

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 14, 1974.

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The meeting was called to order at 8:30 A. M., by the presiding officer, Mayor Pro-Tem Lila Cockrell, in the absence of the Mayor, with the following members present: COCKRELL, SAN MARTIN, BLACK, LACY, O'CONNELL, PADILLA, MENDOZA; Absent: BECKER, MORTON.

74-55 The invocation was given by The Reverend S. E. Steward, Shiloh Missionary Baptist Church.

74-55 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

74-55 The minutes of the meeting of November 7, 1974, were approved.

74-55 YOUTH IN GOVERNMENT

Mrs. Cockrell announced that this was "Youth in Government" day in the City sponsored by the Optimist Clubs. She invited those students who were designated as City officials for the day to come forward and sit with the Council members. They were:

Mayor - James D. Taylor, Churchill High School

Mayor Pro-Tem - Leticia Bujanos, Roosevelt High School

City Manager - Christopher Scott Shields, Marshall High School

Council Members

Bender Willingston, St. Gerard's High School

Richard Douglas Moore, Cole Junior High School

Eileen Goldsmith, Robert E. Lee High School

Jose Vara, Sidney Lanier High School

Walesco Casa, MacArthur High School

Kasie Wolfenbarger, East Central High School

Mary Spector, Alamo Heights High School

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Mrs. Cockrell welcomed them to the meeting and commended them for participating in this event.

November 14, 1974
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74-55

CITATIONS TO OUTGOING BOARD MEMBERS

Mrs. Cockrell presented citations of appreciation to the following persons for having given of their time and energy to serve on City boards:

Mr. Richard Santos - Board of Review for Historic Districts

Mr. Brooks Martin - Board of Review for Historic Districts

Ms. Mary Christine Carvajal - Board of Review for Historic Districts

Dr. Truett Pratt - Advisory Board of Health of the San Antonio
Metropolitan Health District

Dr. Robert Hummer - Advisory Board of Health of the San Antonio
Metropolitan Health District

Mr. John C. White - Riverwalk Commission

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74-55

POLICE COLORING BOOKS

Mrs. Cockrell announced that she wished to present citations to certain persons for contributing to the design and production of a new tool for the Police Department. It is a coloring book which will be distributed to San Antonio school children by police officers when they make periodic visits to the elementary schools.

Mr. O'Connell added that thanks should also be extended to Councilman Clifford Morton and former Councilman Al Beckmann for their participation in this project.

Mrs. Cockrell then presented citations expressing the City's appreciation to the following persons:

Mr. Marty Green

Mr. Cecil Benner

Ms. Marilyn Lowther

Mr. Bill Tucker

Mr. Jim Coln

Susanne Gottuk

Jerry Canavit

Stephen Heller

Jill Collins

Louis Pitluk

Gene Passant

Mr. Bill Hayes

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Following the presentations, Police Chief Emil Peters also expressed the appreciation of the entire Police Department for the time and effort donated to this project.

74-55 Item VIII on the docket, being a proposed resolution urging the Texas Legislature to amend the "Local Sales and Use Tax Act" was withdrawn from consideration until such time as all members of the Council could be present to discuss it.

Councilman Leo Mendoza made the following statement:

MR. LEO MENDOZA: I wasn't prepared to give a talk on the curfew this morning but I think it's appropriate that I at least make a clarification. I would like to say that we have been discussing a lot of things in regards to the bad situations that we have in our City. Of course, one of them having to do with the crime situation. So, for that reason, I think, in our discussion, I came up with the idea - this was just something that we were thinking out loud, more or less, it wasn't anything that was pre-arranged or anything that had been given any thought and so I think that when we were discussing it, I made the suggestion that perhaps maybe for extreme conditions or situations that we should consider extreme solutions and, of course, this was at the time that I said maybe we should look into the possibilities of a curfew.

I think that I need to say that there's no definite information at this time that has been put together. I think the Chief has promised us that he would look into it to see whether it would be legal, whether it would be feasible, whether the citizens of San Antonio would like to see it. It's nothing that is going to be voted on today or tomorrow or next month. It's something that is just more or less an idea.

I would like to say that radio station WOAI conducted a survey and I have here - I think the survey was conducted on Wednesday, October 6, between the hours of 8:00 P.M. and 9:30 P.M. I would like to say that several people called me and asked me if it was all right to conduct this type of survey and I said I'll be happy to request the station to do it since they had already made the contact and I have here - it was conducted by phone and I think what they were asking was - should a curfew be established in San Antonio for teenagers? And the listeners of all ages called in to cast their vote and the following are the results from a total of 504 tabulated calls. 31% of these people said no. 69% agreed that a curfew should be established in San Antonio for teenagers. Of the callers that said yes to the curfew, 27% wanted a 10:00 P.M. curfew, 43% wanted an 11:00 P.M. curfew, and 22% wanted a midnight curfew and 8% had other hours that are not listed here. So I would like to say that, just for the record, I'd like to thank WOAI Radio for conducting the survey. I think that this expresses, of course, some type of opinion of some of our citizens, and, of course, a very small percentage but by the same token, I think it shows that we're all concerned about the problem.

We don't know what the solution should be to all these problems but at least we're - I think what I had was a sincerity of purpose when I came up with the idea of a curfew. It wasn't anything that I said would solve the problem of crime, of course, in our City or I wasn't really against teenagers or anything like that. I think it's just something that we're always trying to come up with ways and means of helping our citizens. And so for that reason, I have had several calls, of course, for and against. I've had a lot of mail. I have some in here today. I had one that said that if a law is established, bye, bye Leo. Then another one that was a little bit more serious than that but I would like in all fairness I think that I should make this clarification that this isn't something that we're considering to do today or tomorrow or maybe ever. We're just discussing it and the Chief might want to add something to it. I don't know, we haven't had time to rehearse this so.....

MRS. COCKRELL: Well, Mr. Mendoza, if it's agreeable with the other members of the Council, this report that you have given us will be made a part of the minutes and we appreciate you bringing us up-to-date.

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74-55

REPORT OF O'BRIEN AND GERE ON
REQUEST FOR TELEPHONE RATE INCREASE

The following discussion took place:

MRS. LILA COCKRELL: Before we go into the regular items, I noticed that Mr. Carl White has with him our consultant and I think it would be helpful at this time to have a progress report. As the Council recalls by a majority vote of the Council, the services of a consultant were authorized to review the Bell Telephone rate increase request. Mr. White, would you present this item and the report at the time.

MR. CARL WHITE: Yes, madam Mayor. We have with us Mr. Charlie Illingsworth with the firm of O'Brien and Gere and he would like to address the Council and report the progress that the firm has made with regard to the telephone rate filing. So Mr. Illingsworth will address the Council.

MRS. COCKRELL: All right. I believe the Council - it was my understanding that the Council majority in voting for this were under the impression that there was to be a report in 30 days and so we would like to ask for this report now.

MR. CHARLIE ILLINGSWORTH: Thank you. Madam Mayor, members of the Council and student participants. The manager of our rate section, Mr. Jack Alfone, met with representatives of the Telephone company, both from the local office and from the Houston office, that is, the Dallas office last week. We've had previous contacts. Our original intention was to come in with a recommendation for an interim increase, followed by a longer period where there would be a more thorough study of the increase and the possible adjustments. We've discovered now that it will be possible to make the final recommendation by the end of this month so rather than make a recommendation at this time for an interim increase that would be subject to change at the end of the month, we will come in with a final recommendation at the end of this month.

At the present time, we are trying to resolve two elements of disagreement with the telephone company involving calculation of the depreciation reserve and the effects of the increased costs of gas and electricity to the telephone company from purchases from the CPS. Next week our representatives will be meeting with the representatives of the telephone company to, possibly, resolve these two points of conflict and to go over the structuring of the rate increase itself.

As a general climate, the rate case as presented by the telephone company generally looks good. There's a definite need for an increase. The exact amount will be determined by the end of the month and our recommendation will be made at that time.

MRS. COCKRELL: Yes, Doctor San Martin.

DR. JOSE SAN MARTIN: Are you going to invite questions from the Council?

MR. ILLINGSWORTH: I will try to answer as best as I can, sir.

DR. SAN MARTIN: This is just a statement I wish to make. I don't want to bind myself in any way but you know, there has been a report that the telephone company has an internal problem and are conducting a special audit that goes back for some time. Now, how can you in any way determine that this audit would affect their rate request in any way?

MR. ILLINGSWORTH: I'm not the rate man but I can answer the question generally that any cost accruing to the telephone company through staff neglect or something of that matter couldn't be applicable to the rate base. That's a loss that they'll have to take and I assume that they have insurance of some type of protection to cover that.

DR. SAN MARTIN: I know that but how can you determine yourself. Without their audit, could you determine the extent of the deficiency or the deficit that the telephone company sustained? Is there any way that you can do that? Or do you have to accept their audit?

MR. ILLINGSWORTH: That's a good question. I'm not the rate man but I'm sure that our people would take this into consideration but I'm certain that any demonstrated fraud and I'm quite sure that an in-house audit going on by the telephone company would discover this type of thing. This is a normal procedure.

DR. SAN MARTIN: All right. Now you said that there would be a report saying two weeks from today, maybe by the end of the month.

MR. ILLINGSWORTH: By the end of the month.

DR. SAN MARTIN: Today is almost two weeks, 16 days. Now suppose that the internal audit of the telephone company is not complete by that time how could you give us a report without knowing the exact deficits or deficiencies in their books?

MR. ILLINGSWORTH: The way we report - we'd report - if it's a rate increase, our rate increase will be based on our recommendations on the demonstrated need for the company to make a reasonable profit based upon generally accepted engineering and accounting procedures, determine their rate base, how they depreciate their equipment. Not knowing the nature of their discrepancy in their accounts, I couldn't specifically answer that question but I think it's - during our discussions next week, we will make a definite inquiry with their people. They should be free to tell us at that time but if it appears that the discrepancy which I'm not familiar with, in the telephone company, could impinge on any elements that would determine the rate - the amount of rate increase, we'd recommend, of course, a deferral of any rate increase.

DR. SAN MARTIN: Without specifically saying that there was a deficit or shortage of money, per se, but suppose that there was X amount of money missing. That would affect the total dollars and cents received, so the telephone company for a year or so, let's say, at the end of a year. Now that, of course, would determine the nature of the rate request.

MR. ILLINGSWORTH: Of course. Everything I've read about, of course, has been hearsay about difficulties in the telephone company, so I'm not privy to information on that, but if it were a significant amount and it was demonstrated to be fraudulent of some type, it certainly couldn't be applied to the rate case, I mean, that's a loss that they'd have to assume and the citizens would never be expected to.....

DR. SAN MARTIN: What I'm trying to say is that in my personal opinion, whether the amount is significant or not, whether it's say a million or \$10,000 or whatever the amount is.....

MR. ILLINGSWORTH: It couldn't be applied to the rate case.

DR. SAN MARTIN: It should not be applied to the rate.....

MR. ILLINGSWORTH: No, not at all.

DR. SAN MARTIN: Well, I just want to be absolutely sure that your firm is watching this item very closely.

MR. ILLINGSWORTH: Yes, we are, sir.

REV. CLAUDE BLACK: It seems to me though, Doctor, that the report of the consultants should be one that would allow some - address this in some way. Otherwise, it will tend to cloud their recommendation and certainly make it more difficult for the Council to make a decision upon that recommendation. So I would certainly think that, because of the very nature of that public situation, that the consultants would have to address it in their report.

MR. ILLINGSWORTH: It would have to be addressed, there's no question about it.

MRS. COCKRELL: All right. Then as I understand the consensus of the Council, at the time that you bring back this final report, they would want a very clear statement as to any effect that might be foreseen of any internal problems within the telephone company having any effect on the rate. If it is clearly determined that it would have no effect, that statement should be made unequivocally. If there is any possible leakage in the - any loss of funds sustained by the telephone company to this rate increase, that also must be stated and be made available to the City Council.

MR. ILLINGSWORTH: Yes, I understand you clearly, Mrs. Cockrell.

MRS. COCKRELL: We thank you very much.

MR. ILLINGSWORTH: Thank you.

MRS. COCKRELL: Are there any other questions? All right.

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74-55 The Clerk read the following Ordinance:

AN ORDINANCE 44,596

APPROVING PRICE AND CONDITIONS OF SALE BY
THE URBAN RENEWAL AGENCY OF THE CITY OF
SAN ANTONIO OF CERTAIN SINGLE-FAMILY
RESIDENTIAL LOTS LOCATED WITHIN THE KENWOOD
NORTH PROJECT, TEX. R-136.

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November 14, 1974
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The Ordinance was explained by Mr. Winston Martin, Executive Director of the Urban Renewal Agency, who said that the properties covered by the ordinance have been acquired by Urban Renewal Agency. Some were sub-standard in size and platted together to make standard lots. In some instances, there were sub-standard structures which have been removed. The lots will be sold to people who live in the area at the present time. The ordinance authorizes the agency to go ahead with the disposition of 99 lots in the Kenwood area. The average price will be between \$1600 and \$1900.

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

74-55 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, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Morton, Lacy.

AN ORDINANCE 44,597

CONSENTING TO SUBLEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT BY REBCO, INC. TO SAN ANTONIO PROPELLER.

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AN ORDINANCE 44,598

CONSENTING TO SUBLEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT BY REBCO, INC. TO FUSION, INC.

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AN ORDINANCE 44,599

ACCEPTING A GRANT IN THE AMOUNT OF \$17,059.00 FROM THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR FOR THE SECOND YEAR OF THE POLICE DEPARTMENT COMMUNITY RECREATION PROGRAM; AUTHORIZING EXECUTION OF THE ACCEPTANCE AGREEMENT; AND ESTABLISHING AND APPROPRIATING THE NECESSARY FUNDS.

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74-55 The Clerk advised the Council that Item No. 5 on the agenda, being a proposed ordinance declaring a structure on the premises at 217 Nunes a dangerous building and authorizing its demoliton, had been withdrawn from consideration.

Mrs. Cockrell asked for an explanation.

Mr. Louis Garcia, Assistant City Attorney, said that this property was sold at a tax sale in February to a grantee under a trustee. Notice was sent to the trustee but under Texas law, the trustee has no right of possession for two years. Therefore, notice should be given to the prior owners of this property.

Mrs. Cockrell said that she and Dr. San Martin had been working with a group in this neighborhood and just last night she had talked to Mrs. Gilbert Gallego concerning the structure. She expressed concern that demolition of the structure could not go ahead.

Dr. San Martin said that he had personally inspected this particular building and it is a very serious problem in the neighborhood. If nothing could be done about it then he would ask that the police pay special attention to this neighborhood. It is a fire hazard and a haven for derelicts.

Mrs. Cockrell said that when Mrs. Gallego and her neighbors arrived at the meeting she would want this discussion resumed.

74-55 The following Ordinance was read by the Clerk and explained by Mr. Russell Lindley, Assistant Director of Building and Planning Administration, and after consideration, on motion of Mr. O'Connell, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: Cockrell, San Martin, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

AN ORDINANCE 44,600

AMENDING THE BUILDING CODE OF THE CITY OF SAN ANTONIO BY ADDING TO SECTION 10-13.1 OF THE CITY CODE A PROVISION REQUIRING INSTALLATION OF AN APPROVED INSULATING MATERIAL IN THE EXTERIOR WALLS AND ATTIC AREAS OF CERTAIN STRUCTURES; PROVIDING A PENALTY FOR ANY VIOLATION BY FINE NOT TO EXCEED \$200.00; AND PROVIDING AN EFFECTIVE DATE.

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74-55 The Clerk read the following Ordinance:

AN ORDINANCE 44,601

AUTHORIZING THE CITY MANAGER TO ENTER INTO STANDARD PROFESSIONAL SERVICE CONTRACTS WITH VARIOUS ENGINEERING FIRMS FOR ENGINEERING SERVICES FOR SEVENTEEN DRAINAGE AND SEWER PROJECTS, APPROPRIATING FUNDS AND PROVIDING FOR TEMPORARY LOANS FROM CERTAIN BOND FUNDS TO PROVIDE FOR PAYMENT OF PRELIMINARY ENGINEERING SERVICES IN SAID PROJECTS.

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The Ordinance was explained by Mr. Mel Sueltenfuss who said that it gives the City Manager authority to contract with various engineering firms to work on the 1974 bond issue drainage projects and the three remaining 1970 projects. The contracts will include a liquidated damages clause to encourage completion of the engineering work sooner.

Mrs. Cockrell expressed pleasure that this work is getting started so soon.

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

Mrs. Cockrell said that a project on the south side of the City needs attention in the vicinity of Kellis and Dollarhide Streets. This problem was discussed in Council meeting on October 31st. She asked if engineering might get started on this project so that when funds are available construction could get started.

Mr. Sueltenfuss said that he had met with residents in this area last week and felt that he had found a short range solution which would alleviate flooding in most homes in the area. It can be done with City labor for about \$17,000. This is not the total solution to the problem. In about two weeks he said he could give Council a definite report.

74-55 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, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

AN ORDINANCE 44,602

ACCEPTING THE PROPOSAL OF DR. FRED B. VOGT FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE EMS TELEMETRY SYSTEM.

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AN ORDINANCE 44,603

ACCEPTING THE LOW BID OF UTILITIES CONSOLIDATED, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH THE ELM CREEK SANITARY SEWER EXTENSION AND AUTHORIZING A CONTRACT, APPROPRIATING FUNDS, AND AUTHORIZING PAYMENT FOR THE PROJECT FOR A NET TOTAL OF \$37,656.50.

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AN ORDINANCE 44,604

ACCEPTING THE LOW QUALIFIED BID OF HOUSTON BRIDGE & ENGINEERING CO., INC. IN THE AMOUNT OF \$137,793.00 TO CONSTRUCT YUCCA STREET BRIDGE (OVERPASS); AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT FOR SAID WORK; APPROPRIATING AND AUTHORIZING PAYMENT OF SAID SUM, AND THE SUM OF \$6,889.65 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT.

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74-55 The following Ordinance was read by the Clerk and explained by Mr. Arnold Finch, Assistant Director of Land Acquisition and Right-of-Way, and after consideration, on motion of Dr. San Martin, seconded by Mr. O'Connell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

AN ORDINANCE 44,605

APPROPRIATING THE SUM OF \$9,719.00 OUT OF VARIOUS FUNDS, FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS, AND EASEMENTS OVER CERTAIN LANDS; AND ACCEPTING THE DEDICATION OF EASEMENTS OVER CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

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74-55 The Clerk read the following Ordinance:

AN ORDINANCE 44,606

AMENDING THE CITY CODE SO AS TO PROHIBIT PRIVATE AMBULANCE COMPANIES FROM PROVIDING EMERGENCY AMBULANCE SERVICE WITHIN THE CITY EXCEPT UNDER CERTAIN SPECIFIED CONDITIONS, DEFINING TERMS, AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200.00 FOR VIOLATION HEREOF.

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The following conversation took place:

MRS. LILA COCKRELL: This item has been presented to the Council at a "B" session. Are there any questions or comments further?

DR. JOSE SAN MARTIN: Yes, Mrs. Cockrell, who is going to handle this at the staff level?

ASST. CITY ATTORNEY LUIS GARCIA: I will handle that, Doctor.

DR. SAN MARTIN: When we discussed this at the "B" session, I raised the possibility that the City would make its training facilities available to private enterprise for a fee to cover the cost in order not to discourage private enterprise but to be fair to everybody. Do you have a report on that, Luis?

ASST. CITY ATTORNEY GARCIA: Mr. Madison will have a report.

MR. JOE MADISON: This request that was received from the private ambulance companies was presented to the Emergency Medical Council. I talked to Doctor Williamson on this Tuesday, and he said that they would have us a report on this some time this week. I haven't received it as of this morning. It was his feeling, if I may, at the time that I talked to him that they would not recommend that this be allowed, particularly on this next class. I think there are 30 firemen that are going to be in the next class. They felt that this was all the students that they could handle at that time. Also, they felt that

the State program for ambulance technicians would be sufficient for that operation that is available to them.

DR. JOSE SAN MARTIN: Let me ask you, at the regional level through AACOG, other areas are going into the same program. Will they have to set up their own training facilities or are we making them available to our facility here?

MR. MADISON: Doctor, I don't know. I would think that if it is a governmental agency, that something could probably be worked out. But this has not been discussed.

DR. SAN MARTIN: This, specified conditions, where do we have the explanation to this? What are the other certain specified conditions? Just what do they mean?

MRS. COCKRELL: In the caption.

DR. SAN MARTIN: I don't have any explanation.

ASST. CITY ATTORNEY GARCIA: I think that covers the exceptions to the preamble of the Ordinance. The other specified conditions are, of course, the regular transfer of patients, whenever they are called first, you know, for service. It will get clearance. This Ordinance will only apply when EMS is called first, really.

DR. SAN MARTIN: I find myself at a loss because I don't have these explanations. I looked for it last night and they just weren't there and I hate to pass on anything, Mrs. Cockrell, that I don't have all the explanations.

MRS. COCKRELL: Yes, this was given, I think, at the "B" session last week. Yes, I think so.

ASST. CITY ATTORNEY GARCIA: Yes, let me go ahead and read - we have them as affirmative defenses and they read as follows. These are the only specified conditions. "It is an affirmative defense to prosecution that the site of the emergency is outside of the area served by the City Emergency Medical Service System and the emergency ambulance is operating on City streets only for the purpose of transporting victims to a medical facility." That is one of the specified conditions. The other one is - "it is an affirmative defense to prosecution that the driver of such an ambulance is operating the same pursuant to a contract for maintaining an ambulance at a particular location or event for the purpose of transporting sick or injured persons for medical or hospital treatment." And the last one - "it is an affirmative defense to prosecution the site if an emergency is inside the area served by the City Emergency Medical Services System but permission has been received from the EMS dispatcher to make such emergency run. Upon receipt of a request to make such an emergency run, the dispatcher shall grant such permission if no other ambulance, public or private, has been previously dispatched to the emergency scene." Those are the other.....

MRS. COCKRELL: All right. Are there any other questions? Yes, Councilman Padilla.

MR. ALVIN PADILLA: Mr. Garcia, I've been thinking about this since last week and I feel, speaking for myself, that when Mr. Simms and the people from the private ambulance companies came here that the entire

truth, as it were, was not conveyed to them. Now, again speaking as an individual, you see, my concern with EMS has been that we institute this service and that we provide it for the citizen primarily as a humanitarian service, one that would result in a great improvement in the chances, as it were, of the accident victim or the trauma victim to survive, to have the very best chance to get a speedy recovery. We were attempting in my mind at least, among other things and probably primarily to upgrade the service in terms of quality.

Now what I'm leading up to is, would it be legal, do we have the power if we chose to do so, to say we provide this service just as we provide fire service? We don't have private fire engines running to a fire when we have a fire. We don't have private police officers running to the scene of an accident when we have an accident and we need a police officer. So, does the City have the police power if it should decide to do this, to do this because in my mind, you see, while I would definitely deny that it is my intent to put any private ambulance out of business, that's not my intent, but it is my intent to maintain a high quality of emergency medical service. If the City is subsidizing this service by some million dollars a year, more or less, I cannot understand how private companies, even if they have their technicians trained and I'm not critical of private companies, I understand that they were getting \$8.00 a run from the City and you cannot possibly provide the kind of service for \$8.00 that we're providing. So, we're either going to be in a position if we open the door for private ambulance companies to make these runs, we're going to have to accept either less quality in terms of the service they render or we're going to have to permit them to charge a lot more than the City charges or we're going to subsidize them. I see no reason while I don't want to do anything that is counter to private enterprise, I see no reason why the City should have to subsidize private enterprise so that it can compete with a system that belongs to the City that's already being subsidized. You see, so it's this kind of situation.

Now, we can call this ordinance anything we want but the idea of EMS is one, to upgrade the service - to provide the very best of quality and as an incidental type of thing, at least in my own mind, you don't want everybody's ambulance running out there and picking up people again for two reasons; one, they can't provide them the service that we think is necessary to give them the best chance at recovery; two, we're already subsidizing our own system. We don't want to have our system making dry runs out there and two wasn't mentioned last week, you know, because we don't want to do anything counter to private enterprise. But does this Council have the power - getting back to the question - to say that Emergency Medical Service is going to be provided by the City as the only service just like fire, everybody's fire trucks don't run to the fire to operate on a street, it's the City fire trucks.

ASST. CITY ATTORNEY GARCIA: Yes, sir, we do have the power with this ordinance.

MR. PADILLA: This ordinance does do that in effect?

ASST. CITY ATTORNEY GARCIA: Yes, sir. In effect, well, it doesn't really do all of that.

MR. PADILLA: It doesn't say that.

ASST. CITY ATTORNEY GARCIA: It doesn't do all of that, no, sir. It still leaves the freedom of choice to the individual who wants to call the private ambulance for service but not for emergency. Even in an emergency, they could call - if they call the private ambulance, they can make the runs.

CITY MANAGER SAM GRANATA: (Inaudible).

ASST. CITY ATTORNEY GARCIA: But we do have the power.

MRS. COCKRELL: To summarize, in other words, under this ordinance, the private ambulance companies could, number one, make all of the transfer trips that they currently make where it's not under an emergency running condition. They could, second, get permission. They would have to call in to get permission to make an emergency type run if they were called in preference to the EMS service by the patients or whoever is calling for the patient and then, third, they can make calls outside the area served by EMS. So the private company has those three commissions.

ASST. CITY ATTORNEY GARCIA: Incidentally, this is the method by which they are supposed to be operating right now. From my investigation of this matter, this is essentially what they tell me that they're doing right now. The only thing that we're doing by this ordinance is really setting it up in a proper form so that everything will be clarified. The ordinance as it reads right now calls for a clearance from the police dispatcher which is not needed now because we have an EMS dispatcher who controls all the ambulance service in the EMS area.

MRS. COCKRELL: All right. Thank you. Any other questions?

CITY MANAGER GRANATA: One other thing, the City will in no way subsidize the private ambulances. We were doing that when they were doing the EMS service when we did not have one. But they are not now under contract to us.

MR. PADILLA: I understand. What I said, Sam, was that to render the same type of service in terms of quality that we're rendering, they're going to have to charge a whole lot more than we charge or at least as much as we charge or they're going to go broke which means that if they're not going to go broke we're going to have to subsidize them, I know we're not doing it now.

DR. SAN MARTIN: So move.

MRS. COCKRELL: There's a motion. Is there a second?

MR. PADILLA: Second.

MRS. COCKRELL: Those in favor say aye. Opposed - no. Motion carries.

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

74-55 The following Ordinance was read by the Clerk and explained by Mr. Jim Parker, Assistant City Attorney, and after consideration, on motion of Dr. San Martin, seconded by Mr. O'Connell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

AN ORDINANCE 44,607

APPROPRIATING FIVE HUNDRED SEVENTY TWO AND 50/100 (\$572.50) DOLLARS OUT OF DRAINAGE IMPROVEMENT BONDS, 1970, FUND NO. 409-01, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE

ORDER OF VARIOUS DEFENDANTS IN SATIS-
FACTION OF THE AWARD OF SPECIAL COM-
MISSIONERS IN CONDEMNATION CAUSE NO.
C-1138 FOR THE ACQUISITION OR REAL
PROPERTY NEEDED IN CONNECTION WITH STORM
DRAINAGE PROJECT NO. 83-X (SIX MILE CREEK).

* * * *

74-55 The Clerk read the following Ordinance:

AN ORDINANCE 44,608

ESTABLISHING A FIFTEEN (15) MEMBER SAN
ANTONIO CONVENTION AND VISITORS COMMISSION;
DEFINING THE DUTIES OF THE COMMISSION,
APPOINTING MEMBERS; AND ABOLISHING THE
PRESENT CONVENTION AND VISITORS BUREAU
ADVISORY COMMITTEE.

* * * *

I. San Antonio Hotel Association

A. Terms expiring November 30, 1975:

1. James Delaney, El Tropicano Hotel, 100 Lexington
2. Art Abbott, Menger Hotel, 204 Alamo Plaza

B. Term expiring November 30, 1976:

Blake Sweatt, La Mansion Hotel, 112 College

C. Term expiring November 30, 1977:

William Ochse, St. Anthony Hotel, 300 E. Travis

II. San Antonio Motel Association

A. Terms expiring November 30, 1975:

1. John Boswell, Holiday Inns of San Antonio, 318 Durango
2. Ralph Erhlich, Courthouse Travelodge, 100 Villita

B. Term expiring November 30, 1976:

Rudy Haberman, Oak Hills Motor Inn, 7229 Wurzbach (78229)

C. Term expiring November 30, 1977:

Roy Wheeler, La Quinta Motel, 333 N. E. Loop 410

III. San Antonio Restaurant Association

Arne Klendshoj, 1205 Nogalitos, for term ending November 30, 1975

IV. Paseo Del Rio Association

Arthur Veltman, Jr., for term ending November 30, 1975

V. Downtown, Inc.

James L. Hayne, Catto & Catto Ins., 110 E. Crockett, for term
ending November 30, 1975.

VI. Airlines

Roy T. Barnes, Braniff International, 1144 North Star Mall (78216)
for term ending November 30, 1975

VII. General Community

A. Terms expiring November 30, 1975:

1. Pam Wilkinson, 3006 Briarfield Drive
2. Alfred Beckmann, 600 Lone Star Boulevard
3. Aloyce Scott, 803 Sewanee

* * * *

After the reading of the ordinance, Dr. San Martin asked that letters be written to persons who have been serving on the Commission and are not going to be serving any longer advising them that restructuring of this Commission has become necessary in order to expedite its work in order to accomplish its goals, that we appreciate the service that they have rendered, and that it was necessary to restructure it into a smaller group. For that reason, some of the members were not being re-appointed.

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

74-55 The following Ordinances were read by the Clerk and explained by Mr. Carl White, Director of Finance, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

AN ORDINANCE 44,609

AMENDING THE CURRENT BUDGET BY APPROPRIATING \$155,125.00 FROM THE GENERAL FUND AND AUTHORIZING TRANSFER THEREOF TO THE CONVENTION AND VISITORS BUREAU BUDGET, AND AUTHORIZING ONE ADDITIONAL PERSONNEL POSITION.

* * * *

AN ORDINANCE 44,610

AUTHORIZING THE EXECUTION OF AN INSURANCE CONTRACT BY THE CITY OF SAN ANTONIO WITH THE PAN AMERICAN FIRE & CASUALTY COMPANY FOR HULL INSURANCE, SINGLE LIMIT BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE IN THE AMOUNT OF \$5,000,000.00, AND MEDICAL PAYMENTS INSURANCE IN THE AMOUNT OF \$5,000.00 PER PERSON, COVERING POLICE DEPARTMENT HELICOPTERS, AND AUTHORIZING THE PAYMENT OF A PREMIUM IN THE SUM OF \$8,619.00.

* * * *

74-55 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: Cockrell, San Martin, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

AN ORDINANCE 44,611

ACCEPTING THE LOW QUALIFIED BIDS OF SOUTHWEST NIPPLE COMPANY AND OF DIAMOND FENCE COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH GALVANIZED STEEL PIPE AND COUPLINGS FOR A TOTAL OF \$5,040.53, APPROPRIATING AND AUTHORIZING PAYMENT OF SAID AMOUNT.

* * * *

AN ORDINANCE 44,612

ACCEPTING THE LOW QUALIFIED BID OF BECKWITH ELECTRONIC ENGINEERING COMPANY TO PROVIDE MAINTENANCE OF THE PUBLIC ADDRESS SYSTEM AT INTERNATIONAL AIRPORT FOR A TWO YEAR PERIOD AT A PRICE OF \$190.00 PER MONTH.

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AN ORDINANCE 44,613

AUTHORIZING THE PURCHASE OF 16MM SOUND FILMS FOR THE SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$48,562.85.

* * * *

AN ORDINANCE 44,614

ACCEPTING THE LOW QUALIFIED BIDS OF O. M. SCOTT & SONS COMPANY, CHEMICAL & TURF SPECIALTY CO. AND B. L. HENDERSON & SONS, INC., TO FURNISH THE CITY WITH FERTILIZER FOR A NEW TOTAL OF \$31,624.00; AND AUTHORIZING PAYMENT TO SAID COMPANIES.

* * * *

74-55 The Clerk read the following Ordinance:

AN ORDINANCE 44,615

PROVIDING RULES AND REGULATIONS FOR THE PURCHASE OF MATERIALS, SUPPLIES AND SERVICES EXCEPTING PROFESSIONAL SERVICES AND PROVIDING FOR EMERGENCY PURCHASES; AND REPEALING ORDINANCE NO. 39078.

* * * *

The Ordinance was explained by Mr. John Brooks, Director of Purchasing, who said that it updates purchasing rules and regulations in accordance with state laws and as passed last week in the Charter Revision election. It raises to \$3000 the amount of purchases that

can be made by the Purchasing Department without going through formal bidding procedure and referring to the Council. It also raised the limit on petty cash purchases to \$25.00 from \$10.00.

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

74-55 The Clerk read the following Ordinance:

AN ORDINANCE 44,616

GRANTING PERMISSION TO THE EDGEWOOD HIGH SCHOOL STUDENT BODY TO CONDUCT A BONFIRE ON SCHOOL GROUNDS FACING LANCE STREET AT 7:00 P. M., THURSDAY, NOVEMBER 14, 1974, UNDER THE SUPERVISION OF THE FIRE DEPARTMENT.

* * * *

Fire Chief I. O. Martinez said that the Fire Department has suggested a different site for this bonfire because of a possible hazard on the school grounds. The bonfire will be on Joe Blank Street and N. W. 38th Street instead of the school grounds. A fire truck will be on standby. He recommended adoption of the ordinance.

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

74-55 The Clerk read the following Ordinance:

AN ORDINANCE 44,617

APPROPRIATING THREE HUNDRED EIGHT THOUSAND ONE HUNDRED FIFTY SIX AND 50/100 (\$308,156.50) DOLLARS OUT OF HIGHWAY LAND AND RIGHT OF WAY BONDS, 1970, FUND NO. 409-09, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF DEFENDANTS IN SATISFACTION OF THE AWARD OF SPECIAL COMMISSIONERS IN CONDEMNATION CAUSE NO. C-1146 FOR THE ACQUISITION OF REAL PROPERTY NEEDED IN CONNECTION WITH U. S. 281 NORTH BETWEEN LOOP 410 AND BITTERS ROAD; APPROPRIATING \$48,532.33 IN 1961 NORTH EXPRESSWAY BONDS, AND TRANSFERRING THAT AMOUNT TO THE 1970 HIGHWAY LAND AND RIGHT OF WAY BOND FUND NO. 409-09; AND AUTHORIZING A TEMPORARY LOAN IN THE AMOUNT OF \$308,000.00 TO THE 1970 HIGHWAY LAND AND RIGHT OF WAY BOND FUND FROM THE 1970 STREET IMPROVEMENT BONDS, FUND NO. 409-02.

* * * *

The ordinance was explained by Assistant City Attorney Jim Parker who said that condemnation commissioners had made an award last Tuesday of \$307,750.00 for the taking of a 6.14 acre tract fronting on Jones Maltsberger Road. This is the last parcel of property required for the North Expressway north of Loop 410 and will allow the Highway Department to award bids for construction in December as planned.

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

74-55 Mrs. Cockrell asked that Item 5 of the agenda be read and announced that Mrs. Gilbert Gallego and a group from her neighborhood were present.

The Clerk read the following Ordinance:

AN ORDINANCE 44,618

DECLARING THAT THE STRUCTURE ON THE PREMISES AT 217 NUNES IS A "DANGEROUS BUILDING" AND PRESENTS AN IMMEDIATE DANGER TO THE LIFE OR SAFETY OF INDIVIDUALS WHO COME INTO CONTACT WITH IT; AUTHORIZING AND DIRECTING THE DIRECTOR OF BUILDING AND PLANNING ADMINISTRATION TO CAUSE THE IMMEDIATE DEMOLITION OF SAID STRUCTURE.

* * * *

Mrs. Cockrell recognized Mrs. Gallego.

Mrs. Gallego said that she had met with Mrs. Cockrell and Dr. San Martin, who were both very familiar with the problem of this dilapidated structure in her neighborhood. She thanked the Council on behalf of herself and her neighbors for passing this ordinance.

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

Mr. George Vann said that he would have a crew on this job Monday morning, weather permitting.

74-55

CITIZENS TO BE HEARD

LABOR DISPUTE - S. A. TRANSIT SYSTEM

The following conversation took place:

MR. ROBERT THOMPSON: Mayor Pro-Tem Cockrell and Council members, and distinguished guests for today. I'm Robert Thompson, President and Business Agent of the Amalgamated Transit Union, Local Division 694. Yesterday, a decision by the City Council of San Antonio made the employees of the San Antonio Transit System the lowest class employees of this City. After our union met with management of the San Antonio Transit System for over one month discussing wages and

working conditions, City Council comes forward to dictate to the Transit Board and Management that they are only to give us a six and a quarter percent increase in wages and this is after the Transit System had offered to the union, to that point in our talks, a twelve and one-half percent increase in wages to all employees.

The Transit Board of Trustees is supposed to operate the San Antonio Transit System under the present City setup. They, better than anyone, know of their employees, know their needs and what they justly deserve. Just this past year, the bus operators were cited as being the safest in the United States and Canada in our class, and the maintenance employees were cited at the same time for the 32nd consecutive year for maintenance efficiency. This even goes further in that this past year City officials appointed Transit maintenance personnel to oversee and direct maintenance operations for the entire City of San Antonio. This speaks just briefly on the personnel of the San Antonio Transit System from the lowest to the top officials.

City Council comes in and within a matter of hours has completely torn apart the personnel with the decision made yesterday afternoon. If the City Council of the City of San Antonio decides now it will run the System and tell the personnel that they can only receive what other City employees have received, they have a short memory. Just last month they approved a six percent pay increase for all classified City employees plus a longevity pay of five percent for all personnel with over ten years of service with the City. Where is our longevity pay? City employees receive a night differential pay. Where is ours? City employees get their sick leave on the first day of illness. Where is it for us? City employees also receive more holidays each year. Will we also get them now? The Transit employees asked for too large a salary increase - no. Not when it is compared to what police and firemen receive in pay increases this past year, as well as our own City employees and the City Public Service Board. The City Council will now have to answer to our bus passengers. Thank you, Mrs. Cockrell.

MAYOR PRO-TEM LILA COCKRELL: Thank you, sir. On behalf of the City Council, I'll be happy to make at least a partial reply to you, sir, and then any member of the Council who would like to, certainly has the opportunity to speak.

First of all, let me say to you and to all our employees of this City whether they are employees of the Transit System, City Public Service Board, the City Water Board, or the City of San Antonio, I know that as a City Council we are very proud of the employees that we have in our City. We feel that we have outstanding employees, and I know that it is the desire of the City Council to see that all are recognized as much as possibly can be commensurate with the ability of the City to pay.

Now, I'd like to mention first that up until August the 1st of 1973, our Transit System, which is one of the best managed that we know of in this country, had been able to do what most other transit companies have not been able to do, and that was to operate in the black up until August the 1st of 1973. At that time, they came to the City in the months of revenue sharing budget time, pointing out that they were now moving into the red, and would have to have a City subsidy in order to make ends meet. The City Council in July of 1973, approved out of the revenue sharing budget of that period, \$358,665 as an initial subsidy grant out of the general revenue sharing fund.

November 14, 1974

-19-

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In May of 1974, an additional grant of \$450,000 was approved, making a total for the 1973-74 year of \$808,665 in revenue sharing funds made available to the Transit Company. In July of 1974, we were considering the new revenue sharing budget and \$1,660,028 was approved in a higher subsidy this year. Thus far in the two years, \$1,874,693 was approved in the two budgets for revenue sharing funds to be made available to the Transit Company.

The additional subsidy that is requested and is pending before this City which would not take into account any wage agreements that were entered into at this time, is an additional \$672,000 which request has already been given to the City. Now, in order to pay for a 6 1/4 percent increase an additional subsidy of \$400,000 is needed at this time so that those two pending requests would amount to \$1,072,000 in requests that would be needed to pay the operating subsidy and the 6 1/4 percent increase that is now under discussion. Now, in order to fund a 6 1/4 percent increase without the subsidy that is mentioned, the \$400,000 subsidy, a fare increase would have to be made of 30 cents for an adult or 15 cents for a child. It's my understanding that it is the desire of this City Council that we not pass any fare increases at this time. This being the case, it would mean the alternative that the City must provide a \$400,000 subsidy.

At the point when it becomes necessary for the City Council to authorize subsidies for funding of pay increases in the Transit Company at that point it becomes necessary for the Council to relate to those matters that are under consideration. You raised the question of why the Council would have any relationship to this, and certainly up into August 1, 1973, when the Transit Company was able, fortunately, to operate in the black, for the most part all discussions about wages and operating budget were handled by the Transit Company. The point at which it is necessary for the City Council to have any relationship is, of course, in the matter of the subsidy, as it relates to our overall City budget.

We have been also furnished with these figures which I would like to share with you and which obviously must be taken into account by the City. The City of San Antonio has made these wage adjustments from February 1973 through the present. In August of 1973, a five percent raise was given police, fire and hourly employees. In February, of 1974, a five percent across-the-board raise was given. In October of 1974, a six percent across-the-board wage was given, making a total increase of 16 percent. Now you did mention the longevity and I would like to ask the City Manager for clarification as to what percentage of our employees do get a longevity pay differential in addition to these base salary increases.

CITY MANAGER SAM GRANATA: With the adjustments that you just approved there was a longevity increase for approximately 400 out of 3500 employees because it does not include the fire and police who have had longevity all along with State legislation.

MRS. COCKRELL: So, there would be some, at least some additional percentage over and above the 16 percent.

CITY MANAGER GRANATA: That's correct. It's five percent as the gentleman stated.

MRS. COCKRELL: Now the City Public Service Board during that same time in April of 1973 had a 5.5 percent, April of 1974, a 6.5 percent, October of 1974, 4.0 percent, making a total of 16 percent. The City

Water Board in February of 1973 had 5.5 percent, in October of 1973, 5.5 percent, April 1974, a 4.0 percent and October of 1974, a 6.5 percent, making a total increase in the Water Board of 21.5 percent. The San Antonio Transit System in November 1973, had a 9.09 percent, in May of 1974 had a 4.17 percent, in August of 1974, had a 6.67 percent for a total increase of 19.93 percent and add to that the November 1974 offer which has been reported of 6.25 percent, would make the total to date of 26.18 percent.

Now the City Council obviously is concerned about all of our employees. We know that in considering figures that there are none of our City employees who are paid as high as the employees in Dallas and in Houston. This is true for bus operators. It is true for nearly every category of our municipal employees. We regret very much that this is so. The City of San Antonio has budgetary problems where our total budget and our total ability to pay unfortunately is less than these other cities. We also have a City where the consumer on an average is less able to pay. The City of Houston, for example, has an adult cash fare for their base rate of 45 cents. The City of Dallas has a 35 cent base rate for the tickets there. And in San Antonio it is 25 cents. Now, of course, it could be said that we could generate additional revenue by raising that 25 cents to 35 cents or 45 cents and yet I know that you all share our concern about the fact that many of our bus riders are persons who are dependent upon bus transportation and who themselves cannot afford to pay more. It's a difficult situation and I know that the Council wants you all to know that we appreciate the cost of living problems that our employees are facing. We at this point simply are sharing with you our problem as a City government in relating to the overall needs of our City and in trying to be fair with all of our employees.

If there are any other members of the Council who would have comment at this time, obviously we can't enter into any detailed conversation and I'm sure you wouldn't want it about wages in terms of what may be under discussion at the present time, but just in looking at the overall problems of the City and in trying to be fair with all of our employees certainly we know that what we have paid up to date is not the final answer. It's not the final answer for any of our employees. With the way inflation is going and the state of the economy, these are things that do have to be reviewed. And we face up to this. But we do have to be fair and equitable with all of our categories of employees. Yes, Dr. San Martin.

DR. JOSE SAN MARTIN: Mrs. Cockrell, I'd like to make the following comments which very much follow the comments that I made yesterday when we had a meeting with City Transit officials. First of all, we all expressed our displeasure that members of the Transit System did not come to the City Council with more time than they actually did. Forty-eight hours or twenty-four hours before the deadline is not enough time to give to these matters. I'd like to ask Mr. Granata and these are some of the questions I asked yesterday. Here in this report we see where the City and the City Public Service Board have granted increases of 16 percent whereas the City Water Board has granted 21 1/2 percent. What was not discussed yesterday and what needs to be discussed, also with respect to the probable increase of the Transit System to 26 percent is how much of an increase was made since last year's just to catch up? In other words, the City Public Service Board has always been ahead of the other groups. So, perhaps it took the Water Board 21 1/2 percent just to catch up with the Public Service Board.

CITY MANAGER GRANATA: Sir, I can't answer that. It may not be that they even caught up with that. I'm not sure.

November 14, 1974

-21-

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DR. SAN MARTIN: Well, all right. So, we are judging a group of employees and telling them, well, look here you people, you already 21 1/2 percent but what we're not saying is that it took 21 1/2 percent just to start catching up with what City Public Service Board and City employees have been getting. In paper - on paper it looks very good that CPS and the City only have 16 and the City Water Board has 21 1/2%. It makes the employees of the Water Board look like they're getting more than the other, and in reality, they may not ever be up to the level that we have for the other.....

CITY MANAGER GRANATA: An additional eight percent request was made of them yesterday.

DR. SAN MARTIN: Well, that's not the point. I mean the point I'm trying to make, Mr. Granata, is that this needs to be determined. Now, I'm also going to ask the same thing of the Transit System with this 26.18 percent, catch up in line more or less with comparable salaries in the other two groups, and that was not determined. I'm not blaming you, Sam, because you just didn't have the time.

CITY MANAGER GRANATA: I was surprised to hear that they've been negotiating for 30 days, and this we heard.....

DR. SAN MARTIN: Well, I knew that they were negotiating but I think they should have come to us ten days ago and told us what they were doing.

CITY MANAGER GRANATA: I agree.

DR. SAN MARTIN: Because at this point some of these figures may be misleading, and these are my concerns. Another area, Mrs. Cockrell, that I brought up yesterday and I think it should be brought out is that we were successful by moral pressures, so to speak, and through your leadership, that salaries of the high ranking members of CPS were cut back some. But, what really can we do if the City Public Service Board would increase the 16 percent to 20 percent. I mean all we can do since we don't give them the money in a way the way we give the Transit System actual cash subsidies, how could we possibly hold the line? But the main items I'd like Mr. Granata to address himself to is the two items of the Water Board, the Transit System and see that even with those increases, they are still below the comparable wage level of the City and the City Public Service Board.

MRS. COCKRELL: Do you have any comments on that, Mr. Granata?

CITY MANAGER GRANATA: I'll just have to take time to do it. I'm hoping that maybe something comes out that maybe will give us - I'll try to give any answers to any questions you might have. I hope that the fellows don't stay out that long till we get all the answers, but I'll do my best. Had I been aware of all of this, we would have answers today.

DR. SAN MARTIN: That, of course, Mrs. Cockrell, would have to include the differential in holidays and other benefits, Mr. Granata, because if we give the City nine holidays and they only give seven or eight, well, that has to be taken into consideration.

CITY MANAGER GRANATA: As you know, the Mayor's Interagency Committee is working on that and it's quite - all the personnel directors are on it, and it's very....I won't be able - it may take two or three weeks to get everything that you're asking together because it's been a while, and I hope they don't stay out that long.

DR. SAN MARTIN: Well, the thing, Mr. Granata, is that if we're going to apply a certain yard stick to all City employees, let's be sure that we measure them with the same yard stick.

CITY MANAGER GRANATA: Yes, sir, that's our goal, that's what we're trying to get everybody towards and, unfortunately, we haven't been able to. Everybody's on a different calendar year, budget year, and it's quite some problem, but this is what we're working towards, but we will not be able to solve it in one or two days.

MRS. COCKRELL: Mr. Padilla.

MR. PADILLA: I just want to make a couple of statements to you, Mr. Thompson and Mr. Granata. There are pluses and minuses in the various systems and agencies. I simply wanted to reiterate what Mrs. Cockrell, I think, and Dr. San Martin has said so well and that is that it must of necessity be the Council's business as far as Transit is concerned because they are depending on a City's subsidy to meet their expenses which they are not currently meeting were we not to subsidize them. The other is that in the interest of consistency, I don't know whether you are aware of it or not, Mr. Thompson, but last year the City Council also entered into the package that was finally accepted by you. At that time it was a good package. I say that because you accepted it so I assumed that it met with your approval...your membership. In the interest of consistency, this Council has not just barged in. Though I could not because of circumstances attend the meeting yesterday so I'm not speaking for or against the decision made. I'm speaking to the point that you raised that this City Council is trying to run the Transit Authority. I don't think that's the case, but it is the case that those people have got to have money from this City Council to meet whatever settlement is reached and I'd like to remind you simply, in case you didn't know it, that this was done last year and apparently with approval of your membership because they did approve the contract. So we're not - I'm trying to assure you that we're not trying to run over there and tell the Transit Board how to run the Transit Board, but it is a situation that of necessity requires that we furnish the money for the settlement whatever it be when it's finally reached...and this has been going on for two years. We regret it - we wish they had a whole basket of money over there and they could just make a settlement with you, a fair and just settlement, something good for everybody. We would stay out of it. We don't really like these problems any more than you do.

MR. THOMPSON: May I make a comment?

MRS. COCKRELL: Yes sir, go right ahead, Mr. Thompson.

MR. THOMPSON: You state that the City Council has not barged into this. At 3:30 yesterday afternoon we had a fifty cent an hour increase to top operators, which was a 12½% increase. At 4:30, it was down to twenty-five cents, this City Council barged in and took twenty-five cents an hour away from us.

MR. PADILLA: No, Mr. Thompson, what happened was that the Transit Board had to come here and say, if we agreed to pay those people 50 cents an hour more, will you furnish the money? We've got to face reality here, too, so as I say I was not here because of other circumstances, I didn't participate in the decision, but I'm not criticizing it or defending it either way. I'm simply reminding you that the City Council did not barge in. The Transit Board had to come here because here is where they have to come to get the money to make any settlement, whatever it is, you see, so the Council didn't run over there and break the door down and include itself in the discussion. Those people came here. There's a difference.

MR. THOMPSON: On subsidization, bus operators are tired of subsidizing, cheap bus fare. If you want to hold the rate, I know the problem in this area, you want to hold 25 cents, then if the City wants to hold it, then the City is going to have to make up the difference. Either that or we're accepting cheap wages to offset the cheap bus fare and the bus drivers, the bus operators have had it on that.

MR. PADILLA: This has been discussed. I don't blame you for your attitude that you shouldn't be subsidizing the ridership. I can understand your position there. We have discussed the matter of possibly raising the rates. People who are again authorities on transit of this type tell us that you reach a point of diminishing returns. It will not do any good and they feel that this would be the case, that if we raise the fare a nickel or a dime, we would lose a proportionate or greater ridership so that the resulting gross amount you might say that the fare about generates would be the same or less. In which case, if that be true, then it wouldn't serve the purpose, you see, to raise the fare. And that's what they tell us, they've told us that several times, Mr. Thompson.

MR. THOMPSON: I understand that but, you know, the money has to come from somewhere as....

MR. PADILLA: But how would we get it if it doesn't result in an increase?

MRS. COCKRELL: May I just add one other comment if I may. My understanding of what you have been speaking of the offer that you had up till 3:30, let's say, yesterday, was not a one-time raise. Isn't that correct? Wasn't it a graduated situation?

MR. THOMPSON: Yes, madam.

MRS. COCKRELL: Yes, and I think that the City Council's position, if you might call it that, did concur with at least the first part of that and then with the idea that as City employees were all reconsidered at various times in the future that certainly the door would be open again for Transit employees and I think that this - we certainly don't want to give the impression that this is the end of any future consideration, but it's just that I think all of us realize that our economy right now on a national level, state level, and a local level is very uncertain and unsettled and it's a little difficult for us to predict what the economy is going to be six, eight, or 10 months from now and that is the part of it I think that the Council is reluctant to project.

MR. W. J. O'CONNELL: You have said, basically, what I was going to mention to you that though the subsidies are getting larger by the minute, we don't want to do something. If it is true that we're going to raise rates and lose riders you're going to be in the same position because we're going to have more subsidies again. The drivers in Fort Worth and Austin and the rest of the towns can't be a whole lot unlike San Antonio. Frankly, I don't know about you, but I'd rather live in San Antonio than I would Dallas anyhow. I know that maybe we're comparing your salaries in Dallas, maybe we should be looking at your Fort Worth which is \$3.25 or Austin - \$3.25. I don't want to do it that way, but I'm saying maybe the sights are a little bit too high, but we're not turning this thing off. The Council yesterday said we heard about, we were alarmed because money is hard to come by. This town is really just starting to feel some unemployment and it's going to be worse. I can speak firsthand to that, but we're not closing the door. We're just saying that what we heard yesterday and all the things we talked about and it wasn't done slipshoddedly, it wasn't done just as a matter of heck with it, here we go, the Council deliberated long and strong in this. We were briefed and we didn't run over there to knock the props out from under anything that you had going, Mr. Thompson, but we're going to have to be - we have to watch ourselves. We do not want to get into an area where if we have to follow Dallas, when it's not really the thing to do. It may not be the thing to do, but if we say, okay, your first step was six and one quarter, that's \$400,000, that plus a million eight and another \$672,000, that's a lot of money for the folks of this town that have to eat and somebody has to pay for it. The bus drivers - bus riders evidently are not going to and the position of the Council was, we can't afford to raise rates now to the people riding buses when even the employment itself is coming down, the jobs are being more scarce, gasoline is going up and so forth. We had to hold that rate. If you can wait - if you can go ahead and take your six and a quarter now, which will give you a pretty fair shake in the year in this particular time element, that will bring you up to 26 percent and considering about 11 already - 1974 already had 11 and you go out and get 6½ more, I don't think you're going to be one of the people that's hurt as much as some others. Then we'll take a look at it. We'll take a look at it and everything that's going to be looked at. We won't forget you because there's other people knocking on the door daily and I'm sure you would be, too, if you took this thing 6½ as the bus drivers had to take it, I'm sure you would be back and you'd be back after the first year, the first, second, third, fourth month coming back and saying, hey, where's the rest of it. But I think right now, we've got to pull - we've got to hold the line some place. I don't think you're being hurt that much.

MR. THOMPSON: Well, just to comment on that. The pay increase that was granted this year that we got in May and August was worked out on the previous working agreement - the 14th of November, 1973. Now they couldn't give us 70 cents right away, it had to be divided down. Now we're working backwards, we're always working backwards, so that increase we had to do without it even though it was supposed to be for the year before. So you

talk about we got these increases, but that was for the year before. This year alone is 6¼ percent in our eyes. By the same token, why do we want wages equal to Dallas or Houston? As I read and read to you as bus operators we're the best and we feel better than Dallas and Houston. We feel that we should make more than either one of them because for the same thing for the maintenance personnel 32 continuous years of maintenance efficiency. Now the people out there are highly trained, highly skilled and it reflects on the record and the achievements they have made. I don't believe this has been taken into consideration and you just can't cast us aside.

MRS. COCKRELL: Mr. Thompson, I hope you don't go away feeling that this Council does not appreciate our Transit workers because we certainly do. I can speak from having been at the National Transit meeting and know the high regard that our Transit System has held in the nation. I wish - I wish, too that we could immediately say that they will be the highest paid employees not just in Texas but in the nation, but I hope you will also go away with some understanding of the Council's problem at this particular time. Obviously, this particular open session of the Council is not a proper place to try to negotiate an end to the wage discussions that are taking place. All we can do is to wish you well and urge that you do go back and discuss any further possibility with the Transit Company.

MR. THOMPSON: Well, if the City Council is going to stay out of it so that we can get along with it and not come back in there and yank it out from under our feet like they did yesterday and if they're going to restore the 25 cents to start with, then it can be the only way. I can't see that 6¼ percent is going to do the job, Mrs. Cockrell.

MRS. COCKRELL: I think the Transit Company will have to review whether or not there are any other economics that they can effect in their total budget. They will have to review existing lines. Of course, we don't like to think back and cut-back of service because not only does it mean inconvenience to those served, it also means some employees discontinued. But I think that all of these alternatives will have to be explored in further discussions.

MR. THOMPSON: Well, just one final thing. We are extremely hurt as to what happened yesterday and it's going to take a lot to bring us back to where we were.

MRS. COCKRELL: I see. You're certainly entitled to state your opinion, sir.

MR. O'CONNELL: Mr. Thompson, as you understand, we didn't know about this ahead of time either. I hate to say this, but it hurts us too when people are spending money that they didn't have - that belongs to somebody else.

MR. THOMPSON: I don't know that angle and how much money they have, but this was offered to us in good faith after many meetings with the system and I have stated before, the Transit Board knows its employees and its people. They know what they deserve and it was offered to them. I don't feel the City Council knows us as good as the Transit Board or the management of the system and just to come in and yank 25 cents an hour out from under our feet. It's just no good.....

REVEREND BLACK: Maybe we could put it this way. I think that all of us are concerned, but let us say that they could not pay this out, let's say the City sees it has this amount of money to appropriate in this direction and we would say then, let them take that and negotiate. If you feel that the City is interfering with it is what I'm saying. What we were trying to say is that they were negotiating with money that they did not have and we don't think we ought to be charged with taking it out from under the Transit Company when they had already negotiated something that they did not have. Now I'd rather feel like you'd say to them, all right, the City has made an allocation. Now you take that allocation and turn it into what satisfies the negotiation.

DR. SAN MARTIN: Mrs. Cockrell, if we're ready to conclude this, I'd like to restate two points the one I made that Mr. Granata and Mr. Carl White be asked to immediately address themselves to the remarks that I

made and that I would ask the General Manager of the Transit System and the board chairman to respond to the discussion that we had yesterday as to probable curtailment of some areas which have been traditional losing lines for a long time and I think those two items need to be addressed immediately, Mrs. Cockrell.

MRS. COCKRELL: All right. Fine. Are you not asking for an immediate response, you're asking for them to look into this. Yes, sir. Thank you, Mr. Thompson.

* * * *

74-55

CITIZENS TO BE HEARD (Continued)

MR. HENRY MUNOZ

Mr. Henry Munoz, Business Manager of Local 2399, said that he took exception to the action of the City Council regarding the Transit System's negotiations with its employees. He said that all municipal employees are underpaid and need more consideration. He claimed that the City, CPS, City Water and Transit employees are being played against each other. He said that he felt the City should appoint a coordinator to deal with all negotiations concerning wage increases.

Mrs. Cockrell responded to Mr. Munoz by explaining to him the City's position since the Transit System is operating on a subsidy from the City. She assured Mr. Munoz that the Council is concerned about its employees and is hopeful that the present problem will reach a satisfactory solution.

Mr. Mendoza suggested that the City Manager study the idea of appointing a labor coordinator as Mr. Munoz had suggested.

MR. JUVENTINO ALVARADO

Mr. Juventino Alvarado spoke to the Council in Spanish. He said that as a result of his visit to the Council several weeks ago he has been having conversations with CPSB management concerning his laborers' problems. He wished to thank the Council for being helpful.

MRS. HELEN R. WALTER

Mrs. Helen R. Walter said she wished to challenge the statement made by Mr. O'Connell about the military installation in the San Antonio area. She said that San Antonio is the only City in the United States with 6 military installations and also some 22,000 retired military persons. She cited figures to show the economic effect the military has on local economy.

Mr. O'Connell said that he was stating an opinion about non-taxable organizations and he merely made the observation that the military nationwide, no matter where they may be located, are experiencing higher rates and that San Antonio is not unique in that respect.

CPSB 14% PASS THROUGH CHARGE

Mr. Padilla made reference to a letter received recently from Congressman Henry Gonzalez in which he made a point to the effect that this City Council has delegated its responsibility to set rates. Apparently, he feels that the pass through charge is not a legal type of charge. The Council has been assured by the City Attorney that the matter is being done in an entirely legal manner and is not delegating its responsibility.

Mr. Padilla asked that the City Attorney to review this matter and verify again that the Council is acint properly.

Mr. Padilla also asked that either the City Attorney or City Manager write to Congressman Gonzales and ask him exactly what he means if they are not certain of his meaning.

AGENDA FOR NOVEMBER 21, 1974

Mrs. Cockrell reminded staff that the Council wished two items to be on the agenda next week. One would be the resolution requesting the legislature to act on Governor Briscoe's proposal and the other would be consideration of action in relation to the CPSB pass through charge.

MR. ERVIN CARY

Mr. Ervin Cary, Von Ormy, Texas, again spoke to the Council complaining of the extremely high utility bills. He said that the pass through charge is illegal and constitutes fraud. He asked that something be done about it.

Mrs. Cockrell invited Mr. Cary to be present next week when this matter will be discussed by Council.

MR. PATRICK F. SEMELSBERGER

Mr. Patrick Semelsberger, 5318 Sherry Drive, spokesman for the combined community of Hillside Acres and Mobile Homes Heights, said that he had attended a Community Development meeting and met with Mr. Cipriano Guerra to discuss the needs of his area. He said that their's is a private water system with extremely low pressure, no water for fire protection and the water is below standard. There is also a big need for sanitary sewers. This area was annexed two years ago but no improvements have been made. He asked that the City provide at least minimum services to his people.

Mrs. Cockrell instructed the City Manager to have the staff investigate conditions and see what can be done.

Mr. Granata said that he would report back in two weeks.

MR. ANTHONY GUAJARDO

Mr. Anthony Guajardo, 500 SASA Building, again addressed the Council concerning property which had been taken by the City in a tax foreclosure. Under the City's present policy sale of the property must be advertised and sold to the highest bidder. Mr. Guajardo's client, being the former owner, claimed that he should have a priority since he was the former owner.

Mr. Ted Wagner advised the Council that this matter was discussed at length in "B" Session, October 31st and the Council decided that the policy as set by the Council should be adhered to. After some discussion, Mr. Wagner said that he would notify Mr. Guajardo by mail when the sale of the property is scheduled.

BULLET PROOF VESTS

Police Chief Emil Peters discussed with the Council the idea of purchasing bullet proof vests for use by police officers. This equipment has been available for many years, but has been bulky, cumbersome, and awkward. There have been improvements made in materials and there are

products that are much better. Some of the officers have purchased vests with their own funds. He said that some of the other cities are studying this item and one City has 500 vests on order now.

Chief Peters recommended that he be authorized to purchase 200 to 400 vests now for those officers expressing a wish for them and at the same time watch developments in this field.

After discussion of this matter, the Council concurred with Chief Peters' suggestion and authorized him to purchase bullet proof vests.

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The meeting recessed for lunch at noon and reconvened at 1:30 P. M.
- - -

A. CASE 5790 - to rezone Tract B, NCB 12189, 8300 Block of I. H. 35 Expressway, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located southeast of the cutback between I. H. 35 and Fratt Road, having 35' on the cutback and a frontage of 690' on I. H. 35 Expressway.

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

No one spoke in opposition.

After consideration, Mr. O'Connell made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting 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: Cockrell, San Martin, Lacy, O'Connell, Mendoza; NAYS: None; ABSENT: Becker, Black, Morton, Padilla.

AN ORDINANCE 44,619

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 TRACT B, NCB 12189, 8300 BLOCK OF I. H. 35 EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

B. CASE 5691 - to rezone a 36.7224 acre tract of land out of NCB 11672, being further described by field notes filed in the office of the City Clerk, from "R-3" Multiple Family Residential District to "P-1(R-3)" Planned Unit Development Multiple Family Residential District, being an irregular shaped tract of land, located 1320' northeast of N.W. Military Drive and 2235' northwest of Blanco Road, having a maximum width of 2350' and a maximum length of 1015'.

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

AN ORDINANCE 44620

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 36.7224 ACRE TRACT OF LAND OUT OF NCB 11672, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK,

FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT
TO "P-1(R-3)" PLANNED UNIT DEVELOPMENT MULTIPLE
FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER
REPLATTING IS ACCOMPLISHED.

* * * *

C. CASE 5843 - to rezone Lots P-23 and P-23A, NCB 15862, 11307 Perrin Beitel Road, from Temporary "R-1" Single Family Residential District, to "B-3" Business District; and Lot P-24, NCB 15862, 11307 Perrin Beitel Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District.

The "B-3" zoning being located on the west side of Perrin Beitel Road, being 410' north of the intersection of Perrin Beitel Road and Wye Drive; having 200' on Perrin Beitel Road and a maximum depth of 410'.

The "I-1" zoning being located north of Wye Drive and 230' southwest of Perrin Beitel Road; having a width of 108.3' and a length of 232.6'.

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

AN ORDINANCE 44621

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 P-23 AND P-23A, NCB
15862, 11307 PERRIN BEITEL ROAD, FROM TEMPORARY
"R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3"
BUSINESS DISTRICT; AND LOT P-24, NCB 15862, 11307
PERRIN BEITEL ROAD, FROM TEMPORARY "R-1" SINGLE
FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY
DISTRICT, PROVIDED THAT PROPER REPLATTING IS
ACCOMPLISHED.

* * * *

D. CASE 5786 - to rezone Lot 13, NCB 16185, Lots 3 through 6, NCB 16187, Lots 14 and 15, NCB 16189, Lot 14, NCB 16190, 15000 Block of Eagle Grove Drive, from Temporary "R-1" Single Family Residential District to "R-2" Two Family Residential District, located on the southeast and northwest sides of Eagle Grove Drive, being 160' southwest of the intersection of Eagle Grove Drive and Shadow Cliff, having 285' on the southeast side of Eagle Grove Drive, with a maximum depth of 165' and a total frontage of 580' on the northwest side of Eagle Grove Drive with a maximum depth of 115'.

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

AN ORDINANCE 44622

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 13, NCB 16185, LOTS 3 THROUGH 6, NCB 16187, LOTS 14 AND 15, NCB 16189, LOT 14, NCB 16190, 15000 BLOCK OF EAGLE GROVE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT.

* * * *

E. CASE 5676 - to rezone an 120.77 acre tract of land out of NCB 14865, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-1" Business District; a 17.582 acre tract of land out of NCB 14865, 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; an 11.838 acre tract of land out of NCB 14865 being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

Subject properties are generally located west of Babcock Road between North F.M. 1604 West and Hausman Road; having 608.72' on Babcock Road, 1537.04' on Hausman Road and 1124.48' on North F.M. 1604 West. An overall map showing the above-mentioned described properties is filed in the office of the City Clerk.

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

AN ORDINANCE 44623

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 120.77 ACRE TRACT OF LAND OUT OF NCB 14865, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; A 17.582 ACRE TRACT OF LAND OUT OF NCB 14865, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B - 2" BUSINESS DISTRICT; AN 11.838 ACRE TRACT OF LAND OUT OF NCB 14865, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, BEING FURTHER DESCRIBED BY FIELD NOTES

FILED IN THE OFFICE OF THE CITY CLERK,
PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

F. CASE 5794 - to rezone a 44 acre tract of land out of NCB 10835, being further described by field notes filed in the office of the City Clerk, 4400 Block of Pecan Grove Boulevard, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located west of the Pecan Grove Boulevard cul-de-sac and 460' east of Pecan Valley, having a maximum width of 1150' and a maximum length of 1550'.

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

AN ORDINANCE 44624

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 44 ACRE TRACT OF
LAND OUT OF NCB 10835, BEING FURTHER
DESCRIBED IN THE OFFICE OF THE CITY
CLERK, 4400 BLOCK OF PECAN GROVE
BOULEVARD, FROM "A" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "R-3" MULTIPLE
FAMILY RESIDENTIAL DISTRICT, PROVIDED
THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

G. CASE 5795 - to rezone Lots A-9, A-10, and the east 50' of A-2, NCB 6015, 2100 Block of E. Hildebrand Avenue, from "B" Two Family Residential District to "B-2" Business District, located on the south side of Hildebrand Avenue, being 235.6' east of the intersection of Broadway and Hildebrand Avenue, having 248' on Hildebrand Avenue and a depth of 160.56'.

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. O'Connell made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a 6' solid screen fence is erected on the east property line. Dr. San Martin seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Lacy, O'Connell, Padilla, Mendoza; NAYS: None, ABSENT: Becker, Black, Morton.

AN ORDINANCE 44625

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 A-9, A-10 AND THE EAST 50' OF A-2, NCB 6015, 2100 BLOCK OF EAST HILDEBRAND AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A 6' SOLID SCREEN FENCE IS ERECTED ON THE EAST PROPERTY LINE.

* * * *

H. CASE 5782 - to rezone Lot 58 and the south 355' of Lot 59, NCB 11627, 700 Block of Callaghan Road, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the northwest side of Callaghan Road being 740' southwest of the intersection of Tupelo Lane and Callaghan Road, having 315' on Callaghan Road and a maximum depth of 856.6'.

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, that a 1' non-access easement is imposed on the northwest property line, that a 35' building set back be imposed on the southwest property line adjacent to lots 64, 78 and 79 and that proper screening be provided adjacent to lots 64, 78 and 79. 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: Cockrell, San Martin, Lacy, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Black, Morton.

AN ORDINANCE 44626

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 58 AND THE SOUTH 355' OF LOT 59, NCB 11627, 700 BLOCK OF CALLAGHAN ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, THAT A 1' NON-ACCESS EASEMENT IS IMPOSED ON THE NORTHWEST PROPERTY LINE, THAT A 35' BUILDING SET BACK BE IMPOSED ON THE SOUTHWEST PROPERTY LINE ADJACENT TO LOTS 64, 78 AND 79 AND THAT PROPER SCREENING BE PROVIDED ADJACENT TO LOTS 64, 78 AND 79.

* * * *

I. CASE 5793 - to rezone Lot 1 and the north 66.30' of Lot 2, Block 7, NCB 9895, 4902 Blanco Road, from "F" Local Retail District and "B" Two Family Residential District to "B-3" Business District, Lot 1 is located northeast of the intersection of Blanco Road and Weizmann Drive, having 75.5' on Blanco Road and 124.42' on Weizmann Drive. Lot 2 is located 124.42' east of Blanco Road and 76.38' north of Weizmann Drive, having 66.30' in width and 78' in length.

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 replatting is accomplished and that screening be erected along the east and south property lines adjacent to the single family residences. 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: Cockrell, San Martin, Lacy, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Black, Morton.

AN ORDINANCE 44627

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 1 AND THE NORTH
66.30' OF LOT 2, BLOCK 7, NCB 9895, 4902
BLANCO ROAD, FROM "F" LOCAL RETAIL DISTRICT
AND "B" TWO FAMILY RESIDENTIAL DISTRICT TO
"B-3" BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED AND THAT
SCREENING BE ERECTED ALONG THE EAST AND
SOUTH PROPERTY LINES ADJACENT TO THE
SINGLE FAMILY RESIDENCES.

* * * *

J. CASE 5783 - to Tracts Q, J, and Tract I, save and except the southwest 190' being that portion not presently zoned "B-3", NCB 11668, 10918 Wurzbach Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located 164.03' northeast and 265' southeast of the cutback between Wurzbach Road and Vance Jackson Road, having 208.89' on Wurzbach Road and 82' on Vance Jackson Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council. Mr. Camargo said that a petition had been submitted with 94 signatures in opposition to the requested change in zoning.

In answer to Mrs. Cockrell's question, Assistant City Attorney Tom Finlay said that inasmuch as this is the first zoning of this property only 5 affirmative votes are required to approve it in spite of the opposition present.

Mr. Steven Lee, the applicant, said that since only six councilmen were present that he wished to have the case postponed until a full council is present.

After consideration and in view of the number of opponents present the Council decided that the hearing should proceed.

Mayor Pro-Tem Cockrell limited discussion to 30 minutes each for the proponents and opponents.

Mr. Steven Lee then addressed the Council concerning the matter. He had surveyed this whole section of San Antonio to find a prime location for a neighborhood shopping center and had selected this site. He described the area and the traffic arteries. He then described the type of center he wishes to construct which would include a green belt to screen the residences. He had photos of a similar shopping center which he circulated among Council members. He also had copies of his site plans after describing his project he asked the Council for its favorable consideration.

Mr. Pat Maloney, representing Shenandoah Church of Christ, spoke in opposition. He said that construction of a shopping center there would be the destruction of a very fine neighborhood of \$50,000 homes. The church had invested heavily in its facilities and did not want this property to be rezoned.

Reverend Frank Dunn, Pastor of the Shenandoah Church of Christ, also spoke in opposition. He said that the center could cause an increase in crime in the area and would certainly cause this area to depreciate in value.

Mr. Gerald C. Henckel, Jr., said that practically everyone in the area is opposed to this rezoning. He described it as a very fine residential development which the applicant wants to change to commercial. The small shopping center already at the intersection is always 30% vacant. There is ample shopping facilities available nearby and no more is needed. He said that the best use for the property is as it is now being used for residential.

Also speaking in opposition were Mrs. Mary Romell, Mrs. Jimmy Elrod and Mrs. Margaret Kneusch.

Mrs. Joe A. Gonzalez, the present owner, spoke in favor of the rezoning. She said that she can no longer care for this large tract and that she and her husband wished to sell it and retire.

Mr. Lee spoke in rebuttal and reviewed his earlier remarks about the property and his desire to please the neighbors. He read a letter from a neighbor who lives across the street from this property urging that the rezoning be granted.

In answer to Mr. Padilla's direct question, Mr. Lee said that due to the current money condition he could not absolutely guarantee that the center he described would be built.

After consideration, Dr. San Martin moved that the recommendation of the Planning Commission be overruled and the rezoning denied. The motion was seconded by Mr. Lacy and was pass and approved by the following roll call vote: AYES: Cockrell, San Martin, Lacy, Padilla, Mendoza; NAYS: O'Connell; ABSENT: Becker, Black, Morton.

The request for rezoning was denied.

74-55

The Clerk read the following letter:

November 8, 1974

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.

November 1, 1974

Petition submitted by Mr. Joseph I. Herrera, 309 Wharton Street, and signed by other residents in the area, requesting the City to alleviate the condition of the drainage ditch which overflows during heavy rains located in the 300 Block of Wharton.

/s/ J. H. INSELMANN
City Clerk

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There being no further business to come before the Council, the meeting adjourned at 2:55 P. M.

A P P R O V E D

M A Y O R

ATTEST:

C i t y C l e r k

November 14, 1974
el

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