aware that this is one of the things they wanted. Of course, in order to go into operation by December 1st, we have already bought the trucks, the ambulance bodies. Each time I think they responded to Dr. San Martin's question that they are going to continue to work on this. Now, we can follow up with a letter. They are aware of it.

MR. PADILLA: I'm not being at all critical, Sam; the only thing I see here is the situation that is as yet not down in writing as a commitment and yet we have started with dollars and cents to make our commitment. They should come forth with a written policy agreeing that they will treat people without regard to their financial condition when they are emergency patients that are picked up by the ambulances..

CITY MANAGER GRANATA: I certainly agree because our total commitment will be \$1,036.00.

MR. PADILLA: I'm concerned that, since we have started our commitment that we will continue to do so and wind up with a system that does not incorporate this very desirable feature, this very necessary feature.

MR. ALFRED BECKMANN: I know that the Methodist Hospital is in the process of setting up a 24 hour emergency set-up. At the meeting that we had with Bexar County concerning this particular thing, Alvin, there are ways to see that this is enforced such as whether or not a hospital is tax free. I got the impresssion from the meeting we had with Bexar County Commissioners and the Hospital District out at the Bexar County Hospital that the whole thing would be worked out and that certain criteria could be established on hospitals - non-profit hospitals- that if these things were not handled in the proper manner some system would be worked out where they would be classed as tax paying citizens. So there is some sort of a background and they are quite conscious of it and I think you'll find that all hospitals including Baptist and Santa Rosa, Methodist and all the rest of them will be prepared for this.

MR. PADILLA: But the concern I have, Mr. Beckmann, is that while they have orally committed to do this, I find no reason for their apparent hesitation to commit to this in writing. Yet, the Medical Society came to us many months ago and they asked us to commit to a certain proposal, a certain plan. We specified at that time that it should include this feature. They agreed that it is both humanitarian and logical to have an emergency medical health care system. For some reason, even though I get from Dr. Williamson that they have concurred that this is necessary and they are willing to do it and that they will do it, and yet we find ourselves at a point in time where our commitment has started and they are as yet not committed in writing to do what they said they would do.

MR. BECKMANN: Well, you know, you discussed professional people before and getting these doctors organized is one thing.....

MR. PADILLA: This concerns me, too, you see, because they haven't been lacking for organization to get the things that they want. The one thing that we consider.....

MR. BECKMANN: I'm in favor of staying with them.

MR. PADILLA: I think we should stay with them, but I want them to go ahead and make that commitment before we wind up spending a million dollars and we don't get it.

REV. BLACK: Is it possible that we could have some specific time of reporting on this to at least know where we are and where we stand on it?

CITY MANAGER GRANATA: Mr. Bichsel, do you think that you could get back with Williamson in a couple of weeks and have a report back?

ASSOCIATE CITY MANAGER BICHSEL: I'll do my best to get something in the packet Tuesday. It may not be the final answer because we ought to have something in writing as a commitment. I'll let you know. I think we need to make a little bit of a distinction here. The doctors are favorable - all that I've talked to. What we are talking about is a commitment from the hospitals because this is where the policy is so far as admittance is concerned. Of course, the doctors and the hospitals are very close, but I don't think the doctors, regardless, can commit the hospitals.

MR. PADILLA: I agree he cannot commit it but on the other hand doctors cannot commit the City. Yet they have prevailed upon us by showing us the humanitarian and the logical reasons for the system and they in turn, have concurred that what we have asked for is very humanitarian and logical and should be included. I think that their influence can be brought to bear on the hospitals. I realize that we cannot force the hospitals to participate, on the other hand this City shouldn't wind up \$2 million down the road finding out that we don't have an emergency medical health care, but that we have a very good system right up to the hospital dock and then somebody can stand there and tell you, "No, take him away. He hasn't got any money." Now, this system is an emergency medical health system very much like the Fire Department is to fires. It is our duty and responsibility to insure that it is a complete system and that it doesn't break down at the hospital gate. There is no point in picking a man up, or a person, and getting him there five minutes earlier only to see him bleed to death at the hospital. So we should get him treated. I think we can see to it although I know that legally we cannot force compliance, but I think we can bring our influence to bear, and I think we can make it very clear that we are not going to spend any more money until they make this commitment because otherwise we are going to wind up with an emergency medical health system that is not really that.

ASSOCIATE CITY MANAGER BICHSEL: I'll try to give you a response from the hospital administrators if I can reach them all - those that would normally be involved in the emergency reception. I'll try to give you their response verbally by your Tuesday packet.

CITY MANAGER GRANATA: Of course, we should have entered into this prior to doing any purchasing. It might help, if this Council would like, to pass a resolution with your intent.

MR. PADILLA: You see, this is my concern, Sam, I've been making this point for a year as you well know, and yet we find ourselves at a point in time where we are spending money and yet we don't have the commitment in writing yet. We have never been told that they will not do it. We've been told that they will do it, but they haven't done it.

MR. MENDOZA: On the same subject, I'd like to bring up something on the funding of this project. I understand that ours is being funded, of course, by revenue sharing. I understand at the present time there may be some new actions in Congress. In fact, Lanny Sankin is here today and he talked to the Council in regards to that once before. I was wondering since he is here today if he could enlighten us as to whether or not there is any additional money that we could use where we wouldn't have to use total money from revenue sharing.

MR. LANNY SINKIN: I didn't have a formal presentation on this matter. When I was in Washington last week I read in the newspaper that they passed a major health program that provided money for just such service as this. In the presentation I made to the previous Council on revenue sharing I pinpointed that as one of the programs that perhaps should be funded by Congress rather than revenue sharing funds. I don't know at this stage of the game whether you can transfer your funding over to that program. If you could, you could save a major portion of the revenue sharing funds. It has passed at least the House, and I think the Senate.

MR. MENDOZA: Can we look into that?

CITY MANAGER GRANATA: If you would consider possibly a resolution from this Council we could have it ready next week.

MR. PADILLA: I'd like it made clear that we will not continue to make commitments in money until we get what is on paper a complete emergency medical health system.

MR. BECKMANN: Why don't we ask him to get that resolution for next week?

MR. PADILLA: I'm all for it.

73-29

ENERGY CRISIS

DR. SAN MARTIN: Mr. Mayor, I believe that is proper at this time, since it's on the agenda, to consider the resolution that I introduced last week. We wish every member of this Council is well acquainted by now. I don't have any modifications or changes because I believe that, in essence, the resolution still stands on its own merits. I think that our citizens over the past two or three weeks are uncertain as to whether there is a real crisis. Voluntary curtailment has not been successful in order to conserve energy. Yet, we hear in the newspapers that if no gas were available to the City of San Antonio, we only have an eight day supply of fuel oil which makes it very critical. Yet, we are not conserving energy in any way, shape or form. We also hear in the newspapers that the City Public Service Board is tentatively thinking about joining a nuclear plant project which will arouse a lot of controversy and perhaps emotionally so. Yet, I feel some kind of frustration that the City Council does not have a position paper on this crisis. That we are not addressing ourselves to the issue of the energy crisis the way we should. I sincerely believe that the law suit that was initiated by Mr. Pat Maloney and some of his associates would not have been undertaken if the City Council had already stated a policy of its own. In fact, the letter that we all received from Mr. Pat Maloney yesterday clearly indicates that they are acting because we are not acting. So, at this time I would like to introduce this resolution for adoption, Mr. Mayor.

REV. BLACK: All right. Can we have discussion?

MR. BECKMANN: Dr. San Martin, I don't think it's a question of the City Council not being aware of the seriousness of the situation.....

DR. SAN MARTIN: I don't believe I said that.....

MR. BECKMANN: No, and I'm making this a point of clarity as far as the people of the City are concerned. I think it's rather that in the process, or in the system, that we have wherein a City Public Service Board is responsible for the power and the services that the community demands and really they're not responsible to anybody but in sort of a questionable way they're responsible to the City Council. They're responsible as a franchisee to the City Council. So, we, as elected individuals, catch all the blame and the people who are responsible for the creation of this power and the energy for the community are really appointed and self-appointed. So as a matter of just clarification we find ourselves in a rather difficult situation. Do you feel that this.....

DR. SAN MARTIN: Yes, I realize that. We have been through that before, Mr. Beckmann. I realize very specifically that in 1959 we intended and tried to change the indenture of the City Public Service Board for the first time since it was originally made with the intention of recovering or recapturing a greater amount of income for the City of San Antonio. At that time the very same proposition was made. I feel very strongly that the same way that we direct the City Public Service Board to help us in changing that indenture for the benefit of the City of San Antonio which really the citizens own the City Public Service Board. There's no question about that. It was specifically brought out. So, therefore, this Council as elected representatives of the citizens of San Antonio have more than just a moral obligation. They have the full force of its responsibility to ask the City Public Service Board, the City Water Board, the Transit Company to act in the best interest of the citizens of San Antonio. I feel that this resolution makes the position of this Council very clear that we expect them to do exactly that. I see no way that we have anything on the records of these proceedings of this Council until we call a Public Hearing and ask them to come before this Council and then we can determine what the policy is going to be so we can address ourselves to that particular issue. Otherwise, we may be put in the position, as Rev. Black said yesterday or day before, that we will be making a political decision when really it's an issue of substance. For that reason I think that in order to put first things first, we must ask the City Public Service Board to come before this Council in an open hearing to put on the record all the aspects of this problem and then this Council can formulate a policy statement. Because, as of today, there's no one around this table who can answer a citizen in San Antonio as to exactly what's happening and to exactly what we're going to do. Until we have that order of business I don't feel that we're going to be in a position except to speculate individually but not as a Council Policy.

MR. PADILLA: Mr. Mayor, I think part of this policy and so forth is another thing that we have recently been reading about in the newspapers. I, as a Councilman, and I have reason to believe none of you know any more about it than I do in an official sort of way, and that is the business of this July 1 deadline for making the decision to participate or to not participate in this proposed nuclear plant down in Bay City. Now, I anticipate a situation whereby the Board, and they've already indicated that they're going to act on it at the last minute, and then it maybe at this time that the Board doesn't need our concurrence but it may be that

they'll commit themselves, if indeed they do, to participate in a nuclear power facility and later they will come to us and say we've already committed to participate. Now, we need you to vote the approval for the bonds. I think the Board is assuming and presuming a heck of a lot when they take this attitude. Now, this Council should have been made aware through some means other than just the newspapers about this proposed nuclear plant that is being considered. Because sooner or later, and it may be later as opposed to right now, they will have to come to this Council for concurrence at least in being able to sell the instruments to raise the money. At that time we're going to be faced again with a crisis sort of policy where they say well we've already done it what are going to do? Well, I'm going to vote against it if they bring it to us in that form. Very likely I'll will vote against it anyway. But, I think that we should be kept apprised of these situations. I very much resent the fact that many times and I think I'm accurate, I hope I'm being correct when I say it, I think many things are brought to this Council where you don't have much of a choice anymore. Several things have been done and they drop it on the table and you can either pick up the pieces or a lot of time and effort goes down the drain. So, I think that in terms of what Dr. San Martin said, although it doesn't relate directly to this resolution, we should be kept apprised of what's going on. The Public Service Board or any City agency shouldn't make what amounts to an 80 or 85 percent commitment before they come to this Council. I think something such as a nuclear plant is a major policy decision and we should know about it officially and should indicate how we feel about it after a reasonable amount of time where we're given access to the information to indicate how we feel about it. I personally feel from the things I've been able to read and the things that many citizens send me and the information I can gather other places that nuclear power at this time is not necessary. It is not even safe. There are many people who will tell you that it isn't. Perhaps in 15 or 20 years it will be necessary. Perhaps at that time the state of the earth will be such that it will be safe and it might just be the thing to do then. But, I don't want the Public Service Board to, in effect, commit us before they ever tell us anything about it.

DR. SAN MARTIN: I'd like to specifically, Mr. Mayor, if I may also bring out points five and six in my resolution, which specifically requests the City Manager and his administration to prepare a program of energy conservation. I mentioned before that we are not cutting down on the amount of electricity we use. I think we cut down 10 percent voluntarily and then it went down to practically nothing. I think the question of lighting of the expressway systems is of crucial importance. I think the people of San Antonio should know specifically the reasons for whatever we're doing. In other words, we're doing this because of safety measures perhaps in the residential areas a lot of people have told me cut out the lights in the street corners and let's keep the industrial plants going. Well, there is a reason for this and resolution number six calls on the Police Department to specifically take care of these items. I think that people have to know the reason for the priorities that we set. If we say that the streets will stay lighted, the expressways will stay lighted. We've got to give them a reason for doing that. We cannot formulate a policy until we start at the beginning. That's the reason I requested that the resolution be accepted.

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MR. MENDOZA: Mr. Mayor.....

MAYOR PRO-TEM BLACK: Yes.

MR. MENDOZA: Mr. Mayor and fellow Councilmen, I think that what we have here is something that certainly can keep the ball rolling, so to speak, and in continuing to communicate with our agency, in this case the City Public Service Board, I think it's very important. For that reason I concur with the remarks that Dr. San Martin and Councilman Padilla have made, and I certainly support them.

MR. BECKMANN: Dr. San Martin.....

DR. SAN MARTIN: Yes.

MR. BECKMANN: You brought up, I believe, Section 135 of the Charter. Do you wish to make that a part of this.....

DR. SAN MARTIN: Well, it would automatically be.....

MR. BECKMANN: It would automatically.....

DR. SAN MARTIN: I'm basing myself.....

MR. BECKMANN: It calls for a public hearing and an accounting on the part of the City Public Service Board to this Council.

DR. SAN MARTIN: That is correct.

MAYOR PRO-TEM BLACK: I think that all of us as members of the Council need to place this whole discussion in the perspective of the authority of the Council rather than within the frame work of a great deal of talk and credit that we're getting for action that we're not involved in. I think that it's better and I'm not necessarily criticizing that action, I'm simply talking about not being involved in it, and it seems to me the only way the Council is going to do what it should do as a Council is to carry out this kind of action and then it begins to respond as a Council. I think most of our response has been largely a response of individuals within the framework of conversations with the - those persons that have the authority and the power to determine what is going to happen in the area of our energy needs. We need to put it within the framework of our action and authority.

DR. SAN MARTIN: I would like to add one more comment, Mr. Mayor, if I may. I have been involved in several problems of this nature with the utilities, Mr. Beckmann. I specifically mention the question of refinancing the indenture of the City Public Service Board in '59 and '60. But I also can point out the refinancing of the indenture of the City Water Board in 1956 and also the municipal licensing of the Transit System in 1959. Even though the utilities, in a way, are autonomous bodies and in the case of the Public Service Board they're self-perpetuating bodies. They will respond to the moral persuasion of the elected representatives of the citizens of San Antonio, and it's our duty to see to it that they do respond and I have found that if they see that kind of determination they will respond even though they may not have to respond in some areas. I give you an example, when they removed the demand meters from the City Public Service Board, they didn't have to come to the Council but when the Council objected to them, they removed the demand meter from the City Public Service Board operations so that they will respond, but we have to lead the way.

MAYOR PRO-TEM BLACK: All right, do we have further discussion?

MR. MORTON: Yes, we do. On item number two, I would like to suggest that we rephrase the first sentence. It now states that the City Council expects the City Public Service Board to bring this Council as soon as possible a plan to secure alternate sources of energy. I would like to strike "alternate sources of energy" and would just say a plan seeking to prevent a further recurrence of the recent power shortage which, in other words, we are presupposing that alternate sources are absolutely necessary. I would like to leave this as broad as possible....Item number four now states that the City Council instruct the City Manager, I am sorry that the City Council request the City Public Service Board to appear before this Council as soon as possible to brief us on their plan to initiate the necessary litigation to recover. Again, we are assuming that litigation is necessary. I would like to just say to brief us on their plan to recover from Coastal States Gas whatever damages it deems the citizens of San Antonio are entitled to. I am nit picking a little bit, but I would like to make this as broad as possible and would like to even go further than this. I know that Mayor Becker has several points that he would like to have made today, and I am talking about basic points as far as things that he would propose this Council do to address itself to the energy crisis in a very positive way. With these two modifications I would like to say that I am in favor of this, but would like to not limit our position to just what is taking place here because I would like for us to come back next week and perhaps incorporate this if it is adopted today into a comprehensive position that the Council will take on every aspect of how we deal with this as the elected officials of the City.

DR. SAN MARTIN: I feel that the Public Hearing will take not only these items under consideration, Mr. Morton, but whatever items the Mayor wants to incorporate and at the conclusion of the hearing, we may take a week or a few days and come up with a definite statement of policy.

MR. PADILLA: Is it possible perhaps next week, Mr. Morton, to also possibly at least make it clear to the City Public Service Board that we would like to be apprised of what they are doing. I still don't believe that with nothing more to the Council but newspaper accounts that the City Public Service Board should commit to a nuclear plant. Now, I am wondering even about why it is so important at this time. We speak of the bonded indebtedness. An additional hundred thirty million dollars worth of bonds will have the effect of perpetuating the present situation as far as the Council - Public Service Board relationship is concerned. I would like to see if there is some way that we can bring these people before this Council and say, hey fellows, we read in the papers that you want to build a nuclear plant, what's going on?

MR. MORTON: Can I read you this Section 135 of the City Charter? Just part of it. The Council shall have full power to examine or cause to be examined at any time and at all times the books, papers, and records of franchise holders, to take testimony and compel the attendance of witnesses and the production of books, papers, and records and to examine witnesses under oath and under such rules and regulations as it may adopt, and should any franchise holder refuse to permit the inspection of such books, papers, or records by the Council or by any one designated by it to make such inspection or fail to produce the same when notified to do so by the Council or should any officer, agent or employee, et cetera, of such franchise holder refuse to give testimony before the Council, the Council shall have the power by ordinance, to declare the franchise or privilege enjoyed by such person, firm or corporation in default, and terminated.

DR. SAN MARTIN: Mr. Padilla, I think that your point is very well taken and if you would like to, I would add that as number seven to my resolution.

MR. BECKMANN: And then the next paragraph is where you call - that the Council shall have the power to call a public hearing, giving reasonable notice to the holder of a franchise.....

DR. SAN MARTIN: That is correct.

MR. BECKMANN: And this what you, I just want to be sure that you are bringing this in.....

DR. SAN MARTIN: This is exactly the nature of that.

MR. PADILLA: I would like very much to see that included as number seven. You see, as I said earlier, I anticipate a situation and they have already indicated they are going to do it, where they will make their commitment to this so called Bay City Plan late in June and we will in effect will be committed by the City Public Service Board.

MAYOR PRO-TEM BLACK: If you have any, as soon as possible, I wonder if we could not get some kind of time schedule.

DR. SAN MARTIN: I would suggest next Thursday, as a definite time. I understand those public hearings are at 10:00, Mr. Mayor, and for the benefit of Mr. Padilla, the very same things you are talking about, was originally there in item number two. I removed it only because there were a lot of citizens that were very highly emotional last Thursday on the question of nuclear plants, and I removed the word nuclear plant.

MR. PADILLA: I ask that you reinsert it.....

DR. SAN MARTIN: Well, I reinsert it or add it as number seven, whatever the Council wishes to do, but this resolution also calls for a Public Hearing next Thursday, Mr. Mayor.....

MR. PADILLA: I think we have to allow for the proper notice.....

MR. MORTON: Is that sufficient notice?

MR. PADILLA: You need ten days, I think.....

MR. WALKER: We usually allow ten days on a Public Hearing. I guess you can allow less if you want to.

DR. SAN MARTIN: Mr. Mayor, I think the question of, like Mr. Padilla has brought out, the City Public Service Board has to make a decision by the end of the month, does not allow us too much time to deal in this. I would like to call for the hearing next Thursday.

MR. PADILLA: If we incorporate it in this Resolution, is there some way we can incorporate it in the Resolution, as you suggested.....

DR. SAN MARTIN: In an emergency nature, Mr. Walker, perhaps, and call for a hearing on Thursday instead, of say ten days, eight.

MR. WALKER: Well, I think if you put it in the Resolution, after all the Resolution was on the agenda, so there has been notice on this statement.

DR. SAN MARTIN: Does this mean, since last Thursday?

MR. MORTON: Let me offer this question. If we have a Public Hearing on this next Thursday, really we are opening up Pandora's Box. Is it possible that Thursday is not a good day because that is a normal Council day and would think that the place where we would want to hold this would be the Coliseum..... I just wonder if this is the best day. I think we also have to remember that on Friday, we have the airport hearing, do we not?

DR. SAN MARTIN: This is the official meeting place of the City Council and I would again call that it be held here as the official meeting place of the City Council. We will just have to accommodate our citizens the best way we can, and try not to have any Zoning Cases until after the - Wednesday is the airport.....

MR. PADILLA: We could do it Friday, as a separate item if we want to. Because knowing this Public Hearing it will probably be lengthy, into the regular agenda is liable to make it a full day and a full night out of it. I would rather come Friday and have a Public Hearing.

DR. SAN MARTIN: I am flexible to whatever the wishes of the Council are, Mr. Mayor, and Friday would be fine with me - whatever the wishes of the Council are.

MR. BECKMANN: Do you think we could hold it here. I would like to hold it here, but.....

CITY MANAGER GRANATA: If you plan to take official action, you have to have it here. If you don't, you could set it at the Mission Room or wherever you would like,.....

DR. SAN MARTIN: We may have to take official action, so we should have it here at 8:30 Friday morning will be fine with me.

MAYOR PRO-TEM BLACK: Do we have to have a motion for that effect, is this part of your motion?

DR. SAN MARTIN: Yes, sir.

MR. PADILLA: This will incorporate the paragraph dealing with the nuclear.....

DR. SAN MARTIN: I accepted this as a number seven. Although I have, seven is fine with me.

MR. PADILLA: Should we go ahead and formulate whatever verbage we are going to use before we vote?

DR. SAN MARTIN: I think we know what you mean, Mr. Padilla. Mr. Inselmann will just add it as part of the resolution.

MR. PADILLA: That's agreeable.

MAYOR PRO-TEM BLACK: Question.

MR. MENDOZA: We are voting on the public hearing first?

MR. PADILLA: Do we have a motion?

MR. BECKMANN: We are voting on the resolution.

MR. PADILLA: Point of order. Do we have a motion and a second?

CLERK: Dr. San Martin made the motion and Mr. Mendoza seconded it.

ROLL CALL: AYES: San Martin, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell, Becker.

\* \* \* \*

The Resolution as adopted reads as follows:

A RESOLUTION  
ON THE ENERGY CRISIS  
NO. 73-29-29

WHEREAS, the recent energy crisis in San Antonio has made all our citizens come to the realization that the time has come for some serious thinking and planning not only for the immediate needs of our area, but also for the long-range acquisitions of our sources of energy. The same proposition also applies to our future supplies of water, NOW, THEREFORE:

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

SECTION 1. The City Council wants to assure all our citizens that it will continue to exert every effort to provide not only solutions to our present, immediate crisis, but also to secure adequate and dependable future sources of gas or fuel oil, to meet our residential and industrial demands.

SECTION 2. That the City Council expects the City Public Service Board to bring to this Council, as soon as possible, a plan seeking to prevent a future recurrence of the recent power shortage. This would even extend to other sources of energy still in the experimental stage. Another possibility would be for the CPSB to acquire and develop, for its exclusive use, new gas sources.

SECTION 3. That the City Council expects the City Public Service Board to recover for the citizens of San Antonio, any costs incurred in the purchase of fuel oil, over and above the cost that it would have ordinarily paid for the gas it had contracted with Coastal States Gas. And furthermore, that when these funds are recovered, either by negotiation or by litigation, that they be returned to the customers of CPSB in the form of reduced utility bills for a specified period of time.

SECTION 4. That the City Council request the City Public Service Board to appear before this Council as soon as possible to brief us on their plan to recover from Coastal States Gas whatever damages it deems the citizens of San Antonio are entitled to on account of the recent curtailment of natural gas.

SECTION 5. That the City Council instruct the City Manager to prepare and implement a program of energy conservation measures in all municipal operations, and that it encourage all citizens of San Antonio to continue to conserve gas and electricity as much as possible from now on.

SECTION 6. That the San Antonio Police Department be prepared and ready to implement any measures it deems necessary, in case crime or burglary or automobile accidents should take a serious upturn due to any measure taken to conserve energy.

SECTION 7. This City Council has become aware that the City Public Service Board is considering making a commitment to participate in a nuclear power plant by July 1, which, in effect, may commit the Council to this project. The City Council has not received any official communication about this proposed participation in a nuclear power plant and desires to know the details of it.

SECTION 8. That the City Council hold a public hearing on Friday, June 15, 1973, at 9:00 A. M. in the Council Chamber at City Hall to discuss with the City Public Board the items outlined in this resolution.

\* \* \* \*

73-29 Item X on the agenda being a resolution inviting Congressman Henry B. Gonzalez to meet with the Council on the energy crisis was postponed at request of Councilman Morton until there is a full Council in attendance.

73-29 Dr. San Martin introduced a proposed resolution requesting Governor Dolph Briscoe to call a Special Session of the legislature for the purpose of enacting a new system of public school financing. Copies of the resolution were distributed to all members of the Council with the request that it be placed on next week's Council agenda for consideration.

73-29 Mr. Morton asked if the Council could employ special legal counsel that is expert in the field of oil and gas to advise the Council in connection with the present energy crisis.

City Attorney Howard Walker stated that it can be done by contract authorized by an ordinance.

Mr. Morton asked that such ordinance be placed on next week's agenda.

73-29 Mr. Padilla stated that he had been contacted relative to an alleged police brutality case last week. By the time he contacted the Chief of Police, the matter had already been brought to the Chief's attention and a decision made that the officer had indeed been in the wrong and corrective action taken.

Mr. Padilla congratulated the Police Department on its awareness and demonstration of the fact that the system can and does work.

73-29 The Clerk read the following letter:

June 1, 1973

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.

594 June 7, 1973  
nsr

May 25, 1973

Petition of Mrs. R. S. Niska, et al, requesting the City to take action against Mrs. Charles T. Smith, 1750 Hicks Avenue, for feeding and harboring an excessive number of cats.

May 29, 1973

Petition of Mr. V. H. Ehlers requesting appeal of his denial of a Home Improvement Contractor's License.

/s/ J. H. INSELMANN  
City Clerk

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There being no further business to come before the Council, the meeting adjourned at 3:00 P. M.

A P P R O V E D



M A Y O R  
Charles L. Becker

ATTEST: *J. H. Inselmann*  
City Clerk

June 7, 1973  
nsr