

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 21, 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, with the following members present: COCKRELL, SAN MARTIN, BLACK, LACY, MORTON, O'CONNELL, PADILLA, MENDOZA; Absent: BECKER.

74-57 The invocation was given by The Reverend William A. Johnson, St. Paul Lutheran Church.

74-57 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

74-57 The minutes of the meeting of November 14, 1974, were approved.

74-57 LIC. JAVIER JIMENEZ ESPRIU

Dr. San Martin said that he had been in contact with Lic. Javier Jimenez Espriu, Vice President of the University of Mexico System, who had intended to spend several days in San Antonio and was scheduled to pay an official visit to the City Council at this meeting. Due to an emergency he was compelled to return to Mexico City last night. He had asked Dr. San Martin to explain to the City Council and offer his apologies.

74-57 The Clerk read the following Ordinance:

AN ORDINANCE 44,628

CALLING AN ELECTION ON THE QUESTION OF ADOPTION OF THE STATE LAW APPLICABLE TO POLICEMEN WHICH ESTABLISHES COLLECTIVE BARGAINING WHEN A MAJORITY OF THE AFFECTED EMPLOYEES FAVOR REPRESENTATION BY AN EMPLOYEES' ASSOCIATION AND WHICH PRESERVES THE PROHIBITION OF STRIKES AND LOCKOUTS AND PROVIDES PENALTIES THEREFOR.

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City Clerk Jake Inselmann advised the Council that he had completed examination of the petition submitted by the policemen for an election on bargaining rights. He said that he had found the petition to be sufficient and had, therefore, certified it. This Ordinance provides for that election.

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

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74-57 The following Ordinance was read and explained by Mr. Jake Inselmann, City Clerk, and after consideration, on motion of Mr. O'Connell, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Black, O'Connell, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton, Padilla.

AN ORDINANCE 44,629

COMBINING CITY VOTING PRECINCTS AND
DESIGNATING THE LOCATION OF POLLING
PLACES FOR THE SPECIAL CITY ELECTION
TO BE HELD ON TUESDAY, DEC. 17, 1974.

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Mr. Jerry Clancy, President of the San Antonio Police Officers Association, expressed the appreciation of his Association to the Council for making the election possible. He said that he felt this would provide a strike-free method to negotiate working conditions and to make the Police Department even more efficient.

74-57 Mayor Pro-Tem Cockrell announced that items Nos. IX and X on the docket, both of which concerned the problem of high utility bills, were being withdrawn from consideration until next week in order to give all Council members a chance to be present.

74-57

CITATIONS FOR
POLICE OFFICER ROBERT CERVANTES AND JACK SKIPPER

Mayor Pro-Tem Cockrell said that recently the Mexican Trade Fair was held in San Antonio. Two members of the City staff deserve special recognition for the roles they played in helping to host the many visitors from Mexico.

She then read the following Citations:

CITY OF SAN ANTONIO
(STATE OF TEXAS)

HEREBY PRESENTS THIS

CITATION

To

ROBERT CERVANTES

In recognition of his example of friendship and cooperation toward our foreign visitors during the Mexican Trade Fair. The friendly and courteous hospitality he showed these dignitaries reflects much credit on the citizens of San Antonio and enhances the feeling of goodwill with our Mexican neighbors.

* * * *

CITY OF SAN ANTONIO
(STATE OF TEXAS)

HEREBY PRESENTS THIS

CITATION

To

C. B. "JACK" SKIPPER

In recognition of his contribution to the outstanding success of the Mexican Trade Fair. The cordial greetings and friendly assistance he gave to our visitors from Mexico enhanced the air of friendliness that permeated the event and was a big factor in assuring that the Fair will continue to be held in San Antonio.

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Each Council member greeted Mr. Cervantes and Mr. Skipper and congratulated them.

74-57

CONFERENCE OF COMMUNITY CONCERN

Mrs. Cockrell said that she has called a Conference of Community Concern for Friday, November 22, 1974, at 3:00 P. M. There is grave concern over the acceleration of rape incidents in this community. The presidents of a number of women's organizations will be in attendance. Police Chief Emil Peters will also be present. They will discuss how women's organizations can work with the police force, what can be done and what is being done. She invited any Council member to suggest anyone who should be invited to this Conference.

74-57

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, Lacy, O'Connell, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

AN ORDINANCE 44,630

ACCEPTING THE LOW BID OF J. R. RAMON & SONS, INC., FOR CONSTRUCTION OF PICKWELL PARK IN THE AMOUNT OF \$54,943.43; AUTHORIZING THE EXECUTION OF A STANDARD CITY PUBLIC WORKS CONTRACT; APPROPRIATING FUNDS, AND AUTHORIZING PAYMENT FOR SAID PROJECT.

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AN ORDINANCE 44,631

ACCEPTING THE LOW QUALIFIED BID OF TONY C. QUINTANILLA IN THE AMOUNT OF \$46,650.00 FOR CONSTRUCTION OF THE RESTROOM BUILDING AT PABLO'S GROVE; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT; PROVIDING FOR A MISCELLANEOUS CONTINGENCY ACCOUNT; PROVIDING FOR AN ADDITIONAL PAYMENT FOR ARCHITECTURAL FEES; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

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AN ORDINANCE 44,632

MANIFESTING AN AGREEMENT WITH GILBERT M. DENMAN, JR., FOR A ONE YEAR EXTENSION OF THE PRESENT LEASE OF SPACE ON THE BEAUTIFIED SECTION OF THE SAN ANTONIO RIVER TO BE USED IN CONJUNCTION WITH RESTAURANT OPERATION.

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AN ORDINANCE 44,633

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE YEAR AGREEMENTS WITH VARIOUS MEMBER LIBRARIES OF THE COUNCIL OF RESEARCH AND ACADEMIC LIBRARIES ORGANIZATION FOR THE USE OF SPACE IN THE MAIN LIBRARY ANNEX AS A CENTRAL STORAGE FACILITY FOR LITTLE-USED VOLUMES IN HIGHLY SPECIALIZED AREAS.

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74-57LIBRARY

Mayor Pro-Tem Cockrell inquired of Mr. Mike Sexton, Library Director, of the theft of a painting out of the Main Library.

Mr. Sexton said that the Archdiocese has a display in the Main Library. He said that at the time the display went in that there were no guards on duty and if insurance was necessary that would be their responsibility. The Archdiocese did have people from various organizations on duty to protect the paintings but, apparently, this theft occurred when no one was present.

74-57LIBRARY - BOOKS IN SPANISH

Councilman Mendoza asked Mr. Sexton if a public information release had been made concerning the availability of books in Spanish at the public libraries.

Mr. Sexton said that the library is working very closely with Channel 41 and with the Spanish language newspapers. The acquisition of this material has only recently been authorized so the needed quantities have not yet come in.

LIBRARY MASTER PLAN

Mayor Pro-Tem Cockrell said that she would like for the Council to have a review of the Library Master Plan and get a report from the Library Board of Trustees. She asked that such a briefing be set up by the City Manager.

74-57 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, Lacy, O'Connell, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

AN ORDINANCE 44,634

GRANTING PERMISSION TO ST. MARY'S UNIVERSITY STUDENT SENATE TO CONDUCT A BONFIRE ON THE UNIVERSITY CAMPUS AT 7:30 P. M., FRIDAY, NOVEMBER 22, 1974, UNDER THE SUPERVISION OF THE FIRE DEPARTMENT.

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AN ORDINANCE 44,635

ACCEPTING A GRANT FROM THE GOVERNOR'S OFFICE OF TRAFFIC SAFETY PERTAINING TO THE FUNDING OF A JUDICIAL SEMINAR SPONSORED BY THE CITY OF SAN ANTONIO ALCOHOL SAFETY ACTION PROJECT, APPROVING A BUDGET COVERING SAID GRANT AND APPROPRIATING NECESSARY FUNDS.

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74-57 The Clerk read the following Ordinance:

AN ORDINANCE 44,636

ACCEPTING THE PROPOSAL OF FIRST SOUTHWEST COMPANY TO SERVE AS BOND CONSULTANT ON THE PROPOSED CITY OF SAN ANTONIO SEWER SYSTEM REVENUE BONDS FOR A FEE OF SEVENTY-FIVE CENTS (\$0.75) PER \$1,000.00 BOND.

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The following conversation took place:

MR. CARL WHITE: As we discussed last week in "B" Session, we received three proposals to act as financial advisor on this particular bond issue. The proposal from First Southwest Company was better in price, and they are a highly respected and very competent firm. We recommend and Council approve the retention of First Southwest Company to handle this bond program for us.

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We would also plan to include in that same bond issue, or same bond program, \$25 million of General Obligation Bonds so we would have a combination revenue bonds and general obligation bond sale. This particular contract only pertains to the revenue bond program, not the general obligation bond, because we will handle it ourselves. So, we would plan to sell \$25 million G.O. Bonds and \$10 million Sewer Revenue Bonds about the middle of January. We have not set a date yet, but it would be about mid-January somewhere in that range.

MAYOR PRO-TEM LILA COCKRELL: All right. Any questions?

DR. JOSE SAN MARTIN: Yes. Does that take care of all of the 1970?

MR. WHITE: We have \$19,300,000 of the 1970 bonds yet to be sold. That would include that 19 plus approximately \$6 million of the \$46 million, this new drainage issue and the \$6 million would enable all of the engineering and so forth to get under way. It would be about a year's time until we would need construction money. So, we would plan to come back about a year later and sell \$20 million or so.....

DR. SAN MARTIN: Let me get something straight here. I thought we had committed ourselves to the number one project that that would be done immediately. I don't think.....

CITY MANAGER SAM GRANATA: Yes, sir, even if Mayberry isn't finished we can fund it. We have some cash flow on deposit that's still in the bank that we haven't been able to. So, we have sufficient cash flow to fund two, three, or four projects.

DR. SAN MARTIN: Well, are you talking of getting one project going as soon as you can and the next one as soon as you can instead of waiting for all of them.....

CITY MANAGER GRANATA: Yes, sir, as they become available we'll be able to get them all under way the way our funding is. We have sufficient funds the way the plans will come up.

DR. SAN MARTIN: In other words, if you have the engineering in March or in April, you'll go whether the bonds are sold by the end of the year or not.

CITY MANAGER GRANATA: That's correct, because we still have sufficient balances left in the accounts yet to be appropriated and this will just make the final sale to add to that.

DR. SAN MARTIN: I think we should make some kind of statement to the citizens to the effect that we're only selling \$6 million of the latest bond issues that does not mean that the projects are going to be delayed in any way.

CITY MANAGER GRANATA: Yes, sir, we can make that statement. They will not be delayed. If we need to we can have a second sale in that year or the following December, but I think our cash flow is such that we'll be able to handle it.

MR. WHITE: With this bond sale we will have approximately \$20 million of funds available in the drainage classification for projects.....

DR. SAN MARTIN: I just don't want anybody to get the idea that it will take a year to complete the engineering and then begin construction. They should know that we're ready to move.

MR. WHITE: We're going to have funds to enter into the project, as it becomes available.

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After consideration, on motion of Mr. O'Connell, 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, Padilla.

74-57 The Clerk read the following Ordinance:

AN ORDINANCE 44,637

DECLARING THAT THE STRUCTURE ON THE PREMISES AT 202 CACTUS 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.

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The Ordinance was explained by Mr. George Vann, Director of Building and Planning Administration, who said that this structure was first inspected on May 29, 1974, and the owner, Mamie Elizabeth White, was notified of its condition. Subsequent inspections were made and no work had been done on the structure. The Fire, Health and Building Inspectors recommend demolition. The property owner was notified of a hearing before the City Council today.

No one spoke in opposition.

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, Padilla.

74-57 The Clerk read the following Ordinance:

AN ORDINANCE 44,638

DECLARING THAT THE STRUCTURE ON THE PREMISES AT 611 IOWA 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.

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The Ordinance was explained by Mr. George Vann, Director of Building and Planning Administration, who said that this structure was first inspected May 30, 1974, and the owner was notified of its condition. Subsequent inspections revealed that no repairs had been started. Fire, Health and Building Inspectors recommend that the structure be demolished. The owner was notified of the hearing before the Council today. The owners of the property are Mr. and Mrs. Edgar Clardy.

No one spoke in opposition.

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, Lacy, O'Connell, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

74-57 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, Lacy, O'Connell, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

AN ORDINANCE 44,639

ACCEPTING THE LOW BIDS OF SOUTHERN JEWELRY MFG. CO., AND A G MFG. CO., TO FURNISH THE CITY OF SAN ANTONIO WITH EMPLOYEE AWARD PINS FOR A TOTAL OF \$7,171.00.

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AN ORDINANCE 44,640

ACCEPTING THE LOW QUALIFIED BID OF SCHROER MFG. CO., TO FURNISH THE CITY WITH ANIMAL CAGES FOR A TOTAL OF \$9,783.00, LESS 15%-30 DAYS; AND AUTHORIZING PAYMENT TO SAID COMPANY.

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AN ORDINANCE 44,641

ACCEPTING THE LOW QUALIFIED BID OF GUESS TOWEL AND UNIFORM, INC., TO FURNISH THE CITY WITH CERTAIN WORK UNIFORMS.

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AN ORDINANCE 44,642

AUTHORIZING PAYMENT OF \$4,023.27 TO THE "IBM" CORPORATION FOR TYPEWRITER MAINTENANCE COVERING THE PERIOD OF JANUARY 1, 1974, THROUGH JUNE 30, 1974.

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AN ORDINANCE 44,643

AUTHORIZING THE PURCHASE OF CERTAIN
PLAYGROUND EQUIPMENT FROM PAUL E.
ALLEN CO., INC., FOR A TOTAL OF
\$12,850.00.

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74-57 The following Ordinance was read by the Clerk and after consideration, on motion of Rev. Black, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, O'Connell, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

AN ORDINANCE 44,644

APPOINTING MR. HAROLD J. FOSTER, SR.,
AS A REGULAR MEMBER OF THE BOARD OF
ADJUSTMENT FOR A TERM EXPIRING
JULY 31, 1975.

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Mr. Foster is replacing Mr. Clarence R. McGowan, who resigned.

74-57 SAN ANTONIO MISSIONS NATIONAL HISTORIC PARK

Mayor Pro-Tem Cockrell asked that next week's agenda include an ordinance approving submission of a proposal for San Antonio Missions National Historic Park.

74-57 INFANT MORTALITY

Reverend Black stated that he wished to bring to the attention of the City Council a recent effort on his part to bring together various interests in the community with reference to the infant mortality rate. In a recent study, it was pointed out that the east side of San Antonio has a higher rate of infant mortality than any other section. It appears that a problem is developing related to infant mortality in terms of the whole City - available facilities for infants increased demands because of the high cost of living. Because of economic conditions more pressure is being put on the County Hospital which is badly overcrowded. It appears that this will be a matter of concern for the entire county, and he invited interest from the Metropolitan Health District, Texas University Medical School, the Medical Society and others.

74-57 LAWSUIT AGAINST LO-VACA GATHERING COMPANY

The following conversation took place:

DR. JOSE SAN MARTIN: Mrs. Madam Mayor and Council, I'd like to bring one point to the attention of this Council. I would say it was precipitated because of the reports that I read in the news media a couple of days ago and yesterday that Lo-Vaca System would like nothing better than to shut the valve of gas to the City of San Antonio as soon as they can. If it was up to them they would leave us without gas today. I think this is a very serious concern that this Council must respond to promptly.

First of all, I'd like to ask our City Attorney what the response from City Public Service has been to some of the basic decisions that were made at the executive session of this Council about three or four weeks ago at which time we made a commitment to join together and work as a team? We approved their law firm. We approved their so-called game plan and, without jeopardizing or revealing any information that might be prejudicial to our case, I think we had the so-called commitment that we were going to go into the prosecution of this case as soon as possible. We were even thinking of getting a court and a judge that same day. Here we are three or four weeks later and Lo-Vaca is putting pressure on us. We're still on the defensive as usual and I wonder if it would be necessary for this Council, Mr. Reeder, to meet with Mr. Tom Berg sometime today and find out exactly what their situation is and why the reason for the delay.

CITY ATTORNEY CRAWFORD REEDER: I think I know the answer to most of the aspects of your question, Dr. San Martin. First, with reference to that head of the Lo-Vaca Board who said he would like to turn off the valve. He was just popping off. I mean he's not going to turn off the valve. He doesn't have enough guts to do it. He'd be going in the teeth of its Railroad Commission order. That's just for the newspapers.

DR. SAN MARTIN: I realize that but.....

CITY ATTORNEY CRAWFORD REEDER: What I mean you just don't pay attention to things like that. It's not worth paying attention to. Another thing that you didn't say but that I saw in the paper that does tie in with that is that there was a big headline to the effect that Lo-Vaca had only enough gas to furnish 50 percent of our peak needs. That's all they have ever had. I mean it's been like that for the last year. Now, as to what's being done about the lawsuit, I think I can say it out in the open. After we had the hearing last Friday, you know, where Bernard Layden and Sol Casseb on behalf of our enemies decided to throw Jose Olivares and the Lulacs out of court. They did that because they knew they could win it. I mean, they're doing things that we ought to be doing. We ought to be setting things that we know we can win. They knew they could win that, because....Jose....well, I won't say he's a friend of mine, but I know him. He didn't deserve to be kicked around like that. But he actually kind of stuck his neck into it. You've got to be prepared when you stick your head into a buzz saw to get it cut off. Now, after that hearing, you were over there in the courtroom, I went over to the Matthews firm with a fellow from Washington who was there, incidentally, and a couple of members of the Matthews firm. Matthews himself was not there, but I met with Matthews and them over there at his firm, and they told me at that time that they would be ready to start moving quick. I said what do you mean by quick. They said, well, give us another couple of weeks and we'll lay it out for you. Matthews told me that he was laying out, as you would say game plan, and in fact I think that's what he said. Game Plan A, B, C, D, E, F, right on down the line. And once he's got that laid out then we're going to start it.

Now as to why a judge hasn't been appointed, Matthews told me that he sent one of his young members of his firm over to talk to the presiding judge about appointing a judge full time and the presiding judge he said he wasn't going to do that now. So, I don't know that of my own knowledge but that's what Matthews said and I think probably he's telling the truth. I don't doubt that he's telling the truth. But I do think that a judge ought to be appointed. One judge, and that's the first thing that ought to be done and I think that probably it may be that the presiding judge is waiting to see what we're going to do besides just get a judge appointed. I mean, you know, when you go in to him, you ought to say, now judge, we're getting ready to do A, B, C, D, E, and we need a judge assigned to this case. I don't think it's good

tactics to go in to the presiding judge and say, well, we've got a case here and some day we're going to try it. Why not assign it to a judge, you know. Well, I agree, in other words what I am telling you, Doctor, is I agree with you that we've got to start moving on this case and I mean right away. I'm not talking about three months from now. The only reason I'm willing to hold back and not make any further commitment is in the first place I can't commit the Matthews firm, the second place I have pretty good evidence that they are, in fact, getting ready to do that, and I can see why they haven't. They had to give that Washington firm a chance to catch up. That's where it is.

DR. SAN MARTIN: One of the things that caught my attention, Mr. Reeder, and that was when Judge (Inaudible) said that it was not necessary for Lulac to intervene because CPS and the City of San Antonio were, and then he mentioned "should be".

CITY ATTORNEY REEDER: Yeah, he was telling us something.

DR. SAN MARTIN: He was telling us something. We should be moving on.

CITY ATTORNEY REEDER: He was telling us right. He was right.

DR. SAN MARTIN: When things start popping around this town when there is a shortage of gas, from what I understand, we're not going to have all of the gas we need. We're gonna start burning oil again and that's when everybody wants action, and I think we should move on as we thought we had agreed not too long ago.

MAYOR PRO-TEM COCKRELL: All right, Mr. City Attorney, I think the message that the City Council wants to get through loud and clear is that we want the lawsuit to move. We want it to move just as expeditiously as possible, not two months, three months in advance, but we'd appreciate, as our representative, you conveying this message. I think we're all united on this. There's no question about it; so, Mr. Reeder we would just appreciate you're conveying that as strongly as you know how.

CITY ATTORNEY REEDER: Mrs. Cockrell, I respectfully state to you that I'm overjoyed that you say that because frankly, I've done this over the last six weeks and I've gotten brushed off. I don't think though that it's because that firm is stalling. I think it's just because, well, after all I'm not a high powered lawyer. I think that they feel that they're smarter than I am and they kind of talk down to me and it hurts my feelings and all that, but I'm getting impatient myself because I'm sitting under the gun, and I know you all got that letter from Pat Maloney that was addressed to me, and I read it, and I wrote down on the bottom of it to Mr. Matthews, "Dear Bill: I agree with Pat Maloney with some qualifications, please let me know about this." And I made two Xeroxes of it, and I was going to send one to him and one to Pat Maloney and then I decided I'd wait until after this Council meeting today. So, I don't think I won't do it. You've told the Matthews firm now what you want, and I'll tell them what you want.

DR. SAN MARTIN: Let me just say one thing, Mr. Reeder, that I personally called Mr. Maloney yesterday, and I told him that even though he might not believe it, I agreed with most of the things he had in his letter.

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CITY ATTORNEY REEDER: Well, anytime you get you and me on the one hand agreeing with Mr. Maloney we must be right.

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74-57

CITY PUBLIC SERVICE BOARD

Mayor Pro-Tem Cockrell asked for a report concerning a proposed meeting with legislators requested by Mr. Padilla to consider Representative Hernandez' proposed bill to change the method of selecting board members for the City Public Service Board.

Council was advised that Assistant City Attorney Luis Garcia had contacted Representative Hernandez and a meeting is being arranged for shortly after December 1.

74-57

CITIZENS TO BE HEARD

HIGHER EDUCATION COUNCIL

Reverend James Young, President of St. Mary's University, read a prepared statement on behalf of the Higher Education Council of San Antonio. The institutions included in the Council are Trinity University, St. Mary's University, Our Lady of the Lake College, Incarnate Word College, San Antonio Union Junior College District, Oblate College, and University of Texas Health Science Center.

Rev. Young, in his statement, discussed financial problems that educational institutions are facing. He cited facts and figures to show the terrific increase in utility bills in spite of reduced usage of energy. He asked that the Council give serious consideration some kind of relief at the earliest date possible. (A copy of Rev. Young's statement is included in the papers of this meeting).

Mr. Morton asked Rev. Young if he was asking the City to forego the 14% not only on the fuel adjustment but also on the balance of the utility bills.

Rev. Young said that he was really just asking the City Council to give whatever possible consideration it could to reduce cost.

MRS. GUADALUPE YBARRA

Mrs. Guadalupe Ybarra read a prepared statement concerning the sale of fireworks in small grocery stores in San Antonio. She said that her 15-year-old son had suffered a very serious eye injury and possibly loss of sight. She urged that the Council take some action to enforce its ordinances against the sale of fireworks in the City. (A copy of Mrs. Ybarra's statement is included with the papers of this meeting).

Dr. San Martin said that there is a need for state legislation to ban fireworks throughout the state. As long as sales are permitted outside the City limits there is no way to stop people from buying them.

City Attorney Reeder said that it is also against the law to shoot fireworks inside the City but there are so many people who do it that the law cannot be enforced.

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Council members agreed that the matter of state legislation should be added to the list of legislation being requested by the City from the Bexar County delegation.

74-57

UTILITY BILLS

Mr. Frank Cortez, Mr. Mateo Camargo, and Mr. Juan Balditt, representing the listeners of Radio Station KCOR submitted a petition having some 31,000 signatures requesting that the City Council take immediate steps to give relief to citizens having excessive utility bills. Mr. Camargo read the petition in Spanish and then Mr. Cortez read it in English. (A copy of the petition is included with the papers of this meeting.)

Mr. Balditt said that he is a member of an organization which has served 700 people who required help to pay their utility bills. He emphasized the need for haste in providing some kind of relief.

Mrs. Cockrell explained to the gentlemen steps that the Council is considering and advised them that consideration of the 14 percent charge is scheduled for next week's Council meeting and invited them to be present.

Mr. Ramon Rodriguez also spoke on this subject and described the plight of the poor people who have no food or lights.

Mr. Padilla commented that this problem points up even more the need for the City Public Service Board to be taken over by the City. He said that CPS has the highest credit rating in the country but this compares to being 149th in the country in individual income.

Mr. Candy Alejos suggested that the State Legislature should give highest priority to the creation of a state utilities commission.

Dr. San Martin pointed out some of the dangers in picking the members for such a utility commission whether they be appointed or elected.

Mr. Morton asked Mr. Alejos to modify his request about a utility commission to ask the City Manager, through his staff, make recommendations to this Council next week on necessary state legislation that needs to be enacted in order to be able to provide an adequate energy supply at the lowest possible cost to the State of Texas. There are things that could be done such as taxing gas going out of state and using that tax to develop energy to be used in the state.

MR. ERWIN CARY

Mr. Erwin Cary, Von Ormy, Texas, again addressed the Council protesting exhorbitant electric rates and claimed that it was a case of fraud.

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MR. PATRIC McDONALD

Mr. Patric McDonald, Helotes, Texas, asked that the City discuss two items with the telephone company in its current rate negotiations. One that a credit plan be worked out for tardy telephone bills. He also asked that a "dial tone first" system that would permit emergency numbers to be dialed without a coin. These emergencies would include the operator, fire, police, sheriff, or poison control center.

Mr. McDonald said that he is an ETJ citizen with certain rules and regulations imposed on him without any representation on the City Council. He requested that a person be put on the Council to represent those people living in the ETJ.

Mrs. Cockrell reminded Mr. McDonald that adding a member to the Council would require a charter change and it will be two years before another election could be held. There may be other legal problems also. The staff will refer the other suggestions to the City's consultant on the telephone rates.

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74-57 The meeting recessed at 11:00 A. M., and the Council then considered "B" Session items.

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74-57 The meeting reconvened at 1:30 P. M.

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74-57 SAN ANTONIO BI-CENTENNIAL COMMITTEE

Mrs. Vivian Hamlin, Chairperson of the Bi-centennial Committee, said that much progress has been made toward insuring that San Antonio's Bi-centennial celebration will be one of the outstanding celebrations in the United States. The Committee wishes to make a progress report to the Council at a time and place convenient to the Council.

Mrs. Cockrell thanked Mrs. Hamlin for her offer to make a report to the Council. As soon as a suitable date is selected she will be notified.

A. CASE 5803 - to rezone a 0.343 acre tract of land out of NCB 15723, being further described by field notes filed in the office of the City Clerk, 14626 Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "O-1" Office District, located on the southeast side of Nacogdoches Road, being 1855' southwest of the cut-back between Nacogdoches Road and Judson Road, having 120' on Nacogdoches Road and a maximum depth of 141'.

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

No one spoke in opposition.

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

AN ORDINANCE 44645

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 0.343 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 14626 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

B. CASE 5802 - to rezone Lots 4 and 16, Block A, NCB 11269, 2900 Block of Pitluk, 3000 Block of La violetta Street, from "B" Two Family Residential District to "B-2" Business District.

Lot 4 is located on the south side of Pitluk Avenue, being 250' west of the intersection of Somerset Road and Pitluk Avenue, having 50' on Pitluk Avenue and a depth of 135'.

Lot 16 is located on the north side of La Violetta Street, being 84.7' west of the intersection of Somerset Road and La Violetta Street, having 50' on La Violetta Street and a depth of 135'.

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

AN ORDINANCE 44646

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 4 and 16, BLOCK A, NCB 11269, 2900 BLOCK OF PITLUK AVENUE, 3000 BLOCK OF LA VIOLETTA STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

C. CASE 5801 - to rezone Lots 24 and 27, Block 5, NCB 11191, 500 Block of Palo Alto Road, from "B" Two Family Residential District to "B-2" Business District.

Lot 24 is located on the south side of Navajo Street being 150' west of the intersection of Palo Alto Road and Navajo Street, having 50' on Navajo Street and a depth of 150'.

Lot 27 is located on the west side of Palo Alto Road, being 100' south of the intersection of Palo Alto Road and Navajo, having 50' on Palo Alto Road and a depth of 150'.

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

No one spoke in opposition.

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

AN ORDINANCE 44647

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 24 AND 27, BLOCK 5, NCB 11191, 500 BLOCK OF PALO ALTO ROAD, 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 WEST PROPERTY LINE.

* * * *

D. CASE 5804 - to rezone Lots 1 and a 0.276 acre tract of land out of NCB 9000, being further described by field notes filed in the office of the City Clerk, 1516 Contour Drive, from "F" Local Retail District to "B-3" Business District, located on the northwest side of Contour Drive, being 727.3' east of the intersection of San Pedro Avenue and Contour Drive, having 399.43' on Contour Drive and a maximum depth of 178.33'.

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

No one spoke in opposition.

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

AN ORDINANCE 44648

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOTS 1 AND A 0.276
ACRE TRACT OF LAND OUT OF NCB 9000,
BEING FURTHER DESCRIBED BY FIELD NOTES
FILED IN THE OFFICE OF THE CITY CLERK,
1516 CONTOUR DRIVE, FROM "F" LOCAL
RETAIL DISTRICT TO "B-3" BUSINESS
DISTRICT, PROVIDED THAT PROPER PLATTING
IS ACCOMPLISHED.

* * * *

E. CASE 5789 - to rezone a 21.7 acre tract of land out of NCB 10847, being further described by field notes filed in the office of the City Clerk, from "B" Two Family Residential District, "R-3" Multiple Family Residential District and "B-2" and "B-3" Business District to "B-3" Business District; and an 180.3 acre tract of land out of NCB 10847, being further described by field notes filed in the office of the City Clerk, from "B" Two Family Residential District, "B-2" and "B-3" Business District to "I-1" Light Industry District.

Subject properties are located south of the cutback between S. E. Military Drive and W. W. White Road.

The "B-3" zoning having 2460' on S. E. Military Drive, 600' on W. W. White Road, 375' on the cutback between S. E. Military Drive and W. W. White Road and a maximum depth of 300'.

The "I-1" zoning located 600' southeast of the intersection of S. E. Military Drive and W. W. White Road, having 1543.73' on W. W. White Road and 2090' on S. E. Loop 410 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, 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, Black, Lacy, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Morton.

AN ORDINANCE 44649

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 21.7 ACRE TRACT OF LAND OUT OF NCB 10847, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT, "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT AND "B-2" AND "B-3" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT; AND AN 180.3 ACRE TRACT OF LAND OUT OF NCB 10847, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT, "B-2" AND "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

F. CASE 5805 - to rezone a 0.842 acre tract of land out of NCB 15350, being further described by field notes filed in the office of the City Clerk, 7400 Block of Timbercreek Drive, from "O-1" Office District to "R-3" Multiple Family Residential District, located on the south side of Timbercreek Drive, being 280' east of the intersection of Timbercreek Drive and S. W. Loop 410 Expressway, having 246.73' on Timbercreek Drive and a maximum depth of 168.94'.

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

No one spoke in opposition.

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

AN ORDINANCE 44650

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 0.842 ACRE TRACT OF LAND OUT OF NCB 15350, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 7400 BLOCK OF TIMBERCREEK DRIVE, FROM "O-1" OFFICE

DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A 6' SOLID SCREEN FENCE IS ERECTED ON THE EAST AND SOUTH PROPERTY LINES.

* * * *

G. CASE 5827 - to rezone Lots 16 through 22, Block 9, NCB 14185, 14000 Block of Brook Hollow Boulevard, from "R-2" Two Family Residential District to "R-6" Townhouse District, located southwest of the intersection of Brook Hollow Boulevard and Timber Oak having 480' on Brook Hollow Boulevard and 120' on Timber Oak.

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

AN ORDINANCE 44651

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 16 THROUGH 22, BLOCK 9, NCB 14185, 14000 BLOCK OF BROOK HOLLOW BOULEVARD, FROM "R-2" TWO FAMILY RESIDENTIAL DISTRICT TO "R-6" TOWNHOUSE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

H. CASE 5798 - to rezone a 0.740 acre tract of land out of NCB 15945, being further described by field notes filed in the office of the City Clerk, 12000 Block of Independence Avenue, from Temporary "R-1" Single Family Residential District to "B-2" Business District; a 3.302 acre tract of land out of NCB's 15942, 15943 and 15945, being further described by field notes in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "R-2" Two Family Residential District.

The "B-2" zoning being located on the southeast side of Independence Avenue being 440' northeast of the intersection of Independence Avenue and Brandywine Creek, having 180.39' on Independence Avenue and a maximum depth of 185'.

The "R-2" zoning being located 180' northeast of the intersection of Brandywine Creek and Independence Avenue, having 740' in length and a maximum depth of 300'.

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

AN ORDINANCE 44652

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 0.740 ACRE TRACT OF LAND OUT OF NCB 15945, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 12000 BLOCK OF INDEPENDENCE AVENUE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 3.302 ACRE TRACT OF LAND OUT OF NCB's 15942, 15943, AND 15945 BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

I. CASE 5796 - to rezone Lot 18 and 19, Block 11, NCB 14384, 11100 Block of El Sendero, from Temporary "R-1" Single Family Residential District to "R-2" Two Family Residential District; and a 1.036 acre tract of land out of NCB 14384, 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.

The "R-2" zoning is located on the southeast side of El Sendero, being 480.07' northeast of the intersection of El Sendero and Perrin-Beitel Road, having 223.12' on El Sendero and a depth of 121'.

The "B-2" zoning is located on the southeast side of El Sendero, being 150.57' east of the intersection of Perrin-Beitel Road and El Sendero, having 329.50' on El Sendero and a maximum depth of 230'.

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

Mr. Camargo said that even though there is a great amount of opposition in this zoning case, only five affirmative votes are required because the property has never been zoned before.

Mr. Sam Parnes, representing Morton Southwest the applicant, said that the southeast property line of the property being considered is the edge of the development by Morton Southwest. The residences abutting the property were built by another developer and Morton Southwest had no control. He had a plat map of the area colored to indicate the various zoning sections. He pointed out that there was similar business zoning throughout the area. He asked that the Council consider this application favorably.

Mr. Ed Shaw, 4219 Greystone, said that he spoke for himself and 232 other persons who had signed a petition in opposition to this rezoning. He presented the petition to the City Council. Mr. Shaw then read excerpts from the zoning code and said that this proposed zoning does not meet with the code's requirements.

Mr. Shaw said that this business development would create too much traffic and that the City's Traffic and Transportation Department had recommended against it. He also pointed out that there are already 99 business establishments in the area, 23 of which are now vacant. There is no need for any additional business to serve this neighborhood. He asked that the Council deny the application.

Also speaking in opposition were Mrs. Sherri Lindsey, 11158 El Sendero; Mrs. Patricia Shaw, 4219 Greystone; and Mr. Terrell Sheffield, 4223 Greystone.

Mr. Parnes spoke in rebuttal and said that the City has plans to widen Perrin-Beitel Road to five lanes. He also expressed doubt that this development would increase traffic.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be overruled and the application denied. The motion was seconded by Mr. O'Connell. Mr. Mendoza offered a substitute motion to postpone action on the case to see if the applicant and the neighbors could get together on a compromise agreement.

Mr. Shaw said that two years ago, an application was made to rezone this property and since then no effort has been made at a compromise.

Mr. Sheffield said that the residents have stated their position and are opposed to anything but residential zoning of this property. They did not see any necessity to postpone action.

(Mayor Pro-Tem Cockrell was obliged to leave the meeting and Dr. San Martin presided as Acting Mayor.)

Mr. Padilla said that he felt that there appears to be no grounds for the neighbors to reach any kind of an agreement and he doubted that a postponement would be beneficial. He reminded Council that the applicant could reapply in one year.

On a call for the question on the substitute motion, the motion failed to carry by the following roll call vote: AYES: Black, Mendoza; NAYS: San Martin, Lacy, O'Connell, Padilla; ABSENT: Cockrell, Becker, Morton.

After further consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be overruled and the rezoning denied. On the following roll call vote, the motion carried; AYES: San Martin, Black, Lacy, O'Connell, Padilla; NAYS: Mendoza; ABSENT: Cockrell, Becker, Morton.

The application for rezoning was denied.

74-57 Mayor Pro-Tem Cockrell returned to the meeting and presided.

J. CASE 5692 - to rezone a 0.352 acre tract of land out of NCB 15520, being further described by field notes filed in the office of the City Clerk, 2903 Gunsmoke Drive, from Temporary "R-1" Single Family Residential District to "B-1" Business District, located on the west side of Gunsmoke Drive, being 171.0' south of the intersection of Gunsmoke Drive and Landing Avenue, having 40' on Gunsmoke Drive and a depth of 383.55'.

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

Mrs. Mary Jane Brigham, representing the applicant, spoke in favor of the rezoning. She described the area and the zoning around it and said that a photography shop would be started there. The building is vacant now.

Mr. Padilla said that it was unusual for a piece of property only 40 feet wide to be 383 feet long and asked how it could possibly be used for business.

Mr. Gilbert Kinder, applicant, said that he had owned the property for some time and in the past this building had been used for a beauty shop but now is vacant. He asked that the Council consider his request favorably.

Mrs. Priscilla Anderson spoke in opposition. She said that there is not enough room for a business on this property which is immediately behind her home. She said that the lot has never been cleaned and is a nuisance. She said that the building extends from one property line to the other and there is no way to put a driveway around it. She asked that the rezoning be denied.

Mr. Gilbert Kinder spoke in rebuttal and asked that he be allowed to use his property as he has been paying taxes on it for many years.

After consideration, Mr. Mendoza made a motion to approve the application. The motion died for want of a second.

After further consideration, Dr. San Martin moved that the recommendation of the Planning Commission be overruled and the rezoning denied. The motion was seconded by Mr. Padilla and was passed and approved by the following vote: AYES: Cockrell, San Martin, Black, O'Connell, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

The application for rezoning was denied.

The following conversation took place:

DR. JOSE SAN MARTIN: In view of the fact that there seems to be an impasse in the negotiations between the Transit System and the labor union, I think this Council should take the position of leadership that we don't want to see the community suffer the consequences of any prolongation of this strike. So I would like to suggest or request that if for any reason the labor union and the Transit Board do not reach agreement sometime today, then that this Council be called into special session sometime tomorrow and ask the Transit Board to come and try to have this Council take the leadership in settling this strike, possibly tomorrow, so that this weekend we can see the restoration of service. I think that another weekend without bus service is detrimental to the downtown business and to all the people concerned and I think, in my opinion, we have reached an impasse, that is, the labor union and the Transit Board have reached an impasse and I think it's up to this Council to take the leadership in breaking that impasse by reaching an agreement.

MRS. LILA COCKRELL: Well, I might report to the Council that I have just been in conversation with Mr. Hill and my understanding from him was that discussions were continuing, that there was another discussion that was scheduled for tomorrow. I know that in court on Tuesday there was a very strong statement by the president of the union that Council was injecting themselves into this issue. I think that the attitude of the Council at this point has been to stand back and let the Transit Company proceed with their discussions. Since discussions are continuing tomorrow, I am a little reluctant for the Council to take any further action unless we have some firm approach by the Transit Company wishing a report at this time. Mr. Padilla, do you have a comment?

MR. ALVIN G. PADILLA: Yes, first of all, I agree with Dr. San Martin, I am very concerned about the suspension of the service and I think this Council does to a man or a woman, as the case may be, wants to see this settled. I'm a little perturbed. As you said, Mrs. Cockrell, I think it's clear at this point that the proposals that have been offered to the union have not been accepted. I think the situation now is, as I read it, is that we're either going to wait sometime before the union does accept or we're going to modify proposals. Now, if we take the leadership role tomorrow as Dr. San Martin suggests, it's clear in my mind at least, that we're going to have to do a little better in terms of what we give the Transit Board to work with in the negotiations. I think the only way, if then, that the labor union will buy what's been offered is with a passage of some time. I think they've already indicated that they're not going to go with what's been offered, at least not any time soon.

MRS. COCKRELL: I wonder if we could do this - a suggestion was made to us that the City Manager have our own Mr. McRaven look into the situation and possibly report back to the Council on an evaluation of where things stand. How would that suit the Council?

DR. SAN MARTIN: Mrs. Cockrell, I will accept just about anything that sounds reasonable as far as solving this problem is concerned. I certainly would not want to inject myself into what pertains to the labor management relations. I think that Judge McKay was hopeful that this type of arrangement would produce a resolution of this conflict. I don't see it coming. I'll be perfectly frank. I think we may have reached a deadlock situation. I know that there are some questions that I was not aware of, say, last Monday or last Tuesday that I'd like to ask the Transit System

which might make me change my mind in one direction or the other. I think the developments of the last 48 hours lead me to believe that it is time for this Council to again take the leadership in meeting with the Transit Board asking for some answers to these questions that I intend to ask. I'm sure every member of this Council will. I just feel that the time has come for this Council to show leadership in settling this thing. I don't think tomorrow morning, Mrs. Cockrell and Council, they're going to be any closer together than they have been for the last 48 or 72 hours. I just feel that we should move forward and grab the bull by the horns and settle this thing so that we can restore bus service. I am hopeful that they should do it but I'll be perfectly willing, if you so desire, Mrs. Cockrell or if Mayor Becker is in town tomorrow, to wait until tomorrow afternoon. I just don't want to leave things the way they are for another weekend.

MR. W. J. O'CONNELL: I would like to say that we are, of course, not in the negotiating business with the drivers nor should we be because that's not our - that's not what we should be doing. I do say that every time that we make a statement that we will again meet to consider resolving this thing that I'm sure Mr. Thompson, of course, hears this one way or another and then each time that we say this, it weakens the management's position because he knows all he has to do is hold on just a little longer because and he'll get whatever he wants. I resent the fact that Mr. Thompson has blasted as the word was in one of the newspapers, the City Council for injecting itself in this thing and I also think that it's unfair that we should be now the butt of the thing and where he has so stated at least quoted the newspapers saying since the Council did blast us - he did blast the Council for interjecting in this thing that he now will not even settle what he once would before. Each time the Council gets itself into the - between or assisting or getting on one side of the question, it weakens the point and it would weaken the point no matter what side we took because these people are charged with the responsibility of handling their own management-labor problems. We are not. We're not allowed to by law. We're not supposed to but everytime we make a statement outwardly or for quotation, it does weaken one of the two sides. I think that Judge McKay addressed the problem and I hope that maybe that the meetings - we're not cut off, that the meetings still are going on and this truly was a good sign but now after they hear this sort of report well, I'm sure that there's no reason for them to even have good faithful bargaining tomorrow. My own personal feelings.

DR. SAN MARTIN: May I respond, Mrs. Cockrell?

MRS. COCKRELL: Yes, certainly.

DR. SAN MARTIN: I just feel that as of the last 48 hours, this Council does not have any up-to-date information on the nature of the negotiations. My purpose for the meeting, if there is a meeting tomorrow, Mr. O'Connell, would be to find out exactly what was really offered in the way of money-wise, fringe benefits, exactly what was refused or counter-proposed. I find myself in an awkward position of citizens calling constantly and just saying, well, we're working on it. It's fine to work on it except that you reach a point where you just can't say we're working on it because you really don't know whether we're working on it or not. I feel that without injecting ourselves into the actual negotiations, per se, I think that we need to be briefed again by the Transit Board.

MR. O'CONNELL: I wholeheartedly agree on the briefing. I just say that management's position is jeopardized when we say that we'd like to get the thing settled over the weekend because they said well, maybe the cookie jar is open larger than it was the other day, just wait and see. I don't think we intend to say that.

DR. SAN MARTIN: I didn't intend to take the lid off of the cookie jar, Bill, but in fact, that was not my intention at all, it's just that as a member of this Council, I'm sure we all share the same concern that as far as I know we don't have the latest information. We don't know really what has transpired in the last 48 hours and I certainly don't like to be out in limbo without knowing really what is going on. I don't mean that I want to deviate from whatever position the Council has taken. I just want to see whether we are on the right track or not. Because if we let it by for another weekend, well, it'd be just that much more damage to our citizens.

MRS. COCKRELL: Well, let me just say this. If the Council would like to have a briefing tomorrow, the Mayor, of course, is returning I think this evening and I think very probably he should be contacted as to his desires. My day is, unfortunately, already just about fully scheduled tomorrow and I just don't know when.....

DR. SAN MARTIN: I was thinking of a late meeting to give the two sides all the time they need tomorrow, Mrs. Cockrell. I'm willing to meet with them at 5, 6, 7 o'clock at night whenever you feel that they have had adequate time to discuss this.

MRS. COCKRELL: I have an appointment and Mr. O'Connell and I are both committed to.....Mr. O'Connell is to meet the British Ambassador at the plane tomorrow afternoon. My husband and I are to pick him up for dinner and I'm already committed with meetings in the afternoon but it certainly could take place without me and if the Mayor is back and wishes to call this, I think that would be very fine.

DR. SAN MARTIN: I have quite a few commitments but I'm sure that in the interest of our community we might be able to find some time either late tomorrow or first thing Saturday morning to work on this. I think this is just as important as most any other commitment.

MR. O'CONNELL: I agree on it. Maybe the time that the Mayor is being briefed that we - that Council as a whole could be briefed to update him whatever time that have to be. We'll see how many of us can attend.

MR. PADILLA: Let's call it a briefing session period.

MRS. COCKRELL: All right, fine. Well, I think that would be entirely appropriate.

MR. PADILLA: I would like to see it done tomorrow instead rather than Saturday.

MRS. COCKRELL: Fine. Now tomorrow morning, of course, if my understanding is correct, there are still discussions in the morning. Do you wish to have it before or after those discussions?

MR. PADILLA: After the discussions. However, I will not be able to make it Saturday, so I was hopeful that we could meet tomorrow. We could meet between now and Monday sometime.

DR. SAN MARTIN: I don't think that there is any time that we can all agree to be there but I think we should all try at least, try to be there and get as many of us as we possibly can.

MRS. COCKRELL: All right, what time do you wish to have the briefing?

MR. O'CONNELL: I would just leave it open until we find out.....

DR. SAN MARTIN: Maybe when you can talk to Mayor Becker you could....
I'm ready any time.

MRS. COCKRELL: All right, fine. I've called a conference for three
o'clock, of course, I'm already committed on this so.....

DR. SAN MARTIN: Any time whether you can.

MRS. COCKRELL: All right, let me just add this that the City Manager
will assist in making the contact in any notification resulting from the
time of meeting.

CITY MANAGER GRANATA: All right, you must know though if we do, we
need to post it two hours before we have it - have the meeting. So,
let's wait until Mayor Becker gets back and we'll try to get to his feel
and we'll call. We'll play it by ear tomorrow and we'll have to have it
posted two hours prior to your meeting with anybody. We'll play it by
ear until tomorrow.

MRS. COCKRELL: All right, is there any other business?

CITY MANAGER GRANATA: That's all we have. Recess the "A" and we go to
"B" session for a lawsuit.

* * * *

Following this discussion, the meeting recessed for an executive
session to discuss legal matters.

74-57 The Clerk read the following letter:

November 15, 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 11, 1974

Petition submitted by Mr. Moulton S.
Dowler, Jr., on behalf of San Antonio
Belt and Terminal Railway Company,
requesting that they be granted a
15.00' x 40.00' easement for a rail-
road spur across Camp Street, between
NCB's 920, 921, situated within the
corporate limits of the City.

November 14, 1974

Petition submitted by Mr. George W.
Mahan in behalf of Highlands High
School, 3118 Elgin Avenue, San Antonio,
Texas, requesting permission to have
a bonfire in connection with a pep
rally to be held Friday, November 29,
1974, at 7:30 P. M. in an area that
is school district property located
across from Highlands High School.

/s/ J. H. INSELMANN
City Clerk

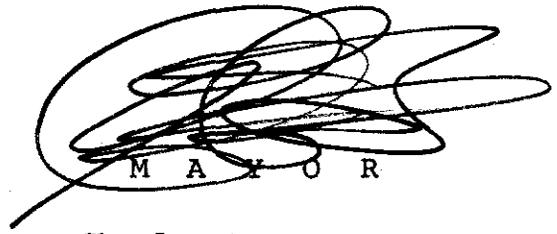
* * * *

November 21, 1974

el 845

There being no further business to come before the Council,
the meeting was adjourned at 4:00 P. M.

A P P R O V E D



M A Y O R

Charles L. Becker

ATTEST: *JH Dusekman*
C i t y C l e r k