

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 12, 1973.

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

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73-35 The invocation was given by The Reverend Joseph Greenwell, St. Gerard's Catholic Church.

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73-35 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

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73-35 The minutes of the meeting of July 5, 1973, were approved.

CITIZENS TO BE HEARD

REPRESENTATIVE G. J. SUTTON

Mayor Becker recognized Mr. G. J. Sutton, State Representative from District 57E.

Representative Sutton addressed the Council regarding the condition of bridges in his District which lies on the East side of San Antonio. He spoke of the Hays Street Bridge, Olive Street Bridge, S. New Braunfels Bridge, and particularly the Yucca Street Bridge which has been closed for about a year due to a fire caused by vandals. He cited the fact that this bridge has been rebuilt many times and asked that the Council replace the old wooden bridge with a concrete structure.

City Manager Sam Granata said that the railroad has contacted him for permission to repair the bridge with wooden timbers at no cost to the City. He pointed out that funds in the amount of some \$300,000 to \$400,000 are not available at the present time to build a concrete bridge. He suggested that in order to get the bridge open to traffic soon that the railroad be given permission to make its repairs. Then the City can have time to do engineering studies and planning as well as funding for a permanent structure. He said that at best it would require about a year to build a new bridge after funds have been provided. It was also pointed out to Representative Sutton that \$1,000,000.00 is being set aside out of revenue sharing funds to replace the Nolan Street underpass.

Rev. Black moved to proceed with the restructuring of the Yucca Street Bridge as a concrete structure. The motion was seconded by Mr. Mendoza.

Mr. Granata reiterated his statement that there are no funds in the budget for this bridge.

Mr. Morton made a substitute motion to exert every effort to have the bridge repaired with timbers and in making the bridge usable there would be no prejudice in regard to making a permanent concrete bridge later. The substitute motion was seconded by Dr. San Martin.

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Mrs. Cockrell said that she would prefer to have cost estimates and possible sources of financing before voting on this matter. She said that she also disapproved of considering capital improvements of this magnitude on a piecemeal basis.

Mayor Becker suggested that formal action on this matter be delayed until the Council members had more time to evaluate the situation.

Mr. Sutton said that he hoped the Council would reassess priorities and consider using some of the bond funds that are available.

JUAN M. BALDITT

Mr. Juan M. Balditt, representing 21 agencies participating in the Summer Recreation Program, said that on behalf of the thousands youngsters involved in the program he wished to thank the Council, City Manager and the Program Director for making it possible for the summer program to begin on time. He cited the advantages to having such a program and said the Council should be commended.

Mrs. Cockrell thanked Mr. Balditt for taking time to appear before the Council to say such nice things.

POLICE BRUTALITY

Mr. Genaro Cano, Jr., and his father both appeared before the Council to describe an event which happened on June 29, 1972, in Monterrey Park.

Mr. Cano, Sr., alleged that he had been arrested without cause and had been shoved and had his arm hurt. He accused Officer Emilio Cavazos of brutality. He also accused Capt. Love of discourtesy and refusal to show him the officers' report.

Police Chief Peters said that this complaint has been investigated and that he could not substantiate the charges made. No action was taken against the officers. He said that he would provide Council with a full report next week.

Mr. Padilla said that some way must be found to weed out some 10 to 20 officers who are guilty of chronic misbehavior. He asked that the Council instruct the City Manager to investigate some of the workings of the Police Department. The motion was seconded by Dr. San Martin.

Mr. Morton and Mr. Beckmann said that they were opposed to such an open ended motion which would be accusatory. They asked that the motion be made more specific.

After consideration the motion carried by the following roll call vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Padilla, Mendoza; NAYS: Morton, Beckmann; ABSENT: None.

City Manager Granata said that he would check into the areas suggested by the Council and report back at an early date.

(A copy of the complete transcript is filed with the papers of this meeting.)

TWO MAN POLICE PATROLS

Mrs. Cockrell asked for a report from Chief Peters on the matter of two man patrols.

Chief Peters said that during the week he had submitted a written report. There will be an immediate increase in overtime. The program will be further escalated in August by the graduation of a class of cadets. By late fall there should be about 80% implementation of the program.

POLICE PAY RAISE

Mr. Jerry Clancy, Vice President of the S. A. Police Officers Association, spoke on behalf of all police officers requesting that they be given a 20% pay increase in the new fiscal year. He said that this would result in attracting men of proven ability and maturity into the department.

City Manager Granata said the request will be taken under advisement and referred to the Labor Relations Department.

73-35 The meeting recessed at 11:20 A. M. and reconvened at 11:40 A. M.

73-35 ZONING HEARINGS

K. CASE 5051 - to rezone the west 62.3' of Lot 19, Block 36, NCB 3695, located at 402 Menefee Blvd., from "B" Two Family Residential District to "B-3" Business District.

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

Mr. Frank Enriquez spoke to the Council asking favorable consideration of the application. He said that he intended to put in a cabinet shop to make wooden cabinets. The lot is deep enough that it would not annoy the neighbors. He assured the Council that the property would not be used for any other purpose and agreed to restrict it to this use.

After consideration, Dr. San Martin made a motion to overrule the Planning Commission and rezone the property. Mr. Morton 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, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 42,473

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 62.3' of Lot 19, Block 36, NCB 3695, located at 402 Menefee Blvd., from "B" Two Family Residential District to "B-3" Business District.

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L. CASE 5068 - to rezone Lots 1, 2, 14 and 15, Block 9, NCB 15699, located at 12500 Block of Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

Mr. Gene Camargo, Planning Administrator, explained that the original application was denied by the Planning Commission and instead the commission recommended that Lots 14 and 15 be rezoned "O-1" Office District but that the remainder of the property remain Temporary "R-1" Single Family Residential District.

Neither the applicant nor his representative was present.

No one spoke in opposition.

After consideration, Mr. Morton moved that the recommendation of the Planning Commission be upheld and Lots 14 and 15, Block 9, NCB 15699 be rezoned "O-1" Office District. The motion was seconded by Mr. Lacy and carried by the following roll call vote: AYES: Cockrell, San Martin, Black, Lacy, Beckmann, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

Following a recess for lunch Mayor Pro Tem Black announced that Mr. Lee E. Johnson, the applicant in Case No. 5068, asked that this case be reconsidered in order that he could be heard.

In answer to a question from Mrs. Cockrell, Assistant City Attorney Crawford Reeder said that it would be in order, if the Council wished, to reconsider this case and reschedule it for another hearing.

Whereupon, Mrs. Cockrell moved that the action taken by the Council in Case No. 5068 be rescinded and the matter reconsidered. The motion was seconded by Dr. San Martin and carried by the following roll call vote: AYES: Cockrell, San Martin, Black, Lacy, Beckmann, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

The Planning Department was instructed to take the necessary steps to have the case reheard.

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A. CASE 5003 - to rezone Arb. Lot A-36, NCB 13806 (2.366 Acres), located at 500 Block of Sherri Ann Road, from Temporary "A" Single Family Residential District to "B-3" Business District.

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

No one spoke in opposition.

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 a six foot solid screen fence is erected along the west property line. Mr. Beckmann 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, Becker, Black, Lacy, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Mendoza.

AN ORDINANCE 42,474

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 ARB. LOT A-36, NCB 13806 (2.366 ACRES), LOCATED AT 500 BLOCK OF SHERRI ANN ROAD, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE WEST PROPERTY LINE.

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B. CASE 5054 - to rezone Lots 8, 9, and 10, Block 4, NCB 11264, located at 3500 Block of Pitluk Avenue, from "B" Two Family Residential District to "B-1" Business District.

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

No one spoke in opposition.

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

AN ORDINANCE 42,475

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 8, 9, AND 10, BLOCK 4, NCB 11264, LOCATED AT 3500 BLOCK OF PITLUK AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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C. CASE 5067 - to rezone Lot Arbitrary A-18, NCB 10615, located at 4500 Lavender Lane, from "A" Single Family Residential District to "B-2" Business District.

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

No one spoke in opposition.

After consideration, Mrs. Cockrell made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected along 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, Becker, Black, Lacy, Morton, Beckmann; NAYS: None; ABSTAIN: Padilla; ABSENT: Mendoza.

AN ORDINANCE 42,476

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 ARBITRARY A-18, NCB 10615, LOCATED AT 4500 LAVENDER LANE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPERTY REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE EAST PROPERTY LINE.

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D. CASE 5077 - to rezone Lots 23 and 24, Block 1, NCB 1543, located at 1810 Aransas Avenue, from "C" Apartment District to "B-2" Business District.

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

No one spoke in opposition.

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

AN ORDINANCE 42,477

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 23 AND 24, BLOCK 1, NCB 1543, LOCATED AT 1810

ARANSAS AVENUE, FROM "C" APARTMENT
DISTRICT TO "B-2" BUSINESS DISTRICT.

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E. CASE 5078 - to rezone the South 232.2' of Lots 1 and 2, Block 3, NCB 6777, located at 1100 Block of Cupples Road, from "C" Apartment District to "B-3" Business District.

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

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mrs. Cockrell 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, Becker, Black, Lacy, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Mendoza.

AN ORDINANCE 42,478

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS THE SOUTH 232.2'
OF LOTS 1 AND 2, BLOCK 3, NCB 6777,
LOCATED AT 1100 BLOCK OF CUPPLES ROAD,
FROM "C" APARTMENT DISTRICT TO "B-3"
BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED.

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F. CASE 5080 - to rezone Lot 128, Block 13, NCB 9313, located at 1014 S. W. Military Drive, from "B-2" Business District to "B-3" Business District.

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

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected along the south property line. Mr. Morton 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, Becker, Black, Lacy, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Mendoza.

AN ORDINANCE 42,479

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 128, BLOCK 13, NCB 9313, LOCATED AT 1014 S.W. MILITARY DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE SOUTH PROPERTY LINE.

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G. CASE 5081 - to rezone Lot 14, Block 5, NCB 6176, located at 823 Viendo Street, from "B" Two Family Residential District to "B-3" Business District.

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

No one spoke in opposition.

After consideration, Mrs. Cockrell made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected along the north property line. Mr. Morton 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, Becker, Black, Lacy, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Mendoza.

AN ORDINANCE 42,480

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 14, BLOCK 5, NCB 6176, LOCATED AT 823 VIENDO STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE NORTH PROPERTY LINE.

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H. CASE 5083 - to rezone Lot 15, NCB 8679, located at 1200 Block of Parkridge, from "A" Single Family Residential District to "B-3" Business District.

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

No one spoke in opposition.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved. Mr. Beckmann 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, Becker, Black, Lacy, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Mendoza.

AN ORDINANCE 42,481

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 15, NCB 8679, LOCATED AT 1200 BLOCK OF PARKRIDGE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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I. CASE 5091 - to rezone Lot 56-D, NCB 11883, located at 300 Block of W. Sunset, from "A" Single Family Residential District to "R-3" Multiple Family Residential District.

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

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved. 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, Becker, Black, Lacy, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Mendoza.

AN ORDINANCE 42,482

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 56-D, NCB 11883, LOCATED AT 300 BLOCK OF W. SUNSET, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

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J. CASE 5079 - to rezone Lots 37 and 38A, NCB 3099, located at 2306 McCullough, from "D" Apartment District to "B-2" Business District.

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

Mr. Hector Villarreal, representing the applicants, described the neighborhood and pointed out other existing commercial zoning. He said that the applicants wished to have a family restaurant and needed "B-2" zoning in order to get a license to serve beer with food.

Mr. and Mrs. Juan Alvarez, the applicants, said that their restaurant would not in any way hurt Keystone School or San Antonio Academy. They intend to have a high class family restaurant and beer will be sold only with food. Ample parking will be provided.

Mr. Kenneth Beanland, Attorney for Keystone School, spoke in opposition to the proposal. He said that this is a predominately residential area and should be maintained that way. He felt that to rezone this property would be a breakthrough and a signal for more commercial activity.

Speaking in rebuttal, Mr. Villarreal said that the character of the neighborhood has already changed. This property is vacant and would look much better if it were occupied. He said that a garage on the property would be removed to make room for more parking.

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

AN ORDINANCE 42,483

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 37 AND 38A,
NCB 3099, LOCATED AT 2306 McCULLOUGH,
FROM "D" APARTMENT DISTRICT TO "B-2"
BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATting IS ACCOMPLISHED.

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73-35 The meeting recessed for lunch at 12:40 P. M. and reconvened at 2:00 P. M.

73-35 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, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Morton.

AN ORDINANCE 42,484

ACCEPTING THE LOW QUALIFIED BID OF TRINITY FORMS COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH PRINTED FORMS - "SUPPLEMENTARY REPORTS" FOR A NET TOTAL PRICE OF \$1,842,00.

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AN ORDINANCE 42,485

ACCEPTING THE LOW BID OF BARRETT INDUSTRIES TO FURNISH THE CITY OF SAN ANTONIO WITH READY-MIX DRY CONCRETE ON AN ANNUAL CONTRACT BASIS FOR THE PERIOD BEGINNING AUGUST 1, 1973 THROUGH JULY 31, 1974 AT A PRICE OF \$1.15 PER BAG.

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AN ORDINANCE 42,486

GRANTING CITY'S CONSENT TO A SUBLEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FROM NAYAK AVIATION CORPORATION TO SAGA, A SOLE PROPRIETORSHIP, FOR A THREE YEAR TERM.

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AN ORDINANCE 42,487

MANIFESTING AN AGREEMENT WITH MRS. SAM YOON TAK TO AMEND CITY REVENUE CONTRACT NO. 1332 AT HEMISFAIR PLAZA BY INCREASING THE RENTAL PAID TO THE CITY, AND EXTENDING SAID AGREEMENT AS AMENDED FOR A THREE YEAR TERM ENDING JUNE 14, 1976.

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AN ORDINANCE 42,488

CHANGING THE NAME OF ARTESIA AVENUE, BETWEEN PECAN VALLEY DRIVE AND INTERSTATE HIGHWAY 10

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EAST, TO PECAN VALLEY DRIVE AS RECOMMENDED
BY THE CITY PLANNING AND ZONING COMMISSION.

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AN ORDINANCE 42,489

CLOSING AND ABANDONING A PORTION OF STREET
RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF
BROADWAY AND DANBURY DRIVE, AND AUTHORIZING
A QUITCLAIM DEED TO ELGIN PAPE AND HAROLD
PAPE FOR THE CONSIDERATION OF \$1.00.

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AN ORDINANCE 42,490

CLOSING AND ABANDONING TWO TRACTS OUT OF
HEIMER ROAD AND AUTHORIZING A QUITCLAIM
DEED TO DENTON DEVELOPMENT COMPANY, INC.
FOR THE CONSIDERATION OF \$1.00 AND
DEDICATION OF RIGHT-OF-WAY FOR REALIGNMENT
OF HEIMER ROAD, BY UNRECORDED PLAT OF
SAN PEDRO HILLS, UNIT 12, DATED MAY 4, 1973.

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AN ORDINANCE 42,491

APPROPRIATING THE SUM OF \$18,295.00 OUT OF
CERTAIN FUNDS FOR THE ACQUISITION OF A
STORM DRAINAGE EASEMENT AND TITLE TO LANDS
TO BE USED IN CONNECTION WITH THE STORM
DRAINAGE #83-X (SIX MILE CREEK) AND THE
WALTERS-MOORE STREET PROJECTS: AND ACCEPTING
THE DEDICATION OF CONSTRUCTION EASEMENTS TO BE
USED IN CONNECTION WITH THE STORM DRAINAGE
#83-X (SIX MILE CREEK) PROJECT.

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AN ORDINANCE 42,492

CLOSING AND ABANDONING TWO PORTIONS OF A
CUL-DE-SAC AT THE END OF ROYAL FOREST DRIVE,
AND AUTHORIZING A QUITCLAIM DEED TO LAD
PROPERTIES, INC. FOR THE CONSIDERATION OF
\$1.00 AND DEDICATION OF RIGHT-OF-WAY FOR
THE EXTENSION OF ROYAL FOREST DRIVE BY
UNRECORDED PLAT OF PARK FOREST, UNIT 2,
DATED MAY 7, 1973.

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AN ORDINANCE 42,493

APPROPRIATING \$17,478.85 OUT OF STREET IMPROVEMENT BONDS, 1970, FUND #409-02, \$17,000.00 OF WHICH IS PAYABLE TO THE DISTRICT CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF THE DEFENDANTS NAMED IN CONDEMNATION CAUSE NO. C-962, IN SATISFACTION OF THE AWARD OF SPECIAL COMMISSIONERS, AND \$478.85 OF WHICH IS PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS FOR PAYMENT OF COURT COSTS IN SAID CAUSE, ALL OF SAID SUMS BEING FOR THE ACQUISITION OF THE FEE TITLE TO LOT 1, BLOCK 7, N.C.B. 6627, EASTLAND HEIGHTS, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, SAID REAL PROPERTY BEING NEEDED FOR THE WALTERS-MOORE STREET PROJECT.

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73-35 The Clerk read the following Ordinance:

AN ORDINANCE 42,494

AUTHORIZING A PROJECT ENTITLED IDENTIFICATION & SURVEILLANCE OF COLLISION LOCATIONS UNDER THE CITY'S FATAL ACCIDENT REDUCTION ENFORCEMENT PROGRAM (FARE), APPROVING A BUDGET AND APPROPRIATING FUNDS, ACCEPTING A GRANT FROM THE TEXAS TRAFFIC SAFETY ADMINISTRATION IN SUPPORT THEREOF; AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT.

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The Ordinance was explained by Associate City Manager George Bichsel who said that the object of this program will be to reduce the number of traffic fatalities in the City of San Antonio by 5%. The program involves utilizing policemen on a overtime basis three evenings per week putting an emphasis on the locations that have a high accident rate.

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

73-35 The Clerk read the following Ordinance:

AN ORDINANCE 42,495

AUTHORIZING A PROJECT ENTITLED SELECTIVE TRAFFIC ENFORCEMENT PROJECT UNDER THE CITY'S FATAL ACCIDENT REDUCTION ENFORCEMENT

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PROGRAM (FARE), APPROVING A BUDGET AND APPROPRIATING FUNDS, ACCEPTING A GRANT FROM THE TEXAS TRAFFIC SAFETY ADMINISTRATION IN SUPPORT THEREOF; AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT.

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Associate City Manager George Bichsel explained that this is a companion ordinance to the previous ordinance and sets up the budget for the project.

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

73-35 The Clerk read the following Ordinance:

AN ORDINANCE 42,496

CONFIRMING THE RE-APPOINTMENT OF LIEUTENANT COLONEL THOMAS E. BEATTY AS A MEMBER OF THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO AND APPOINTMENT OF MISS LUPE TORRES AS A MEMBER TO REPLACE MR. MARTIN J. RODRIGUEZ; BOTH APPOINTMENTS TO EXPIRE ON FEBRUARY 23, 1975.

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

73-35 The Clerk read the following Ordinance:

AN ORDINANCE 42,497

APPOINTING RAUL R. VALDEZ, MRS. CAROL HABERMAN AND RE-APPOINTING HOMER WALLS AS MEMBERS OF THE MUNICIPAL CIVIC SERVICE COMMISSION FOR TERMS EXPIRING APRIL 30, 1975.

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

73-35 The Clerk read the following Ordinance:

AN ORDINANCE 42,498

RE-APPOINTING GEORGE A. FRENCH, C. RAY
DAVIS, AND ENRIQUE S. GONZALEZ AS MEMBERS
OF THE BOARD OF EQUALIZATION TO COVER THE
1973 CITY TAX YEAR AT THE SAME RATE OF PAY.

* * * *

Dr. San Martin said that he wished to abstain from voting in the case of Mr. Gonzalez because he is Dr. San Martin's auditor. Otherwise Dr. San Martin wished to vote for the other two appointees.

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

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73-35 The Clerk read the following Ordinances:

AN ORDINANCE 42,499

APPOINTING MR. BELVIN B. STEWARD TO FILL
A VACANCY IN THE FIREMEN'S AND POLICEMEN'S
CIVIL SERVICE COMMISSION FOR A PERIOD
EXPIRING MAY 31, 1976.

* * * *

AN ORDINANCE 42,500

APPOINTING CERTAIN PERSONS TO THE BOARD
OF COMMISSIONERS OF THE URBAN RENEWAL
AGENCY OF THE CITY OF SAN ANTONIO.

* * * *

After consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Morton.

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RIVER CORRIDOR

Mrs. Cockrell introduced a resolution proposing the San Antonio River Corridor Feasibility Study as a linear New Town-In Town project and supporting the City staff in seeking funds for proposed River Corridor Projects that may have been set aside for the San Antonio New Town as well as any other funds that may be available for said projects. She said that the funds that were designated for San Antonio New Town amounted to \$16,118,184.00. Hopefully, some or possibly all of these funds can still be captured by the City of San Antonio. She suggested that several Council members should accompany Mr. Guerra and Mr. Winston Martin to Washington and that the matter should be handled through the office of Congressman Henry B. Gonzalez. The fact that San Antonio has been designated a Bi-centennial City may enhance our chances.

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Mrs. Cockrell asked that this resolution be on next week's agenda.

BI-CENTENNIAL COMMITTEE

Mr. Mendoza introduced a resolution commending the Bi-Centennial Committee and asked that it be on next week's agenda.

COLLEGE INTERNS

Mr. Padilla said that the Council has recognized the need for more help and additional space. He said that there are available people to serve as interns in conjunction with their college studies. More information can be obtained through Dr. Lewis at Trinity University. If the City should avail itself of this opportunity HUD has a program ongoing which would pay about one half of the expense.

Associate City Manager Guerra said that he would look into the matter.

CABLE TELEVISION

Dr. San Martin said that he would like for the Council to discuss the possibility of making a decision regarding the Cablevision franchise about August 15, 1973. He also said that the Citizen's Committee and the staff should be advised that the Council would like to have whatever recommendations they might have.

UNIVERSITY OF MEXICO

Dr. San Martin said that, at Mayor Becker's request, he has been working with the officials from the Foreign Affairs Office in Mexico City who were in San Antonio for the purpose of gathering the loose ends at the University of Mexico in Hemisfair Plaza. Senora Caballero has said that the fiscal year begins in the middle of August and it would be desirable to have the financial aspects of the contribution from the Mexican Government for the University Branch here firmly decided on so that it can be fitted into the fiscal year. Dr. San Martin asked that the Council make a decision in this matter soon.

Mr. Tom Raffety said that all that is needed is the time schedule and cost schedule for the completion of the work which was requested by the institute. This should be in hand early next week.

RESOLUTION COMMENDING JOSE INEZ CANO

Dr. San Martin asked that the City Clerk prepare a resolution expressing appreciation for the work of Consul General Jose Inez Cano for the many years that he has served representing his government in San Antonio. He has been highly instrumental in promoting the cause of

friendship between the two nations and also in emphasizing the cultural aspects of our City by bringing to San Antonio a number of cultural exhibits.

Dr. San Martin asked that this resolution be on next week's agenda for consideration.

Dr. San Martin asked for a briefing on the exact status of the United Business Men of San Antonio.

Associate City Manager Cipriano Guerra said that this matter does warrant executive treatment to answer Dr. San Martin's question in detail.

73-35 The Clerk read the following resolution:

A RESOLUTION
NO. 73-35-39

GIVING NOTICE OF A PUBLIC HEARING ON THE BUDGET OF THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1973-74, TO BE HELD IN THE CITY COUNCIL CHAMBER, CITY HALL, AT 1:30 P. M., JULY 26, 1973.

* * * *

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

SECTION 1. Pursuant to the requirements of Section 83 of the Charter of the City of San Antonio, notice is hereby given that a public hearing will be held in the Council Chamber, City Hall, San Antonio, Texas, at 1:30 P. M., July 26, 1973, on the budget of the City of San Antonio for the fiscal year beginning August 1, 1973, and ending July 31, 1974.

SECTION 2. Not less than (10) copies of the proposed annual budget will be available in the Office of the City Clerk as required by said Section 83.

SECTION 3. The City Clerk is hereby directed to publish this resolution in a daily newspaper one (1) time at least ten (10) days prior to July 26, 1973.

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

73-35 The Clerk read the following resolution:

A RESOLUTION
NO. 73-35-40

WHEREAS, San Antonio has recognized that man-made pollutants are found in the air surrounding San Antonio and have created a problem for the citizens, and

WHEREAS, the potential for solving this problem exists by virtue of a cooperative agreement with the Texas Air Control

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73-35 The Clerk read the following resolution:

A RESOLUTION
NO. 73-35-40

WHEREAS, San Antonio has recognized that man-made pollutants are found in the air surrounding San Antonio and have created a problem for the citizens, and

WHEREAS, the potential for solving this problem exists by virtue of a cooperative agreement with the Texas Air Control Board and City of San Antonio through which both entities will share the responsibility for enforcement of anti-pollution measures, and

WHEREAS, the San Antonio Metropolitan Health District, an agency created and maintained jointly by the City of San Antonio and Bexar County, has been designated by the Texas Air Control Board as the local agency for planning, implementing and enforcement of anti-pollution measures, and

WHEREAS, San Antonio intends to comply with the air quality plan drafted and submitted by the Texas Air Control Board to the Environmental Protection Agency in January, 1972, with revisions submitted in April, 1973, and

WHEREAS, the Environmental Protection Agency has set a public hearing in San Antonio on July 17, 1973, to accept input on pollution problems and solutions to these problems from the citizens of this community and the surrounding counties which comprise Air Quality Control Region 9, and

WHEREAS, City Council finds that the EPA plan will produce massive economic cost and social disruption to the citizens of San Antonio, and

WHEREAS, the economic burden thrust upon the City of San Antonio has not been justified by EPA, NOW THEREFORE:

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

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- SECTION 1. The City Council approves and supports the findings and directives of the Plan, and State Regulations previously submitted by the Texas Air Control Board.
- SECTION 2. The City Council questions the validity and appropriateness of the data base used by the Environmental Protection Agency, since the City Health Department, Southwest Research Institute, and the Texas Air Control Board have all expressed doubts about the data base.
- SECTION 3. The City Council requests the Environmental Protection Agency continue its studies and testing of the pollution problems before imposing any federal restraints or regulations on the citizens of San Antonio.

Mrs. Cockrell said that a briefing had been held at a recent AACOG meeting. The Federal standards which are proposed to be imposed on this area will be very difficult to meet and perhaps unnecessary and they may not do as well as the State standards. The City proposes to support State standards rather than the Federal guidelines.

After consideration, Mrs. Cockrell made a motion that the resolution be approved. The motion was seconded by Dr. San Martin and carried by the following roll call vote: AYES: Cockrell, San Martin, Black, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Becker, Lacy, Morton.

73-35

LA VILLITA AREA

Mrs. Cockrell asked about the status of the houses in the Arcienega Street area that were formerly owned by Urban Renewal and now owned by the City. She asked if any studies have been made regarding the reconditioning of these houses.

Mr. Sueltenfuss said that he has cost estimates and will get out a memo on it in the next few days.

73-35

MANPOWER PROGRAMS

Mr. Mendoza said he wished to publicly thank Mr. Guerra and Mr. Paul Edwards, Manpower Coordinator for the City of San Antonio, for their assistance on his recent trip to Dallas in connection with his discussion concerning Manpower Programs with the Department of Labor. He said that he felt that progress had been made and that good lines of communication have been established.

73-35 There being no further business to come before the Council, the meeting adjourned at 3:30 P. M.

A P P R O V E D
C M A D O R

Charles L. Becker

ATTEST: *J. H. [Signature]*
C I T Y C L E R K

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CITY COUNCIL MEETING
July 12, 1973

TRANSCRIPT OF A DISCUSSION OF EVALUATION OF POLICE DEPARTMENT PROCEDURES

MR. GENARO CANO, JR.: Honorable Mayor, gentlemen of the City Council, my name is Genaro Cano, Jr. and I'm here to let all of you know of a serious problem that occurred to my father approximately pretty close to a year ago. Now concerning a certain police officer in the City of San Antonio. Now, I want to make it perfectly clear that I'm not complaining against our fine Police Department, just one individual. The Police Department, I feel we have a fine Police Department. I feel one of the best in the United States of America and I'm sympathetic with all the police and the Police Department. Being an ex-peace officer myself, I understand the problems that are encountered by the police. But I also remember very vividly a statement that was made by Judge Semann before he passed away when he told me once a few years back--he said anybody can be a bully behind the badge but not anybody can be a good peace officer. Now, I'm here to talk to you about one individual bully.

This case concerns, again, my father which it happened approximately a year ago and what we feel was an unlawful arrest of my father, Genaro Cano, Sr. at Monterrey Park on the date of June 29, 1972. The arresting officer was Emilio Cavazos. He arrested him because of the fact he didn't give him a reason. Now, but three or four days before that individual arrested my father was there at that park selling snow cones and the Park Ranger told my father to leave the park because he could not sell snow cones there at City Parks. So then three days after that when the same Park Ranger saw my father's truck there he assumed that my father was there selling snow cones, and he was not there selling snow cones. My father happens to sit on the Committee of the Recreation Committee of that individual park. And another thing is that as a certain Captain Love of the San Antonio Police Department just called him a "plain peddler". He is not a "plain peddler". My father is a fine citizen. He sits, he was appointed and he sits on the National Committee of the Senior Citizens' of the State of Texas. He also is the President of the Meadow Cliff Community Council. He also is a member of the Pan American Head Start Committee. He's President of his PTA at his school. He's a Post Commander of the American Legion Post 485. He is also an appointment into the AACOG Committee. He is a senior citizen, works very closely with Mrs. Black. He's also very active in the Mexican-American Betterment Organization and my father, gentlemen of the City Council, is very, very active and a good citizen.

Now, it naturally disturbs us because we tried to get justice from the Police Department for practically a year and we could not. I visited Chief, or whatever his title is now, Bichsel and not too long ago and he completely forgot about it. He promised me that he was going to reopen and investigate the situation and it was not done. The situation was brought up to the inspector's committee or whatever they call that individual committee that they have there at the Police Department and the only thing that my father got was a very short letter saying that there was no evidence against, that they could find no evidence against the policeman. Now, the policeman, when he arrested him, he just went to him and did not tell him please leave the park or take off or anything. He just went, grabbed him, twisted his arm, my father is 65 years old, pitched him in the car when my father demanded to know what was the reason for him being arrested and told him I'm going to kick you in you know what, and took him to jail. My father called me and told me and I came and got him out of jail. So, gentlemen, if I could continue just a little bit longer on this I would appreciate it.

Now, during this arrest the policeman, again, did not say nothing to him. During half-way to jail the policeman asked my father

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would you have left the park if I would have asked you. When he was practically down already and my father had to go and have medical treatment--he almost broke his arm. My father has been suffering from arthritis and he makes his living working like that and also working as a senior citizen.

When the trial came up we were prepared. We paid an attorney, we were in court, we were ready to defend ourselves on this charge of unlawful refusal to obey the order of an officer--that was the charge. When we got to Corporation Court nobody showed up. The police all of a sudden dropped the charges. And I can understand and I'm sure that all of you could guess why they probably dropped the charges. We had a couple of witnesses that saw what had happened--people from the park there. Again, I want to say that I did come to Chief Bichsel and he told me that he was going to reopen the case, which he did not. My dad requested a copy of the hearing when all of these inspectors get together in the Police Department to inspect the situation that goes on. He requested a copy and Captain Love didn't know that my father was outside waiting in the hall and he said, "that's all that peddler's going to get, just that little two or three lines that we don't have any evidence against the officer".

I ask for your help. I ask for the help from the media to get some of these rotten apples out of the Police Department or for them to be reprimanded very harshly so they will be able to treat our citizens because it certainly could happen to one of your kin. It could happen to your fellow man or it could happen to just any plain citizen. This is one thing that I ask you to please help us out and to request an investigation in this case, and, hopefully, we can have results. I would certainly like to see Emilio Cavazos, the so-called police officer, to take a lie detector test which I guarantee you he would probably refuse. We thank you very much and we appreciate all you can do for us and to help us out and to appoint a committee or whatever you do to investigate this type of situation. We ask, again, help from the media because we haven't been able to get the help from the top echelon of the police force which is the step where you usually start on things like this.

DR. JOSE SAN MARTIN: Mr. Granata, do you have any information on this case?

CITY MANAGER SAM GRANATA: No sir, I don't have any information whatsoever. I'll have to look into it and ask Chief...Chief Peters, do you have anything at this time? Can you speak at this time?

POLICE CHIEF E. E. PETERS: The basic summary of the report, more or less, he was, we were called by the Park Ranger who could not get him to move. The officer went out there and asked him to move and he would not move so he arrested him. I understand the allegation is that he was not asked to move first, but the officer in his report stated that he did ask him to move and he wouldn't. He questioned the legality of the Ordinance of prohibiting him from selling in the park. So, the case was looked into, reports from the officer involved and his statement, and we examined it and we could not find evidence to where the officer had done other than what he was required to do. A letter was sent to the complainant to that affect. He did come in and demanded the file. Well, we don't give out the total file. We give out the information that he gave us or the results of the investigation.

MAYOR CHARLES BECKER: We have Mr. Genaro Cano, Sr. listed next and I think it would be in order to have him speak if we

DR. SAN MARTIN: Okay, because I have some questions of Chief Peters anyway.

MAYOR BECKER: Let's hear what Mr. Genaro Cano, Sr. has to say and then

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MR. GENARO CANO, JR.: Mr. Mayor, could I make one more comment, please, before my father speaks. First of all, I'd like to make this comment that there is no law in the books or in the statutes in the City of San Antonio that says that you can or that you cannot sell snow cones, you know, out of a truck in the City of San Antonio. And we have investigated this. Thank you.

MAYOR BECKER: Thank you, sir. All right, Mr. Cano.

MR. GENARO CANO, SR.: Mr. Mayor, gentlemen and lady of the Council, I've been in San Antonio 64 years and I'm going on 65. I have an 80 percent disability. I was at the McCloskey Hospital four months for bursitis and I had a broken ankle and broken foot. This particular officer was sent to the park on the request of the Park Ranger. He asked me for identification and when I pulled out my wallet he slapped it shut and pushed me into the car. On this occasion I had my five-year-old baby. I'm the father of eleven children--eight of mine and three adopted in this town. I have a five-year-old baby in kindergarten who I picked up that very day. And he slapped my wallet and got close to me, searched me and then he twisted my broken arm and pushed me to the patrol car. He never said one word. I measured this later, 2.6 miles at Commerce and 24th that he asked me, "would you have left the park if I had asked you?". I said you're asking this question too damn late.

I happen to serve on the Committee of the Monterrey Park Improvement Committee for improvement for our children, with Mr. Hall, Rev. Cassel, Mr. Barrera of the Edgewood District and myself. My purpose in going to the recreation center was to find out about a committee that was going to see Bob Frazer for improvements. This particular ranger and others seem to be working for Mr. Sheridan. He has no concessions in Monterrey Park, has not had for the last five years. I drive through there, I deliver kids to go swimming in my truck and everytime I drive, I have a truck and they come snooping around, what the hell you got there. I work for the Senior Community Service Program four hours a day. I'm associated with SOS, Roseville--Mr. Valdez's Center, Better Business, the Better Barrio Movement and all. I'm administrative aid for the Ex-Senior Community Service Program and as my boy told you I'm not, I do not represent the State of Texas for the seniors. I have a national appointment out of NCOA in Washington, that's National Council on aging. I represent the northwest section of the country. And to supplement my four hours work, I still got four dependents in my home. These people have been abusive. They were abusing people--these rangers--at the parade last April for Mr. Sheridan's sake. I don't know that they are on Mr. Sheridan's payroll, I thought the City was paying. And this Mr. Cavazos seems to be one of their bullies that is working for Mr. Sheridan, too. He never asked me questions. He never looked at my ID whatsoever. And then concerning asking this Captain Love for a report--from his office he hollered to this Sgt. Katy. I went there on orders of you, Mr. Peters, to get a copy of the blow by blow description of that hearing. There was a conflict of, he said you had a hearing that's all you get--that's all that "peddler" gets. And he was in the other room. He was hollering it all over. I think you people may not know it but you have one of the most discourteous police inspectors in the country. I'm going to go that far. Something has to be done.

So, I got no blow by blow description of the procedures of my case. I still haven't got it. And then I happen to talk to another inspector and he said he did not know anything about a hearing on my case, there was no such a thing. If there was, he was not invited. So, it seems that this Inspector Love should be Inspector Hate, I think, the name. He gives the public no information whatsoever and I think we're entitled to it. And we, myself, I'm going on 65 and I figure on being

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here about 20 more years and I tell you I'm going to keep an eye on this bully and if he mistreats anybody, I'm going to come down here with them and find out why there has nothing been done on it. I'm 80 percent disabled and my bursitis and my broken wrist. And I think some of you gentlemen will, I haven't got time, I haven't got time to, this is eleven organizations I've served in the county. I'm on the Water District, PTA, Task Force for the aging and AACOG. I've spent about eight hours free work. I do get paid for four hours work for the Seniors' Program. I wouldn't come here to lie and I think some of you may know this. I'm pretty sure you do. This, I'm not going to call him a policeman, I'm going to call him a bully, that's what he is. Thank you, sir.

DR. SAN MARTIN: Mr. Mayor, I'd just like to ask Chief Peters if the case was ever brought to Corporation Court and what was the police report? And why was it dismissed? Why was the charges dismissed?

POLICE CHIEF PETERS: That I'd have to check out. We handled the investigation based on the man's charges that he was mistreated and not a follow up in the courts. Sometimes they are dismissed on the opinion of the prosecutor. I don't know, he mentioned that the charges were incorrect. I'll be glad to check that out and give you a further report on it.....

DR. SAN MARTIN: I think

POLICE CHIEF PETERS: On the other allegations made, now, I didn't send him down to get a file. He came to see me because he wasn't satisfied with the outcome. He wanted the Cavazos disciplined and I explained the case as best I could--what we needed, what I acted I protected his interest but I likewise have to protect the officer in his doings if he was correct. We had the inspector's meeting. What it amounts to is we take the files and try to examine it and put together our opinions of the evidence submitted. That's what it amounts to. We had no minutes of the meeting but on the basis of that I just use them as a sounding board then I act under the law either to discipline or exonerate or to reprimand or whatever we think is fitting.

DR. SAN MARTIN: Mr. Mayor, in view of the fact that this thing happened last year and that Chief Peters cannot provide us with all the information, perhaps next week you can give us a complete report.

POLICE CHIEF PETERS: I'll check out the court hearing and what the....

DR. SAN MARTIN: Thank you.

MAYOR BECKER: Mr. Lacy.

MR. GLENN LACY: The Doctor said it.

MR. ALVIN PADILLA: Mr. Mayor, I'd like to ask the Chief some questions, please. We had a situation which arose a few weeks ago. A major point of contention on the part of the Police Association was that this City Council does not have the right to investigate any individual officers. I do not fully disagree with them but somehow we have to find a way to weed out the people who, from police officers themselves, the indications that I get are that we have something like ten to twenty people on the Department that are guilty of chronic misbehavior regarding the citizens. I have heard statements from police officers themselves that we know who they are. I have heard statements to the effect that if all of the supervisors in the Police Department were asked to make a list of the officers who create a lot of problems in their behavior toward citizens that they would very likely draw up a very similar list under their supervision.

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I'm going to ask this Council to instruct the Manager to investigate some of the workings of the Police Department. I don't think there's any question in anybody's mind that the Manager has the right to do that, because I'm very concerned with things such as policy. I believe in terms of arresting someone who is DWI, the present policy at the Police Department is that the man or woman arrested will be driven to the Police Department in his car. And that after the proper procedures are followed in regards to booking and what have you, that then the officer checks the car into the pound and then gets a ride back to his own automobile. Is this correct? Is that the policy?

POLICE CHIEF PETERS: That's correct.

MR. PADILLA: Alright. The exception being that if the car in question is an unsafe automobile then the arrested individual will be brought into the jail or the police station, as it were, in a police vehicle. Is that also correct?

POLICE CHIEF PETERS: Right. Now, let me back up a little bit....

MR. PADILLA: Substantially.

POLICE CHIEF PETERS: He's brought in by a police vehicle and another officer normally drives his car in.

MR. PADILLA: All right.

CHIEF PETERS: He's not normally brought in in his own car. If the car is safe and has gas and so forth, the car is supposed to be driven in though to save the arrested party the tow charges.

MR. PADILLA: All right, now let me say this to you. Are you aware that one of the well circulated stories at the Police Station today is the case where a man was arrested for DWI and the arresting officer knocked out both headlights of his automobile with his blackjack and then said I can't take you in in this car. It's an unsafe vehicle.

CHIEF PETERS: No, I haven't heard of that case.

MR. PADILLA: And this made the man, if true, responsible for paying the towing charges in, the fixing of his headlights, etc. These are the things that are procedure. These are the things that, if true, bother me very much. I, as Mr. Cano, am not after the Police Department at all. But as I stated to some of the officers and many of them helped me during the campaign but they asked me most directly how I felt about many issues and I responded most directly. And my response to them was that in cases where you are right you will have no bigger advocate on the Council, but when you are wrong and it was established that you are wrong and that you are not serving the people and especially if some of you are abusing the people then I will do all in my power to land on you with both feet and I'm going to be entirely consistent about that. Now, there are things that are happening at the police station that I get from many officers. There are a substantial number of police officers that work for you. They are very disturbed about the few men that we have on the department that cannot seem to behave, consistently.

There are other things. I have a series of questions that I will hand to the City Manager if this Council in its wisdom chooses to instruct him to look into the operations of the department. There are many things. I'm quite concerned in your particular case with the time you must spend going out of town and taking care of chiefly administrative duties that no doubt leave very little time for you to see to the operations of the police department. This could be a factor. I think

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this is something that the Manager is certainly entitled to check into and to know whether you indeed have the time that it takes to devote to the day to day operations of the department and because of this and other things I have other questions on my pad but I'm not going to take the time now. I would like to ask the Council to do this thing in what I consider to be an entirely legal and appropriate manner and I'm going to ask the Council to instruct the Manager to look without delay into the operations, procedures, etc. of the Police Department. I would like to so move Mr. Mayor.

DR. SAN MARTIN: I would like to second that Mr. Mayor.

MAYOR BECKER: Is there any discussion?

MR. CLIFFORD MORTON: Let me ask you is it necessary when one member of Council wants information that he has to get Council action before he can get this information?

MAYOR BECKER: I wouldn't voice an opinion as to whether it's necessary if my life depended on it.

MR. CRAWFORD REEDER: I don't think it's necessary but I think it's probably pretty good procedure to do it. That way, very well, I won't use a hypothetical example, I'll use the actual example. If Mr. Padilla, himself, takes upon himself to go over and investigate the police department, he is going to be alone as far as the rest of you are concerned and it may bring about a political repercussion. If I were a member of the City Council, I'd want a motion. I'd want everybody to join with me in it. I agree with Mr. Padilla that he can...the Council can direct the City Manager to make an investigation in the police department. He can do it. There's nothing in the law that says he can't do that. In fact, the Charter says you can. It's just that you can't take action against individual officers. That's up to the Fire and Police Commission. As far as the vote of the entire Council, I don't think it's legally necessary. I think it's probably a wise political move to make but I'm not a very good politician.

MR. PADILLA: Mr. Mayor, earlier Reverend Black spoke of commitments. I'm asking this Council to take a look because it bothers me very much that we have recurring complaints against the police department and I would like to establish in a proper and legal manner once and for all just what it is that is happening at the police department. In many areas, no doubt, our police officers are correct. I would like to establish this as well as other things. In areas where we are making mistakes, where we are not following procedures. There is another thing that I have gotten from police officers. I have many friends in the department. I understand that there are many dismissals of automobiles that are booked in the car pound because of improper procedures that are followed when the automobiles are booked into the car pound. I would like many, many things checked into and I will if this Council goes along with me and if this Council makes that commitment to instruct the Manager, I will hand the Manager a series of questions that I would like looked into and answers found to.

MR. ALFRED BECKMANN: Mr. Padilla, I think that would be advisable but I don't think we should indulge in a group of rumors if we're going to get an investigation, let's get an investigation but let's don't bring up people say and questions like that. I would prefer to do it on a perfectly legal basis and thoroughly understood with proper oath of legality of the statements, truth, etc. I just don't want to be indulging in rumors.

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MR. PADILLA: I agree with you, Mr. Beckmann. The only reason I gave you two examples was to sort of convince you that there are some questions that need to be answered and I would like to reiterate that the information I have has been given to me by police officers and I have not used names. I have names and I will not use names in a public forum. I will give them to the Manager, he can check these things out.

MR. BECKMANN: If we're going to have an investigation, let's do it but not here.

MR. PADILLA: That's right. I agree with you. But I would like to see a commitment by Council in instructing the Manager.

MR. MORTON: So far, Mr. Padilla, you made two or three points as far as basic things you would like to look into. I don't think there is anything wrong in our looking into the department. I certainly do not want to take the position that the police department is a separate department over here as opposed to the Planning Department. So far as some sort of special privilege they have to information or whatever but before I could vote on your motion, I would like to know specifically what we are investigating. What you're saying so far is basically this. You want to know what procedures are necessary to be able to eliminate those people from the police force who habitually in their contact with people who are being apprehended are so forceful that they create a bad image for the rest of the police department. That's one thing that you're asking.....

MR. PADILLA: That's part of it Mr. Morton. I would like to say that this Council instruct the Manager--- and then I hate to use the word investigate, but a better one does not occur to me--to check into or investigate procedures and operations of the police department.

MR. MORTON: That is so broad, Mr. Padilla, you know.....

MR. PADILLA: If those instructions are given to the Manager, Mr. Morton, I am prepared to give the Manager a series of questions privately, not publicly, because I agree with what Mr. Beckmann said. I cannot go beyond the term and investigate the procedures and operations of the department without getting more specific. Now, I can give him names and occurrences so that he can check them out. But I would prefer to do that in private because we do not know whether these things are true or not.

MR. MORTON: To me an investigation starts off on an objective and impartial basis in which you are not accusatory in the questions that you're asking. You can say, No. 1 just as I've asked a question about personnel policies regarding to dismissing from the force those people who are overly forceful. That's one question you want checked out. Now what are the other questions you want checked out and I'll be very happy to

MR. PADILLA: Procedures, many different procedures.

REVEREND BLACK: It seems to me, if I might interrupt, that there are certain administrative policies that are established in the police department that are not simply operating out of the imagination of the persons in charge that there are certain areas and guidelines for the administering of whatever occurs in the police department. It seems to me that it would be the purpose of any such study and that is to provide this Council with those policies and guidelines and then to raise whatever questions we want to raise regarding the implementation of those policies. Certainly, I would like to know what is the position regarding a case such as we've had. How is it carried out? How is the

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investigation carried out. I'm not able to make the kind of decision that I'd like to be able to make with reference to this citizen's request because I'm not that well informed on the policies and the way it is carried out. So what I'm saying, it seems to me that this is a Council matter because we're talking about policies of a particular department of the Council which we can question with reference to the implementation of those policies.

MR. MORTON: Mr. Mayor, could I ask Chief Peters to come up please Sir. Chief, I wonder if you could just give me off the top of your head the number of personnel policy and procedure manuals that you have in the police department.

CHIEF PETERS: Well, we have the basic rule book and we have about 250 different orders--special orders--that pertain to policy, change of policy or that affects the working of the police department.

MORTON: How many pages would this--all this policy and procedures be?

PETERS: It would be about 250. Then added to that, of course, is the policy book in the Communication Division, how they operate. There is one in the booking, setting guidelines for booking of prisoners, searching of prisoners and things of that order.

MORTON: How many pages would you say all of these policies amount to--just off hand?

PETERS: Plus a revised one, I've had the Research Department working on trying to condense and weed out duplications.

MR. PADILLA: Mr. Morton, I think my motion incorporates by implication, if nothing else, the fact that the Manager is being given considerable latitude to satisfy himself of the operations of the police department.

MR. MORTON: I would think that the Manager has that authority every day of the year, 365 days

MR. PADILLA: Yes, he does but I want this done because I don't believe that it has been done the form of report to this Council. I've never seen it in the last couple of years.

MR. MORTON: Beyond personnel policies, what else is included in your motion, because what you're asking for right here as open ended as this is as I said, and correct me if I'm wrong, what you're asking for is you want a review of this thousand pages of policies and procedures and I think we should be more specific and more instructive to the Manager

MR. PADILLA: To the extent that the Manager can satisfy himself with the operation of the department. I have many things that I can bring up but I happen to concur with what Mr. Beckmann said that this is not the forum for the investigation.

MR. BECKMANN: I don't think we're saying that at all sir. Are you saying, Sam, go through this thousand pages of policies and procedures to make sure

MR. PADILLA: I'm saying, Sam, we've had far too many complaints as far as I'm concerned about the operation of the department relative to its relationship with the citizens at large. Satisfy yourself and report

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to this Council that we have procedures that are sufficient, that they are implemented, that they are followed, that the operation of the department are correct as they should be with reference to the Chief that he has the time it takes to do the kind of a job that we expect him to do. There are many things that the Chief has to spend a lot of time on. I've seen him myself at some of the meetings. The Criminal Justice Council, the Federal Programs, many things that take his time and I can imagine that running a department of a thousand odd men, is a substantial job and it must really tax his time if nothing else. I've talked to the Chief on several occasions when he had to break off because he had an airplane to catch or he had a trip to make. I'm concerned with the time the man has to spend out of town. I'm not being critical of Chief Peters. I sympathize with the tremendous schedule that he must have. These are the things that I want looked into and I cannot, I do not have a bill of any kind here and certainly not a bill of indictment. I'm asking for information.

MR. MORTON: Well, sir, I would say this that with the open ended as that is accusatory. If we can be specific in those areas that we would like to have looked into I think that we could be much more responsible and I cannot support your motion unless you can be more specific about the areas that you would like to have checked into. That is not an investigation. I think that defining the areas is very important to really get the results that you're wanting. Otherwise, what you're saying is Mr. City Manager and Chief Peters, why don't you sit down and go through this book and let's make sure that the rules are right and if they are right are they being followed. If they're not right, then you're asking that they be changed. What kind of a time frame are we talking about to ask somebody to do this. In my business I'd say give me about two years if somebody came to me with an open ended thing and say I

MAYOR BECKER: If I may interrupt here for a moment, I think what really Mr. Padilla is talking about Mr. Morton is he's concerned with whether or not Chief Peters has the time to physically handle all the assignments, duties, and tasks and things that accrue to him as Chief of Police.

MR. MORTON: Now that's a very legitimate question.

MAYOR BECKER: Now the thing that I might say and I didn't realize that Mr. Padilla was going to mention it this morning but it also occurs to me that perhaps the Chief of Police is being absolutely inundated with administrative details to the extent that he has a difficult time in the prosecution of his actual job which is Chief of Police. Now, those of us that are just involved in City Council work know the amount of paper work that is attendant to being City Manager, City Councilman or anything else. We are all being choked to death and covered up with paperwork and to the detriment of us actually, to the detriment of the whole world if I might interject my own thoughts on the matter and I share Mr. Padilla's concern as to whether or not Chief Peters, regardless of his zeal in willing to work 24 hours a day, would be able to reasonably and effectively handle all of the assignments and duties that seem to be attendant of the task today. He's got to belong to an Association of Police Chiefs. He's got to belong to this and that and the next thing various organizations, he has got all this other kind of work you know, this Motorola contract and all that kind of stuff to consume his time. I don't know how he gets anything done at all to be very candid about it. Now then, does the Department then require a looking into to see whether or not the delegation of all these duties is such at this time as to be able to permit him to delegate these various things to other people so that he can really proceed with the primary job, MOS if you will, that he has. I think that's really what Mr. Padilla is trying to say.

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MR. PADILLA: In reference to that Mr. Morton, several years ago, I believe, we had an assistant chief. Now, I'm not reaching any conclusions, I'm just trying to give an example. When I wonder about the Chief's time to really see the operation of the Department on a first hand basis, I can appreciate the tremendous amount of time that he has to spend on other things that are also necessary. Several years ago, we had an Assistant Chief, I believe. We no longer have that position. I think the Manager should satisfy himself along with the Chief as to are we doing it the best way to get the best kind of results from the police department in terms of operation. I don't mean to be asking for a blank check or a two year process here and, as I indicated, the word "investigation" itself is a word I use because a better word did not occur to me. I don't mean to imply any sort of guilt. I simply want things looked into.

MRS. COCKRELL: Mr. Mayor, we have had this motion presented and certainly as a member of the Council, I have no objections like I would like to support any member of the Council getting the information they seek through the Manager's office about any department. Mention has been made, however, about the complaints that have been received from citizens particularly in reference to what they feel is conduct on the part of the police officers which they object to. I think we have to realize, in all fairness, that our police officers do not have the same freedom to come here and appear before this body each time that they have to face abuse from a citizen and many times they are injured, many times they are attacked, assaulted and recently killed in the pursuit of the protection of the citizens of this city. If we were to have the opportunity extended to police officers to appear here every week, I suspect it would far outnumber the citizens by a great deal who have found perhaps individual actions to their disapproval. So I do think we have to keep this whole thing very well in balance. I sympathize with citizens. I think all of us and members of the police force, everyone wants to feel that in responding to situations in the community that our police officers do so with the necessary restraint but at the same time we have to realize that sometimes in the exercise of duty that these police officers are putting up their lives to protect all of us and sometimes we have to realize that there may be a time and perhaps to a citizen it may appear that the officer has over-reacted but it may have been necessary in his opinion. I just wanted to get this whole thing in balance because last week the police officers' wives were down here and they had the opportunity to speak up for their husbands but the policemen themselves can't come here and talk about the abuse that they have suffered.

DR. SAN MARTIN: Mr. Mayor, may I just clarify why I seconded in your motion, Mr. Padilla, and then I'll call for the question. I believe that I agree with Mr. Padilla that it was not intended to be an investigation as such. He says for lack of a better word I think perhaps I understood it to mean an evaluation of the strength and weaknesses of present personnel policies including the time that the Chief has for actually running the Police Department. I think an evaluation of the present policies is what we really are after. I hate to use the word investigation but the reason I seconded that motion is that is what I understood. Is that correct, Mr. Padilla?

MR. PADILLA: If it will get us over the hump, here, as far as commitments are concerned, I will accept the word "evaluation" because I did not intend the word investigation to imply any sort of indictment. But, I do feel that this evaluation should include a check of operations and procedures, not necessarily limited to the time the Chief has but other things---procedures. We have the procedures. We know that. We have a good Police Department both in fact and on paper. But in some cases it may be that people within that Department are not following the procedures that do exist. I would like to establish, whether this is the case or not, and I would like to say that if we do this it will accrue probably more to the benefit of the police than to anyone else. I think we have to answer these questions for the citizens because we have seen too much of it. Now, I would like to say something else, in closing. I was not aware that anyone would appear before this Council this morning with the type of complaint that the two gentlemen, Canos,

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brought to us. I had made this decision a few days ago. Because I think we've had too many questions raised and I believe that we owe it to the citizens as well as to the police to attempt to answer these questions. The last time that this Council structured a Committee we ran into some legal points. I am trying to get answers for this Council in an entirely legal way through the Manager's Office. I would urge the Council, once again, to make this commitment to give instructions to the Manager and not worry too much at this time as to just what it is. I assure you that I am not asking for a blank check in any way, shape or form. I simply want the Manager to be satisfied and to come to the Council and so state that the procedures and operations at the Police Department are in fact what they ought to be.

SAN MARTIN: Question on the motion, Mr. Mayor.

MAYOR BECKER: Okay, question.

SAN MARTIN: Yes.

MAYOR BECKER: Yes.

REV. BLACK: Yes.

MR. LACY: Yes.

MR. MORTON: No.

MR. BECKMANN: No.

MR. PADILLA: Yes.

MR. MENDOZA: Yes.

MRS. COCKRELL: Yes.

CITY CLERK: The motion carries.

MAYOR BECKER: All right. Mr. Granata.

CITY MANAGER GRANATA: Yes, sir. I read you and I plan to review the procedures and policies by the Department and I'm sure it's not the entire 250. I'm sure it's the ones that Mr. Padilla as he would give me some specifics. I know people have been coming here every week. I imagine one would be the arrest procedure--what happens after the person is arrested, who investigates it, does the Chief have time. The other one, as I read Mr. Padilla, was when they impound your car what happens to the procedures, how do they treat you at the pound, how do they bring you back? But I know he doesn't mean the entire 250 and we'll work with them in anyway we can.....

MR. PADILLA: And what has been happening.

CITY MANAGER GRANATA: And what has been happening. I will attempt to find that out, if we possibly can. I think we have a fine Department. Every Department of the City has some bad apples and as we find them out we will get rid of the apples.

MR. MORTON: Will you show me a company or a firm in San Antonio that doesn't have bad apples in it?

CITY MANAGER GRANATA: I wished I could, sir. But.....

REV. BLACK: May I also indicate the question that I raised, the only problem is, Mr. Morton, is that when you have a bad apple in the Police Department somebody's head is opened. That makes a lot of difference. Now, the concern that I have, it's reasonable to believe

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that every policeman is not capable of dealing with the diversity of races or else we wouldn't have had the history that we have had in this country. We wouldn't have the structure that we have. Now, one of the questions I raise is of the policemen that are involved in the kind of conflicts that involve different ethnic groups, how many of them are repeaters? How many have been involved in this same kind of thing before? What do we do administratively about those persons? Do we dismiss them? Do we change their work pattern? What do we do? Or do we keep them in the same kind of exposure? It's reasonable to believe that you would have some men in the Police Department that would reflect some of the same negative racial attitudes that you find in the community. And if you do, then what can you do administratively to protect the community against that kind of action? Because we're talking about a justice. We're talking about a history. We're talking about a democracy and, therefore, we have to be vigilant in maintaining that kind of climate in our community. And this is all I think that we're talking about when we talk about a simple study of administrative policies. How do you deal with men who have those kinds of attitudes? That's all.

MR. LACY: I wanted to get this one point across to Mr. Granata. I'm interested in finding out the procedure when someone does go in and makes a complaint, say they go in to the inspector, it used to be Inspector Peters before and then after they make their complaint, I would like to know how the procedure is handled? Who does it? Is it one police officer that makes the investigation? Or is it two, or is it three? Or does it become a matter pitting the citizen that says this happened and the police officer making the investigation says "no, I don't believe it did." In that procedure it has a police officer determining whether or not this actually happened and as the old saying goes, he says well he's covering up for the policeman because it all comes out this didn't happen. Now, what happens in the case like Mr. Cano when he says no that's the report and that's all you get and get out of here that's all you're entitled to. If that is a procedure, then that is what I'd like to know, if that is the procedure and not the 250,000 pages of over all regulations that...the particular thing and what is the particular procedure. Because that's the rumor that you always get. Well, go down and complain but it won't do you any good. Now, Mr. Cano in his case, I've known him for ten years. He's my neighbor. He is a fine citizen and I know his reputation in the community in which he lives and among those that know him best. And I know that his reputation as for being truthful and for his veracity and that he can be believed under oath. I know that personally. And I would bank on him. Now, we come out and if it is true that Officer Love said, and he was overheard, to say, that peddler has been given an investigation and that's all he's entitled to, get out. Then that's the sort of thing that I would like to find out is that a procedure that they use. I'd like to know in specifics from the Manager what procedure is used so we'll know whether or not it can be implemented and enlarged upon. Whether or not there is just one police officer who makes this determination to investigate this or whether it's two or three. We can't be the board, so they have to be the board. Now, if Mr. Cano, for example, not specifically but if he isn't happy with that does he have to walk out and say well that's all the peddler is entitled to or does he have a recourse and say I'd like to have the Civil Service Board hear it and make the determination. I don't think he has that appeal, does he? That appeal just, does he also have that appeal to the Civil Service Board?

CITY MANAGER GRANATA: It works both ways.

MR. LACY: The officers or the citizens. Of course, is he told that or does he think well, that's the end of the road, that's all I can do. I've had it.

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POLICE CHIEF PETERS: Do you want me to respond now?

MR. LACY: Yes.

POLICE CHIEF PETERS: On the investigation.....

MR. LACY: Is he told he can appeal it?

POLICE CHIEF PETERS: Yes sir. But going back just a little bit on the investigation. You have Captain Love and then he has three assistants and sometimes they are all busy on one investigation or maybe they're working on several at a time. But they'll pursue whatever witnesses we can or we know of can find to a case. When they've completed it then they pass it up to me. And bi-weekly or when possible time permitting, weekly we review the cases that are complete. I call together my staff and to use them as a sounding board, as I mentioned before, and decide whether we have evidence there of misconduct or we do not have evidence of misconduct. I think I should throw out here that 38 men have been suspended since the first of the year. So, obviously we find cases where the officer is wrong and we take action. Five were indefinitely suspended. In other cases we find that the charges are not substantiated, and many cases we find that they are frivolous charges.

MR. LACY: Mr. Cano, were you told "that's the peddler's report, take it, that's all you're entitled to," or did they say "no, if you disagree you can go to the Civil Service Board and how to do"?

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MR. GENARO CANO, SR.: They never mentioned anything about a Civil Service Board. And as a common citizen, I do not know the procedure. As I told you, I was very dammed lucky he didn't throw me out of the office. The way that Mr. Captain, or whatever he is, the way he talked if I had stayed there any longer he would have had me jailed again.

MR. LACY: Well, that's the thing I think Mr. Padilla and I both had in mind that we would like to know the procedure used to see whether, I don't know whether it's up to the Council whether we can say that we don't like the procedure, we think it should be changed, but perhaps the

CITY MANAGER GRANATA: We will attempt to get those procedures for you and if you have specifics like that, Councilman Lacy, or any others would you put them in writing rather than go through the entire thing. The Department as a whole runs pretty well. I know Chief Peters delegates, his authority and a lot of his work the way I have to do, the way our Departments have had to do, and finally the decision has to be made by him or by me in many items. But if you have specifics we'd be happy to let you know what the procedure is. If in my opinion I think it's wrong, I'll recommend to the Council and you'll finally have implementation into changing it if you like.

DR. SAN MARTIN: I think what we really need is recommendations from you as to where the weaknesses are, where it can be strengthened. You and Chief Peters can decide where it can be strengthened. Where your weaknesses are.

CITY MANAGER GRANATA: Yes, sir we will do that. And as I read you I think I know the areas that you're concerned with. If you have others that may be I can't think of, rather than go through the entire--like when a man is on sick leave and all that I'm sure you're not interested in that, just give them to us and we'll investigate everyone of them.

MAYOR BECKER: Mr. Morton, did you have something that you wanted to say?

MR. MORTON: Yes sir I do. Everyone else's been making speeches here this morning and I'd like to

MAYOR BECKER: I've got one to make, too, before we're finished here.

MR. MORTON: Okay. I'd like to say this. It seems to me that I see the same philosophy that we're taking toward the police force as far as looking for weaknesses that I see in our Public Works Department as far as pointing to a specific project and saying "do this." I think that we're starting out on the negative here, and I'd like to suggest this. I don't think that anything less than the best police department in the country is what really the citizens want here in this town. But when we start off on a negative attitude that we have here of looking for weaknesses and getting down here on an operational level trying to find out for a man who really has had his position changed substantially in less than three weeks whether he has the right organizational set up under him, it seems to me that we're going to get so bogged down in this minuteness and off on the wrong foot that I don't think we'll ever have this, best police department in the country. I think we're starting off on the wrong foot. I think that the timing is wrong on it. We have a policeman killed less than two weeks ago and I think the press could very well report this morning that we are investigating the Police Department. I think they could say that legitimately with the open ended motion that we have just passed. And I would be willing to give you a good guarantee that you're not going to get the end results that you want.

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MR. MORTON: I really think this is what the Council ought to be willing to give you a good guarantee that you're not going to get the end results rather than telling the people how to get them. It seems to me that if we want the morale not only in the Police Department but in all the other Departments of the City to be up to where they can get the results that we want, we're going to have to stay out of their day to day business. And we're right in the big middle of it right now.

MAYOR BECKER: Well, I'm going to say this

MR. GENARO CANO, SR: Mr. Mayor, could I point out one more thing and then I'll close sir.

MAYOR BECKER: Mr. Cano, please now, you know I have a short fuse and it's being lit this morning. Now, I want to say something and if you don't mind, please. I think really what we're talking about here and the way I interpret this thing is part and parcel of what I said earlier of what the people in this City expect of the Police Department, the Public Works Department or any other function of government. They expect protection and they expect it for absolutely the irreducible minimum in cost. Now when you stop to consider the transition the police work, the law enforcement work has undertaken from the days of Wyatt Earp, let's say. If I read correctly, I can interpret his actions in Tombstone, Arizona where he was God, marshall of the law and everything rolled into one. And if history records it correctly, he was given the right to indiscriminately kill anybody that opposed him. And if they questioned him, if anyone questioned that action he'd kill them, too. Now, we've gone from that end of the spectrum to the end that we are today where a police officer's expected to be a diplomat, truant officer, marriage counselor, Lord I don't know how many assignments the man is given. Chances are the pay isn't even begin to be commensurate, with what we expect of an individual that's bound by 1,000 pages or whatever it was of directives of procedural manuals and all that sort of thing. Now, the reason I think this thing's important as far as looking into the Police Department itself and the aspect that I focus on it, the part that receives my attention is one, are we expecting Chief Peters or anyone else that might have that job to be superhuman, --to be all things to all people and to be in every city in the United States simultaneously attending various conventions meetings and what have you, to be an administrative head over there and to run the nuts and bolts end of the Police Department, I understand that your desk is piled high everyday with paper work. Now, the only reason that I can afford to take off the time from my business, here, and be down here as much as I am is because I have an organization out on Houston Street that's carrying on the work load while I'm here. And they probably do better when I'm gone but at least they've been trained to carry on in my absence.

Now, let's take that and apply that to Chief Peters. Does he have that same type of back up organization to permit him to handle his tasks in such a fashion that it isn't covering him up and running him, but instead that he's actually running it? That's one thing that I want to know; two, what are we expecting of men 22, 23, 24 years of age? Young fellows that have applied for the job over there. Suddenly they get, how many weeks of training is it that they receive?

POLICE CHIEF PETERS: Twenty-two.

MAYOR BECKER: Twenty-two weeks of training and then we thrust them out into the world where they have to be on call to handle marriage disputes, marital troubles, bar room fights, street fights, I don't care what it is they have it. Are we really expecting an awful lot of these people and looking upon them as just because they happen to be wearing a badge that they're capable of dealing effectively, efficiently, courteously, properly in everyting with every single instance that comes to their attention. I wonder if perhaps that we're not imposing a fantastic burden on what would otherwise be just ordinary people just as we are ordinary people.

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MR. MORTON: I don't think that's necessarily true, sir.

MAYOR BECKER: Well, they are ordinary people in the sense of the word that they're human beings like the rest of us, you know. I wonder if we're expecting an awful lot of young men. It reminds me of the young men that were sent to Vietnam, Korea and every other war that we've ever had and given the assignment and then when they carry out those assignments, for example, Lt. Calley is a case in point, then they want to burn him. Is there fairness involved in all this is the point that I'm trying to make. So, let's assume that we've done what we've done here this morning in the best interest of what we would like to think of an attempt to be helpful and I can't see where if the proper connotation is placed upon it that it will be regarded as harmful or onerous to the Police Department. I doubt this.....

MR. MORTON: I think you just struck the issue and that's the reason that I preferred to say here's what we're after, give some objectives to it and then say specifically here are the areas that we'd like to look at as opposed to having it say the Council is investigating the Police Department.

MAYOR BECKER: Well, you're not looking for a mother hubbard deal. You want a specific request to be applied to whatever function that this investigation might embrace. Is that correct?

MR. MORTON: No, sir. What's saying it seems to me that specifically the two questions that he brought out, one was that he wanted to know how we were going to eliminate from the Department those, a very small fraction or percentage of the total force, that habitually mistreat people. Now, I think that's a very intelligent question to ask. I think it's a very responsible question to ask. And I'm sure that the Chief would like our support and help as much as.....

MAYOR BECKER: No question about it.

MR. MORTON: Anything in trying to accomplish that result and I'm sure that every responsible police officer in town would like the same thing. I don't think that in anyway we're destroying morale when we say here's one area we want looked into. Now, if there are others fine, but I do not believe that you are being positive when it comes out we're investigating the Police Department with an open ended motion like we just passed.

REV. BLACK: It seems to me, Councilman Morton, that if there's any particular responsibility that this Council has, it has a responsibility for policy. The operation of the Departments in terms of policy. Now no matter how long it takes to know this, it seems to me that we're not accepting our responsibility if we come here to make decisions that have to do with the affairs of this community without being well informed on the policy around which our Departments operate. Now, to simply say that because it's too big we can't do it is not the kind of expression I think ought to be associated with any evaluation of our tasks as Councilmen. I think we've got a responsibility no matter how much time. We've taken time to know other things. This is an important aspect of it. I certainly hope that no one will feel that this is something against policemen. I don't think anybody who voted for this has voted with the idea that it's against policemen. I think everybody that voted for it has voted because they feel that it will improve, it will bring about. It's more than simply what the personnel rules are in terms of how do you get rid of bad ones but whether or not there are policies that tend to encourage bad ones. We've got to know that. Whether or not there are policies that we might adopt that could create the kind of situation in which bad ones would not be encouraged. It seems to me that that's extremely important.

MAYOR BECKER: May we progress and proceed with the next item.

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