

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 21, 1974.

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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, LACY, MORTON, BECKMANN, PADILLA, MENDOZA; Absent: BLACK.

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74-12 The invocation was given by The Reverend Monsignor William C. Martin, Our Lady of Grace Catholic Church.

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74-12 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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74-12 ADDITION TO MINUTES OF MARCH 14, 1974

Mayor Becker asked that his statement regarding the use of Wonderland Parking lot by the San Antonio Transit System which was made during the meeting of March 14, 1974 be transcribed and recorded in the minutes of the City Council.

With this addition, the minutes of the meeting of March 14, 1974, were unanimously approved.

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74-12 F.F.A. CHAPTER FROM JOHN MARSHALL HIGH SCHOOL

Mayor Becker recognized a group of students from John Marshall High School and their instructor, Mr. John Vasbinder. The students are members of the Future Farmers of America.

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74-12 MEETING WITH CITY-OWNED UTILITIES

Mayor Becker stated that he wished to remind the Council of a called meeting of the Council for Tuesday, March 26, 1974, at 9:30 A. M., in the Council Chambers at City Hall. All operating heads of the three City-owned utilities are invited along with the Board members of each utility have also been invited.

The purpose of this meeting is to discuss possible savings through consolidation of services.

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74-12 HEMISFAIR PLAZA

Mayor Becker announced that on Wednesday, March 27, 1974, presentations and/or proposals for the redevelopment of HemisFair Plaza will be laid before the HemisFair Plaza Committee.

Mr. Morton said that there are presently three presentations scheduled and he hoped for others.

Mrs. Cockrell stated that at this meeting she wished to make a statement relating the River Corridor Project to the HemisFair project.

On Monday, March 25, 1974, at 9:30 A. M., there will be a meeting of the City Water Board at which time certain capital improvements will be discussed. These are matters left over from a previous meeting. The City Water Board will brief the City Council on its capital requirements program. All Council members are welcome and urged to attend. It is expected that the new appointees to the Water Board, Mr. Robert Boubel and Mr. Hayden Grona, will be present.

Dr. San Martin stated that he would like to see the matter of the Board's "sole purveyor" policy resolved. He recalled that last August, the Water Board made certain alternate proposals but no agreement was ever reached with the home builders and developers.

City Manager Sam Granata explained that this subject is being discussed with the developers by Mr. Mel Sueltenfuss and something should be worked out soon.

The Council members then discussed other aspects of the policy and the need to have independent water companies and developers participate in the cost of developing a source of surface water supply.

MAYOR CHARLES L. BECKER: Last Tuesday at noon, several of us went to Austin to meet with Judge James Langdon, who is a member of the Texas Railroad Commission. That's a regulatory body that was established by the Constitution of the State of Texas. Am I correct in this, Crawford?

CITY ATTORNEY CRAWFORD REEDER: Yes, sir.

MAYOR BECKER: For the purpose of acting as an advisory group, so to speak, on oil and gas matters and so forth. Is that right?

CITY ATTORNEY REEDER: Yes, sir.

MAYOR BECKER: Mr. Langdon was most courteous, most gracious, and most generous with his time. We spent, I guess, from approximately 12 noon with most of the delegation arrived. The delegation was composed of Cliff Morton and Dr. San Martin and Glenn Lacy, and there were all the trustees from the City Public Service Board as well as Mr. Deely, the General Manager. I don't recall anyone else being there from San Antonio, and if I left out anybody I'd appreciate it if you would remind me of who it might be.

The question of suing Coastal States, suing Lo-Vaca, of bringing these people to their knees and all this sort of thing that we continually hear about was gone into it at great length. Judge Langdon, first of all, pointed out they are not a court. They do not have the powers of a court. So, when the people expect the Railroad Commission to adjudicate these various problems and to pass judgment on them as a court would do, they are not acting within their province. They don't have the power. They weren't empowered to function as courts. That was one of the things, and, Crawford, if I'm straying from the factual or the accuracy of this, I would appreciate it if you would correct me.

CITY ATTORNEY REEDER: I think, Mayor, that the limitation on their power is to award damages. They do have the power to settle allocations of gas and rates that they charge. Everybody seems to agree that they have that.

MAYOR BECKER: But the awarding of damages and that sort of thing in dividing the child and all that sort of thing is something that they don't really seem to have the power to do that.

CITY ATTORNEY REEDER: They do not have it.

MAYOR BECKER: Right.

CITY ATTORNEY REEDER: That's right.

MAYOR BECKER: So, after we all understood that portion of his discussion then we went into the alternatives that are present with respect to suing Coastal States, suing Lo-Vaca, asking for damages, throwing these companies into receivership, throwing them into bankruptcy and all the ramifications that are attendant to those type of consequences. Now, I'm going to let the various ladies and gentlemen that were present at the meeting speak to this subject and give their own interpretations of this if they care to.

DR. JOSE SAN MARTIN: Thank you, Mayor.....

MAYOR BECKER: And anyone that even wasn't there is certainly welcome to comment.

DR. SAN MARTIN: Thank you, Mayor. I think I have perhaps a little different, I would say evaluation of the meeting that we had. The statement that Judge Langdon, and I'm quoting directly from his words here, the first thing he said was that the situation was quite grave. You remember that.

MAYOR BECKER: No, I didn't understand.....

DR. SAN MARTIN: He said - the first thing he said was that the situation was quite grave. I'm quoting his words here from my notes - grave - serious situation, in other words, and the statements he made was that we might lose the court appointed management. I understand Mr. Cox, Mills Cox, was having trouble even finding people that are willing to work for the court appointed management.....

MAYOR BECKER: They were quitting over there.

DR. SAN MARTIN: That is correct. And yet in yesterday's paper, Mr. Mayor, I read where five of his people had been promoted to vice president, and perhaps, I'm sure, with a substantial amount of salary, I don't know.

MAYOR BECKER: That was to fill vacancies, Doctor, that have been created with the resignations of some of his people.

DR. SAN MARTIN: What I read in the paper was that they had been promoted, Mr. Mayor. I'm sure that some people when they see a sinking ship they start swimming out in another direction. The thing is this, Mr. Mayor, I think we need to know a little bit more about what the Railroad Commission really is up against. I think they were little bit less than candid. I think Judge Langdon was a little bit less than candid and not going really, if the situation was quite grave as he said it is, I think we're entitled to a statement from the Commission as a whole

rather than from the Chairman or Judge Langdon. I got the impression that we were there to begin with, Mayor, to provide input to the Railroad Commission because they need to know what we're thinking here in San Antonio, as perhaps the first customer and the largest customer, but at the same time, by the time I left the meeting I got the impression that we were being given seven alternatives but only one choice.

Now, he listed seven. I have them all down here, and I thought it was a subtle way of selling number five, alternative number five. Just briefly, may I just say that the first one was that the Railroad Commission could order Lo-Vaca to charge customers its contract price. In other words, what we have contracted 10 years ago; then a shortage would result and bankruptcy in federal court. It's most likely these courts would be outside Texas, and we couldn't get any gas whether we got it at a higher cost and this would have no flexibility for the Railroad Commission.

MR. MORTON: May I interrupt just to take one step further on the consequence if we could, and I ask our Attorney over here. What he is saying is if we want this alternative, he can give it to us. But it would result in bankruptcy. Now, that's an economic question as to whether we are, or we're not. Now, as far as our contracts, what would be the responsibility on a trustee or referee in bankruptcy in case this did occur as responsibility of that individual rest with those people who have a contract with Coastal or Lo-Vaca as opposed the creditors?

CITY ATTORNEY REEDER: Well, I think whoever had a contract with Lo-Vaca might be a creditor but the creditors to whom Lo-Vaca actually owes money would be preferred in the order of precedence there. We would be down the line. In other words, but actually, when you get down to bankruptcy we're not going to be getting any gas. You're just talking about how to cut up the assets of Lo-Vaca and that is the last thing in the world I think anybody in this room would want was for their assets to be cut up. What you want to do is stay in business.

MR. MORTON: Well, there's a point I'm making though. What we're saying is that the contracts that we have with them would not be in preference to creditors.

CITY ATTORNEY REEDER: No.....

MR. MORTON: Creditors would have first choice.

CITY ATTORNEY REEDER: That's right.

MR. MORTON: No contracts be abrogated.

CITY ATTORNEY REEDER: We - they wouldn't be abrogated, but the assets would be distributed to the preferred creditors and there probably wouldn't be anything left to discharge their contractual obligation to us within a bankruptcy court. I'll say this. I may not be reaching your point because I just can't imagine Lo-Vaca going into bankruptcy simply because I don't think the Railroad Commission would let it go into bankruptcy yet.

DR. SAN MARTIN: This is precisely the point I'm trying to make. We're given seven alternatives, Mr. Reeder, but really he finished by saying number five is the one we recommend. Actually, they were trying to do a selling job, in my opinion, so that we might be able to concur and come back later and say, "yes, we approve alternative number five."

CITY ATTORNEY REEDER: Number five was to enforce Lo-Vaca to furnish gas.....

DR. SAN MARTIN: Number five is this: No rate of return from Lo-Vaca to Coastal allows Lo-Vaca to remain afloat. Lo-Vaca functions. Now these are his words.

CITY ATTORNEY REEDER: That was the one they recommended?

DR. SAN MARTIN: Yes.

CITY ATTORNEY REEDER: Well, I may not make myself very popular, but I think that's the only one they can recommend that has any sense to it.

DR. SAN MARTIN: All right. But before we make a policy, Mr. Reeder, I think it behooves this Council, the City Manager and the City Attorney to really go into a very highly detailed study of this alternative. Now, we have not seven alternatives but there's only one that seems possible. Some of them also included - issue permanent order to Coastal to increase the monthly subsidy for Lo-Vaca. Now, there was some question in Judge Langon's mind as to whether this was legal, whether the Railroad Commission could do that. Well, I'd like to know if it's really legal or not.

CITY ATTORNEY REEDER: That would be one that I'd be with you on from a practical and economic standpoint. I think it ought to be done. The question whether it's legal or not I'd level with you completely. There's not a lawyer in Texas who knows the extent of the powers of the Railroad Commission simply because we've never been in a situation like this in this state. That Commission was created to prevent waste in the oil field and the over-production. It wasn't created to meet a situation like we got now. The powers that the legislature gave it starting back 50 years ago when it was born or earlier than that, but powers have been construed by the courts in a few cases so that Matthews and I and Clint Small and a few others lawyers that I know of think that probably it does have these powers to regulate this allocation of what gas there is. What we've got right now is the reverse of the situation that it was created to deal with, that situation that the Railroad Commission was created to deal with was over-production of gas and oil and now we've got under-production because we don't have gas and oil and so we have a situation where Coastal and Lo-Vaca doesn't have enough gas to meet its contracts. It used to be that gas producing companies and oil producing companies had oil, and it was a glut on the market. They were selling for 10 cents a barrel and wasting resources. So, in other words, I'm saying that nobody, lawyers, economists, accountants, geologists, petroleum engineers, nobody has had any really extensive experience with the kind of situation we're in right now. That's where we get into all this trouble.

DR. SAN MARTIN: Mr. Mayor, what I think I'm trying to say is that before we go and immediately accept alternative number five, I think this Council should ask the City Manager and our City Attorney to immediately start meeting with Attorneys for the City Public Service Board and start looking into the alternatives that we have and see really whether the number five is the only one or whether a combination of some of the other alternatives will do. Some of them was to cut the cost of the pass-through from 100 percent to 90 percent or equalize it at 65 percent for everybody all over the state. So,

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we can be a little bit more flexible than I thought we were being told we could be there last Monday. Now, all I'm saying is let's get down to business and let's have our City staff, lawyers and Mr. Wilbur Matthews and the City Public Service Board and let's find out really what the alternatives are and what combination of these seven alternatives is in the best interest of the City of San Antonio, including the amount of money that is being withheld from Coastal, including the dividends that are paid from Lo-Vaca to Coastal. In other words, let's get a true financial picture, a true legal picture of the situation and then we can say we want alternative five or we want a mixture of all seven of them.

CITY ATTORNEY REEDER: All right, Dr. San Martin. I can tell you in response to this for whatever it's worth that ever since last May the main thing I have worked on is exactly what you're talking about. I've had conference after conference with Wilbur Matthews and with other lawyers for the various opponents of Coastal - Lo-Vaca. I'm not bragging about that because I admit I'm lazy, and I don't like to work real hard on anything, but I worked harder on that than I did on anything else except maybe practicing golf. I've got to where I know something about it and - I mean about the oil and gas - I'm not any better golfer than I ever was - but I can assure you, that I've gained a great deal of respect for Mr. Matthews during that time because the man is actually brilliant and he can't figure this out either. He's the only man I know of I think is as smart as Judge Cadena and he's recently lost a little in my estimation, but I don't want that for publication. We figured out a whole lot of things, a whole lot of ways that we could go, you know, would probably embrace one or more of these seven things that you're talking about. But, we don't know for sure what the Railroad Commission can do and what they can't. That was one of the reasons Wilbur Matthews didn't want to file suit. He didn't want to louse up the picture with the Railroad Commission and cast any question on the jurisdiction of the Railroad Commission. He was taking the position that they had the jurisdiction to do everything except award damages. That is one of the reasons he was always reluctant to file suit against Coastal. But, frankly, I think Coastal is the enemy in this thing. I've been saying that now for eight months, and I've never been equivocal about it. I think that they're the enemy and we ought to take dead aim on them somehow and that's what Matthews is trying to do, and I'm just trying to help him.

DR. SAN MARTIN: The thing that worries me, Mr. Reeder, is that as long as we have a lawsuit we have a finger in the pie. I think that if we withdraw completely from the lawsuit we're just telling Coastal States that they can do anything whatever they want.

CITY ATTORNEY REEDER: Not exactly, Doctor. That thing that we've got in the Railroad Commission right now, see, isn't final. That's a lawsuit regardless what Judge Langdon may say. They are not a court. They are what the courts call a quasi judicial body. Quasi meaning like a court. All right. When they hand out a rate, it's not a quasi rate. It's a rate but in any event the - Matthews and the City Attorney of Austin and Clint Small of LCRA, and I and all of us take the position that the Railroad Commission has the right to do these seven or eight things that you're talking about and not the court. The only limit on their jurisdiction, we don't think they have the right to award damages. We think they can make Coastal pay more money. We're sure they can.

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DR. SAN MARTIN: This is precisely the one item that was not or did not seem to be included in alternative number five which was recommended by Judge Langdon. In fact, he said that he was afraid that Coastal States would sue the Railroad Commission. But the only thing that I'm trying to say let's get a determination of what's really the best in our interest including the determination of eventual damages that somewhere down the line and Coastal has the assets because they've got the pipelines.

CITY ATTORNEY REEDER: No, they had the pipelines. It's just a question of whether they got the gas or not.

DR. SAN MARTIN: Well, they've got the pipelines, and they're worth a pile of money. If we're ever going to get any of our money back in damages we're going to have to be careful that we don't lose our strength or our legal position by perhaps accepting a policy that it may look practical right now because we need the gas so badly by at the same time we may be jeopardizing in the future the legal position and determination of what happened to our gas.

CITY ATTORNEY REEDER: Yes, I agree fully. I certainly don't want to see our position jeopardized.

MR. ALFRED BECKMANN: Mr. Reeder, in the transportation of natural gas, isn't this considered a public utility?

CITY ATTORNEY REEDER: It is a public utility. Yes, sir.

MR. BECKMANN: Can a public utility be denied the right of the transportation of gas regardless of who's doing it? What I'm trying to say is even if you busted Lo-Vaca, couldn't somebody else step in and take over that?

CITY ATTORNEY REEDER: Well, somebody would almost have to.

MR. BECKMANN: Somebody would have to, but I mean are we holding back are we afraid of busting them?

CITY ATTORNEY REEDER: It would leave a vacuum if.....

MR. BECKMANN: Who's going to step up.....

CITY ATTORNEY REEDER: I mean that's the thing - there isn't any reason to think that there is anything singularly bad about Lo-Vaca particularly the court-appointed board or anything singularly bad about Coastal States. I think that anybody in the position of either one of them would be doing to us exactly what they're doing in this situation that we have now. The point is that those utilities, and they are utilities, Coastal and Lo-Vaca are going to have to keep operating. That's all there is to it.

MR. BECKMANN: Well, let's say they don't operate. Would it be up to the Railroad Commission to see that somebody else replace them or some other whatever you might call them?

MAYOR BECKER: How can you force anybody?

MR. BECKMANN: Well, that's what I'm talking about so we bust these guys.

MAYOR BECKER: Well, that's what I'm trying to say and that's what Crawford is trying to tell you. If your business goes broke or mine who can force somebody to take it over?

MR. BECKMANN: Well, the difference is, Charles, that here you got a public utility, and I think this is fine point, but I think it's probably very important because if the gas is available just because the company is broke can somebody else step up?

MAYOR BECKER: What should be and what would be, you know, may be.....

MR. BECKMANN:may be two different things.....

MAYOR BECKER:generally two things and you have to deal with the reality of the situation.

MR. BECKMANN: Well, I think it's important since it is a public utility, there may be some possible way of getting somebody else in there to take care of it.

CITY ATTORNEY REEDER: Well, that was the idea back last summer.

MAYOR BECKER: I believe there was an interim period of six months, six weeks, a year, a year and a half, two years waiting for someone to be appointed, someone that was willing.....

MR. BECKMANN: You can't wait that long, it's got to be simultaneously.

MAYOR BECKER: That's what I'm saying. But how can you dictate that someone step in there and take over the entire operation?

MR. BECKMANN: Well, I was leaving that up to a very sharp mind of our legal counsel.

CITY ATTORNEY REEDER: Well, my mind's gotten a little bit dull, Mr. Beckmann, but I appreciate the compliment. It's the nicest thing anybody has said to me today, but Matthews and I looked into this question about what, since this is a utility and since the Railroad Commission has almost plenary type control over it, at least we take the position it does, what if it was thrown into bankruptcy? Well, we've found a couple of cases where utilities were thrown bankruptcy and this is why I was hedging Mr. Morton's question. The referee in bankruptcy, rather the trustee in bankruptcy, was directed by the court to keep the utility operating. It didn't distribute the assets of it. So, in effect, that what the Railroad Commission has done with Lo-Vaca. It just kicked out its board and put in a court-appointed board. But, we're not happy with the way that board's working, but I don't know what - I think we've seen probably they've been as good as they can. I don't know whether they are not, but the ultimate enemy is sitting up on top of this hierarchy is Coastal and they are the ones that got the money and that's where the money is going to have to come from, and I think that if Coastal would kick in more money into Lo-Vaca it would mean that Lo-Vaca could spend more money to get gas and they wouldn't have to put it on the pass-through down to us, or to the extent that Coastal....That's right, it would minimize it - that's the idea.

DR. SAN MARTIN: This is precisely the point I make and that was alternative number four, but it was bypassed by.....

CITY ATTORNEY REEDER: They slurred over it, in other words,.....

DR. SAN MARTIN:number five is the only option we have, and I don't feel that it is the only option we have.

CITY ATTORNEY REEDER: Well, it may not be the only option we have and, of course, I'm absolutely positive that Matthews is going to be trying to up that \$2,500,000 a month that Coastal is presently supposedly putting in that system. That's 40 million dollars a year, and you see this order that presently prevails is an interim order. It's not final yet. There's more proceedings before the Railroad Commission to be had. So, I agree though that that's the thing we got to go out to Coastal, but that's all there is to it.

DR. SAN MARTIN: That's why I object to being told that alternative number five is our best bet without actually getting our heads together and let's see....

MAYOR BECKER: Doctor, as I recall it now, and I could be certainly wrong, but as I recall it, the judge was interested and impressed with the suggestion on the part of Dr. West that the pass-through be reduced to 65 percent instead of 100 percent. Now, that's my recollection of the meeting and a lot of the criticism of the 100 percent pass-through has not only been voiced by San Antonio, the City Public Service and all that but by competing gas companies who are jealous of the fact that one company has 100 percent pass-through privilege and they only have 65 percent pass-through privilege. So they are trying to establish parity.

DR. SAN MARTIN: Not only that, but if they are allowed the 100 percent they can go on and pay anything they want to whether it is necessary to pay more or not as long as they are able to pass it on through they can go ahead and buy at any price just to be sure you get the gas. So, I feel that the combination of these seven options that were delineated at the meeting need to be studied by our City Manager and Mr. Reeder and the City Public Service Board staff and the sooner we get it down - the situation is grave because Judge Langdon used the word, grave, serious that we can't be dilly dallying around anymore. We've got to get down to business and the City Public Service Board and our City staff and the City Council. Let's go to work.

MAYOR BECKER: Cliff, did you have something you wanted to say?

MR. MORTON: Well, I just say that my reaction to the meeting was a little bit different from yours, Dr. San Martin, I did feel that, really, what he was saying was that, we, the Commission, have looked at all of the alternatives that we can think of that you might want to consider and here are the advantages and disadvantages as we see them, of each one of them. But, what we're asking you to do, we're asking you to go back and meet with the balance of the Council and the City Public Service Board to weigh our judgment on these alternatives and determine whether you think the advantages are (inaudible) disadvantages the same way, and that you come up and

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tell us what you want because, for all practical purposes, we can give you any one of the seven, but we don't want you after we have given you any one of these seven choices to be pointing your finger at us two years down the line in case that choice that you asked for and you got was a bad choice over the long pull.

I think, as I see this problem, this is something that politically is dynamite, it's one of those things that we all like to go back and hammer away on and all that, but it's probably the most serious question that's ever faced this City, and as such, I think, it has to be approached in a very dispassionate, objective manner. We have to look at, not only those seven alternatives, but combination or additional of any of the seven to determine really what's right, because, let's face it, there is no question about the fact that there is no alternate source until 1976 or '77 as far as a source of energy that is anywhere close to what we want. I think, if we do it through the press, it would be very good if we just make sure that we get all the facts out and all the consequences that would result from the various courses of action before we really say this is what we think is good. We know right now that for the average individual on the street the thing that if you asked them what to do, they're going to tell everytime to sue them. I tried it last night just for fun with a group of people that, let's say, were fairly well read, fairly well educated, and I tried to show them why this might not be the right thing to do, and I was unable to convince them on a face to face basis. There's so much emotion attached to it. It's like the Judge was saying the other day, Mrs. Wyatt is on the ten best dressed list, is this right? You know, it's a little hard not to become emotionally involved when she is taking money from people in South Texas through the dividends of the corporation or salary and we have people who are shivering here in San Antonio because they can't afford to pay their utility bills and she's on the best dressed list. On the other hand, the Railroad Commission is not there to determine how Oscar Wyatt spends his money.

MAYOR BECKER: You see she would have been on the ten best dressed list, if she had never even know Oscar Wyatt because she was a Sakowitz to begin with. They've got several stores all over, the finest ladies' apparel that the world has known.

MR. MORTON: But, you know, if we can, I guess really what I'm saying is perhaps piggybacking your suggestion, Dr. Jose San Martin, is let's get down to bed rock on a procedure, and it may not be something that is the most desirable from a political standpoint short range, but long range, it has to be the right decision. This is not a decision that you play around with on something that is as vital to the community as this one is with emotion. It's got to be an objective decision.

MAYOR BECKER: There has to be a relationship between the public's absolute fascination with lawsuits and the days when the Romans watched the Christians being fed to the lions. There has to be a relationship. Everybody likes a fight. You know, if you see a group of people stand around in the street and watching something you can depend on it that it's either someone whose broken a leg, or somebody that's suffered some misfortune, or it's a fight of some kind. Everybody likes to see a fight. I think they get caught up in this emotionalism and this hysteria.

FROM THE AUDIENCE: How about somebody streaking?

MAYOR BECKER: Well, now I'm going to leave that up to you, Raul, I am too old for that sort of thing myself. But, you know, when people say sue them, sue them, sue them, sue them, I don't know, I mean in the first place a lawsuit generally, and I said this the other day, and I'll say it, and I think Crawford will be the first to agree with it and Glenn Lacy, a lawsuit in an instance of this type would accrue more benefits to the attorneys than it would anybody else. I'd love to be the attorney in a lawsuit suing Coastal States for damages because I could make at least a ten year career out of just that one suit.

DR. SAN MARTIN: Mr. Mayor, may I just say...

CITY ATTORNEY REEDER: If I had a contract to represent the City in suing Coastal, I'd resign right this minute. You could kill two birds with one stone and get rid of me, have a lawsuit against Coastal, and I could get rich. The City wouldn't get another cubic foot of gas.

DR. SAN MARTIN: There is only one comment that I would like to make that besides the glamour of the lawsuit, I think there is some legal questions that need to be determined which have nothing to do with damages or anything else, dollars and cents or lawyers getting big fat fees. I think we owe the people of San Antonio to determine the validity of the contract we had with Coastal States and the reasons why that performance was never forthcoming after ten years, so there are legal questions that need to be resolved that really have nothing to do with damages or lack of damages.

CITY ATTORNEY REEDER: I agree with you, Doctor.

MAYOR BECKER: I am going to agree with everything you say, Doctor, with respect to that. In researching this thing and discussing it with the Railroad Commission, and discussing it with the attorneys for the City Public Service and any other legal minds that could be brought to bear on it is certainly a marvelous thing and something that I think that we all concur in. At the same time, the Council has an additional responsibility and that is of not rocking the boat and causing it to capsize. Now, you know, we can't go over the falls with this situation and crash onto the rocks below just because of the hue and cry of the public. We are called upon to do what we think is proper and intelligent and justifiable in preserving the only supply of gas that we have. And it is the only supply of gas. So while we are doing all of the things that you would like to do, then it's incumbent on us, additionally, to also see that we don't destroy the very mechanism and render it hopeless and helpless to supply us. So, I think we are all in agreement. We are all saying the same thing, actually.

MRS. LILA COCKRELL: Mr. Mayor, first I'd like to say that I was very sorry that I was not able to accompany the delegation. I did have a River Corridor Committee meeting that afternoon and didn't feel that I could miss that. However, there are several areas, and I don't know if they were discussed or not, that I am very concerned about. I know that when any board is visiting with City officials, they tend to be, let's say, on the defensive, just a little bit in trying to present their own board in the best light. The thing that I have been so very concerned about in terms of the Railroad Commission is their failure to move ahead with the authority that I think most of us feel they have and which the Judge of the District Court in Austin specifically told them that they had, as I understand it, which was that they have the authority to get into allocating the available gas supply. Is that correct, Mr. Reeder?

CITY ATTORNEY REEDER: Yes, that is correct.

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MRS. COCKRELL: That decision came forward in December. Now, then, instead of moving affirmatively at that point in the interest of the deprived customers of South Texas and taking a look at this and taking a look at the fact that our gas had been sold out from under us to interests in North Texas, the Railroad Commission simply went on and appeal to a higher court. Now, at this point, I feel that the City of San Antonio and the City Public Service Board were entirely justified in saying that if the Railroad Commission is not going to assume this authority in terms of reallocating the fuels, then the only alternative that we have is to join with Pennsoil in trying to set aside these contracts that so disadvantageously affected our gas supply.

MAYOR BECKER: You are talking about the TUFECO company?

MRS. COCKRELL: Yes, sir. We have now joined with Pennsoil as in that suit. Now, this is one area where I have been a little bit disappointed that the Railroad Commission has not done what I feel they had it in their authority to do. That is just one area.

Now, a second area, I think one of those alternatives that was mentioned and that Doctor San Martin has pointed out was passed over rather quickly, was the matter of additional funds being required of Coastal States, and I want to be on record as saying I am in favor of the Railroad Commission making substantial additional demands on Coastal States. I think we have been grievously harmed by the actions of the Directors and the Officers of Coastal States, and I feel that while the Railroad Commission does not have the authority to impose damages, I think they do have the authority to ask for a more substantial contribution from Coastal to try to help our supplier get on his Lo-Vaca, and I have said before, and I say it again, the burden should not be borne entirely by the consumer. The consumer is not bearing all the burden now, but still bearing too much of it, and so, I think that additional requirements of Coastal in this respect are within the Railroad Commission's authority, and I think they should move in that direction. So, those are all aside from the point. I can see, and I concur the fact that there is still question as to the long range advantages, the short range advantages of a damage suit, and I think we should continue to weigh that before such a suit would be filed. But, on these other points I think that if we can get the gas by getting those TUFECO contracts voided I think we're well ahead of the game.

MAYOR BECKER: No questions about it.

DR. SAN MARTIN: Mr. Mayor, I'd just like, for Mrs. Cockrell's information and those members of the Council that did not go to Austin I did bring up the question of the TUFECO contracts and Mr. Morton also did but there was no comment from Judge Langdon, and it was not pursued anymore if I remember correctly.

MR. BECKMANN: That was a political hot potato you handed him. He's not going to say anything about that. He's running from North Texas.

MR. DAVID TOMLIN: May I address the Council for a moment? May the press and the public know who called this unpublized meeting and what its stated purpose was? Was there an attempt to dissuade the Public Service Board that was present from filing a lawsuit they have said they will file or has the Board decided to do something or just have an idea of what this meeting is all about. You are talking about something which we have had only fragmentary reports.

MAYOR BECKER: In the first place, David, I don't know who called the meeting. I have to admit.....

MR. BECKMANN: I didn't get invited.

MAYOR BECKER: I have to admit ignorance. Everybody was invited; Alfred.

MR. BECKMANN: Somehow the communication didn't get to me.

DR. SAN MARTIN: I have a letter in my office that I received. If you give me five minutes I'll go get it and bring it to you....

MR. BECKMANN: I want you to understand that I just didn't get it.

MAYOR BECKER: Everybody was invited. It wasn't preferential, you know, invitations were issued.

MR. MORTON: Sir.

MAYOR BECKER: Yes.

MR. MORTON: To answer his question, specifically, the Chairman of the City Public Service Board asked members of the Council to accompany him to Austin. Now, whether the City Public Service Board initiated the meeting or whether Judge Langdon initiated the meeting, I couldn't tell you.

DR. SAN MARTIN: Mr. Morton, from the letter that I have in my office, it appears that Judge Langdon informally suggested to the Board of the City Public Service that such a meeting would be fruitful and Tom Berg replied that he did agree, and that he would like to invite members of the Council. I have a copy of that letter if you all want to see it.

MAYOR BECKER: I think it will be well to produce it if you could, Doctor.

DR. SAN MARTIN: Beg your pardon?

MR. TOMLIN: May we have all seven of the alternatives?

DR. SAN MARTIN: I have them here. They're not privy to anybody. I'll be glad to share them with you any time you want to.

MR. ALVIN PADILLA: Mr. Mayor, in terms of this.....

MAYOR BECKER: I would - let me say this if I may, Al, before this thing starts going like a swamp fire. It was not intended as a clandestine meeting of any type. Now, let's understand each other on that point. It was not a private meeting as such. Now, we were there as guests, as invitees. I didn't, in any way, think that it was purposeful that anyone was excluded. It wasn't that sort of a meeting. It was merely a meeting to lay forth and present the alternatives that were available to the City of San Antonio and the City Public Service in the mind of the Railroad Commission as I understood it. No attempt was made to dissuade anybody or any of that sort of thing. It was just an exchange of ideas and views as we're talking right here at this very meeting now.

MR. TOMLIN: Still I gather that the alternatives that were emphasized by Langdon would be, I believe, Dr. San Martin (inaudible) would be to continue to allow Coastal-Lo-Vaca to charge whatever rates were necessary to keep them afloat.

MAYOR BECKER: Well, David, I don't know that, that in its entirety is correct, and I'll give you an analogy that might help. There's one way that I can stop having haircuts and that is to cut my head off. Now, we can undo an awful lot of these problems momentarily at least by suing. Bring in Coastal, bring in Lo-Vaca, whichever and/or both to their knees, throwing them into bankruptcy, throwing them into receivership. That would make many people happy. That would satisfy tremendous emotional thirst and hunger that's there. But is that the thing to do, you see. So we.....

MR. TOMLIN: You voted on the Board did you not that sitting on the City Public Service Board, to file such a suit?

MAYOR BECKER: I voted to file a suit that, in the middle of the legal counsel, would be the proper type of a lawsuit. Now, I can say well, I'm going to sue David Tomlin, but sue him for what, you see. Then the suit has to be tailored, it has to be structured, and I can sue you because, you know, you have on a gray suit today or that you smoke cigarettes or that you drive a certain type of car, but I have to first of all select the grounds that I'm going to sue you on and that's really, in essence, what we did at the Public Service meeting that day. Now, then the legal brains have to take that request from the Board members and then apply to whatever portions that they think that there is some actual worth in applying it to. That's the trouble with saying let's sue somebody, it sounds so simple. I can try to institute suit against anybody, and it would take me, if I had a good attorney representing me, it would probably take me at least three months to six months, just that much time alone to get the suit tailored as to what I was going to sue him for. That would be a very simple matter. Now, am I falsifying things, Crawford, when I make that statement? You know, suing people is a neat thing that is easier said than done.

MR. GLENN LACY: Like I say, Mayor, you can sue anybody, anywhere, anyplace, anytime for anything but collecting it is another thing.

MAYOR BECKER: That's exactly right.

MR. LACY: Mr. Mayor, I'd just like to say this that my impression while I was there was not as if they were trying to sell us any bill of goods or particular thing, but I did talk to, I believe that one of them was an attorney, just informally, and they did come up with a couple of things I think that is probably true. They said that even the talk to this point and the publicity that has been given it, of course, that some of the people that do have gas, and they're trying to buy it, they're already showing a reluctance to sell it to them because they fear that they may be placed in a receivership and who wants to have a contract with someone that's going to be placed in a receivership. So, in order to get around it, they finally said, well, okay, we'll sell it to you, but we want a \$1.10 or a \$1.20 or some very high rate, so high that it discourages you and sells it for a lesser amount to somebody else. We have some

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sort of a Commission to control what people sold it for, it might help, but they still have the right to sell anything they have for whatever you can get for it. That's one of the things that they're having trouble with right now is buying it because of the very fear that they might be placed in a bad position and not be able to pay for it. Someday, there might come a time that we might have to underwrite some of the people that are suppliers and guarantee to them that they would get that many in case there was a receivership.

MAYOR BECKER: Al.

MR. PADILLA: I just wanted to comment to David's first question, Mr. Mayor. The meeting when I learned of it was from a member of the Council. I don't know who initiated the invitation. I don't know whether Judge Langdon invited the Council and Public Service or whether Public Service requested a meeting or whether even some members of the Council initiated the request for a meeting, I don't know. No one contacted me. I received no communication on it except that one member of the Council mentioned it to me that this was supposed to be a luncheon with Judge Langdon and I did not attend. I understand that three members of the Council did. I would like to remind the press that that did not constitute a quorum but in trying to answer David's question, his original question, I don't know who initiated the meeting, I was not contacted in any written form by anyone. I knew of it, that it was going to happen the next day. I couldn't go. But beyond that, Mr. Mayor, just for the sake of clarity, I'd like to ask you was a quorum of the Railroad Commission present or was a quorum of the City Council present or anything like this?

MAYOR BECKER: No, every trustee from the City Public Service Board was there.....

MR. PADILLA: So, there was a quorum.

MAYOR BECKER: including myself of the City Public Service. Three Council members were there excluding myself. I don't know whether I'd be there as a Council member or as a member of the Trustees, but I, you know, I don't know how many times I can be counted. There was one member of the actual Railroad Commission there and his name was Judge James Langdon. There are three members that comprise that Commission. So, that's the structure of that. I don't regard it at all as any type of, like I said clandestine meeting that had any ulterior undertone and nefarious implications or any of that sort of thing attached to it. Maybe it's too bad that it didn't - it'd certainly be a lot more interesting.

MRS. COCKRELL: Mr. Mayor.

MAYOR BECKER: Yes, madam.

MRS. COCKRELL: I think, though, that we're not, no one is saying that anything was nefarious or underhanded or trying to be surreptitious or anything like that. I think though that we all need to be careful and be sure to keep the meetings, anything that is covered under the open meetings law which apparently this was since it was a quorum for the City Public Service to be sure that notice is posted. I didn't ask,

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when I heard about it - I hadn't called a meeting or try to set it up or didn't even know really all the details, but I think that just as standard of operating procedure we need to follow.

MAYOR BECKER: I'm happy to report that I can't recall one single meeting that this Council had since it took office that was not a public meeting.

MRS. COCKRELL: I can. I can remember, you know, just last minute things, meetings out at Brittany Buffet and things like that. The press was notified at the last minute, but it was not posted under the open meetings law.

MAYOR BECKER: That was even before the open meeting law actually.

MRS. COCKRELL: There was one in effect.

MAYOR BECKER: But, we had the press at those meetings. I'm talking about private meetings, private meetings. We've had not one single private meeting.

MR. PADILLA: We did have a meeting last year that I initiated, Mr. Mayor, with the consent of the Council. This was the Police Association at the Restaurant at Villita Travelodge and Debbie Weser there gave me literal hell over, but I wanted to point out that this was before the open meetings law became effective this January. We were operating under the old law, and I think if you look up the record, Debbie, it was previous to January 1st, so we were operating under the old law rather than the present law, at that time.

MAYOR BECKER: Well, I'm sure it wasn't the intent of the City Public Service Board or its Chairman or anyone to bring about a meeting last Tuesday in Austin that would be considered an illegal meeting. I'm sure that wasn't their intent. I think we're all too smart for that. We may not always agree with the law, but we're too smart to disobey it or running afoul of it.

MR. MENDOZA: Mr. Mayor, I think - I don't know of course the background of the meeting. I can appreciate the fact that you went to the meeting, the members that went from the City Council indicate that they were trying to do something, we're trying to keep the public informed, we weren't - even though I wasn't invited, and I want to say that for the record - I still appreciate the fact that those people that knew about the meeting that could make the meeting are now giving us a report on the meeting, you see. And even though I know that if I would have known about the meeting, I would have probably made it cause I never turn down a free meal, you know, but I think it's really very important that we get off of - well, we're trying to communicate and a lot of times we have problems in communications, in coordination of activities and such but the main thing here is the problem that we have at hand and what can we do or how can we better communicate or coordinate, you know. And so, I don't agree with - I don't know - someone made the statement that we need to start working on it. I think we've been working on it. I think we've been doing something about it.

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MAYOR BECKER: We've been working on it ever since it first started.....

MR. MENDOZA: That's right, sir.

MAYOR BECKER: And it's something that we've had countless hearings on, and numerous meetings and everything else. That's the reason I'm inviting everybody to these meetings next - particularly the one next Tuesday. It will be worth attending if you have the time. It's going to be better than any heavyweight boxing match that's been held in this country in a long time. So, if you like blood, come on over, 9:30 right here. We don't have any meetings that are secret.

MR. MENDOZA: I would like to get a copy, Mr. Mayor, of the alternatives or the.....

MR. BECKMANN: Are you trying to tell us something, Leo?

MR. MORTON: This is a suggestion, I don't know whether it would be possible to get a copy of the notes, memorandum that the judge had. I think this would be the place where you can get an unbiased version, and I will request that the City Manager to get that and make it available to the members of the Council, as well as the press. I did not get a copy of the report at all.

MAYOR BECKER: I didn't get it, and I'm not very handy with shorthand, and I can't read my writing when I try to write it down longhand, particularly when I go about it in a hurried fashion.

MR. MORTON: You should have commissioned Mr. Lacy to do it.

MAYOR BECKER: Are you the shorthand expert?

MR. MORTON: He takes it all down in shorthand.

MAYOR BECKER: You're a very - what is the word? Ambidextrous?

MR. PADILLA: Now, you know why we brought you back from Acapulco, Glenn. You almost got traded but we brought you back for your shorthand.

* * * *

74-12

SAN ANTONIO TRANSIT SYSTEM

Mayor Becker made reference to a letter written by City Manager Sam Granata to Mr. Norman Hill, General Manager of the Transit System, in which the matter of the maintenance of City vehicles by the Transit System was discussed. This subject will also be delved into at the joint meeting scheduled for March 26.

74-12

CITIZENS TO BE HEARD

MR. MIGUEL G. LUNA

Mr. Miguel G. Luna, 1430 Ceralvo, again appeared before the Council with reference to his complaint about a zoning violation in his neighborhood.

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Assistant City Attorney Louis Garcia stated that today a suit will be filed in District Court requesting the Court to restrain Mr. Joe Hernandez from continuing his violation. The restraining order should be issued within ten days.

Mrs. Cockrell expressed dismay that action on a zoning violation such as this takes so long. She said that it simply appears to her that these matters should be resolved much faster.

City Attorney Reeder stated that certain changes are being made in procedures at Municipal Court and that in the future matters should be handled more expeditiously.

Mayor Becker stated that the Council wants zoning cases heard promptly and asked that the Courts be advised of the Council's desires.

Mrs. Cockrell asked that a report on this case be made to the Council at next week's meeting.

MR. RUDY KRISCH, III

Mr. Rudy Krisch, III, Route 11, Box 223A, spoke to the Council concerning his son who is a student at John Marshall High School. He said that he has lived in his present location 31 years and has always maintained some farm animals. His son is a member of F.F.A. in school and is raising swine as a school project. The San Antonio Health Department has filed a violation and told him he must get rid of the swine. Mr. Krisch aksed the Council to consider a revision of Section 6-15 of the City Code to permit his son to continue to keep the swine.

Mr. John Vasbinder said that he is a school teacher at John Marshall High School and also asked that the Council reexamine the City Code requirements. He then reviewed the F.F.A. program in some detail.

City Manager Granata said that this area was annexed in December, 1972, and that he has issued instructions to consider this a non-conforming use which under City policy could continue until December of this year.

STEPHEN HARVASTY

Mr. Stephen Harvasty read to the Council a prepared statement urging that senior citizens be exempted from City taxes up to \$10,000 valuation instead of \$3,000. He also discussed the problem of needy persons having their utilities shut off for non-payment. (A copy of Mr. Harvasty's statement is included with the papers of this meeting.)

Mayor Becker advised Mr. Harvasty that the matter of tax exemption has been a subject of discussion between the Council and the Finance Director. The additional tax loss to the City to permit an exemption up to \$10,000 valuation has been estimated to be \$562,440 or a total of \$1,526,261 including the present \$3,000 exemption. The matter will be a subject of discussion at a "B" session.

Mrs. Cockrell said that she would be interested to hear where the staff would recommend that the money come from. She recalled that recently she had tried to get a two cent tax decrease and was told that there were no surplus funds which could safely be taken from their allocated functions.

City Manager Granata stated that so far the staff has made no recommendation regarding a tax exemption nor has a source of funds been determined.

MR. RAMON RODRIGUEZ, JR.

Mr. Ramon Rodriguez, Jr., 603 S. W. 39th Street, spoke to the Council about the Spanish settlers in Texas. He objected to changing names of streets from Spanish names to other names. He also discussed the conservation of old historic buildings in San Antonio.

Mr. Rodriguez displayed a book entitled, "Rodriguez' Memoirs," written by Joe M. Rodriguez when he was 12 years old and who later was the Tax Collector in San Antonio.

Mr. Rodriguez then complained about the drainage problems in the vicinity of Commerce Street and Highway 90 West. He claimed that the drainage situation could be alleviated by running a ditch two blocks from Commerce up 39th Street to Apache Creek.

City Manager Granata said that he would have an investigation made with Mr. Rodriguez to see what can be done.

SAN ANTONIO ACADEMY

Col. W. T. Bondurant, Jr., invited Council members to attend a Carnival and recognition day for alumni at San Antonio Academy on Saturday, March 23, from 1:00 P. M. to dark.

74-12 The following Ordinance was read by the Clerk and explained by Mr. Tom Raffety, Aviation Director, and after consideration, on motion of Dr. San Martin, seconded by Mr. Beckmann, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Black, Lacy, Mendoza.

AN ORDINANCE 43,556

ACCEPTING THE LOW BID OF VERTEX CORPORATION FOR CONSTRUCTION OF A CARGO FACILITY AT THE SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING EXECUTION OF A CONTRACT COVERING SUCH WORK AND APPROPRIATING \$1,608,000.00 OUT OF 1974 AIRPORT REVENUE BONDS PAYABLE TO SAID CONTRACTOR, \$80,400.00 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT, \$42,070.00 PAYABLE TO LLOYD WALKER JARY & ASSOCIATES, A.I.A., FOR PROFESSIONAL SERVICES AND AUTHORIZING REIMBURSEMENT OF THE INTERNATIONAL AIRPORT ADMINISTRATION FUND NO. 804-00 FOR ARCHITECTURAL FEES HERETOFORE PAID.

* * * *

AN ORDINANCE 43,557

AUTHORIZING THE CITY MANAGER IN CONCURRENCE WITH OTHER TAXING ENTITIES TO EXECUTE QUIT-CLAIM DEEDS TO CERTAIN PURCHASERS TO PROPERTIES ACQUIRED THROUGH TAX FORECLOSURES AND AUTHORIZING PAYMENT TO OTHER TAXING ENTITIES AND COSTS INCURRED THEREIN.

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<u>CAUSE NO.</u>	<u>DESCRIPTION</u>	<u>PURCHASER</u>	<u>AMOUNT</u>
C-13,255	Lot 191, Block 4, New City Block 7,734	Rodolfo Rodriguez	\$ 200.00
C-13,309	Lot 18, Block 99, New City Block 9,369	San Tex Lumber Co.	\$ 600.00
C-14,100	North 33.5 feet of Lots 9, 10, and 11, Block 6, New City Block 2,852	Christopher L. Brandes, et ux	\$ 252.99
C-14,191	Lots 1 and 2, Block 18, New City Block 3,193	Antonio Cirlos, et al	\$1,300.00
C-14,415	North 33.5 feet of Lot 12, Block 6, New City Block 2,852	Christopher L. Brandes, et ux	\$ 164.53
C-14,843	North 105 feet of Lot 1, Block 19, New City Block 8,969	H. De La Vega et al	\$2,500.00
C-15,180	West 17.6 feet of the South 97.5 feet of Lot 16 and East 16.7 feet of the South 97.5 feet of Lot 15, Block 1, New City Block 528	Bennie T. Whitaker, et ux	\$ 905.18
C-15,395	Lots 9 and 10, Block 12 New City Block 3,096	Roman Gonzalez, et ux	\$20,000.00
C-15,855	Lot 46, Block 4, New City Block 7,857	San Tex Lumber Co.	\$ 301.00
C-15,857	Lot 36, Block 4, New City Block 7,857	Pedro Reyna et ux	\$ 230.00
C-15,858	Lot 47, Block 4, New City Block 7,857	San Tex Lumber Co.	\$ 449.00
C-15,859	Lots 7 and 8, Block 11, New City Block 7,755	San Tex Lumber Co.	\$ 1,450.00

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<u>CAUSE NO.</u>	<u>DESCRIPTION</u>	<u>PURCHASER</u>	<u>AMOUNT</u>
C-15,864	Lots 17, 18 and 19, Block 3, New City Block 7,797	Genevieve Salazar	\$ 300.00
C-15,910	Lot 22, Block 179, New City Block 9,463	Clifford J. Bueche, Sr., et ux	\$ 1,100.00
C-16,041	Northeast 44.35 feet of the Southwest 88.7 feet of Lot B or Lot B-5, New City Block 7,676	Leonard & Harral Leasing Co.	\$ 525.00
C-16,043	Lots 1 and 2, Block 22, New City Block 8,029	San Tex Lumber Co.	\$ 350.00
C-16,202	Lots 8 and 9, Block 8, New City Block 7,930	W. Furman	\$ 700.00
C-16,394	Lot 7, Block 44, New City Block 9,467	K. R. Parks, et ux	\$ 2,500.00
C-16,861	Lot 62, Block 3, New City Block 6,233	Angelina Muro	\$ 480.00
C-17,008	Lot 19, Block 17, New City Block 10,292	H. L. Estrada et al	\$ 679.50

* * * *

The Ordinance was explained by Mr. Ted Wagner, Back Tax Attorney, who said that it concerns 20 parcels acquired through tax foreclosure. Twelve of the resales were initiated by Harlandale Independent School District. City Tax Office personnel have checked the appraisals and concur in the values established. In answer to Dr. San Martin's question, Mr. Wagner said that all established City procedures have been followed.

Mr. Raul Rodriguez asked that the Council not act on this Ordinance and to institute an investigation into the manner in which the purchase and disposal of tax delinquent property is conducted. He referred to a previous complaint of his on this subject after which the Council instructed that a full list be published on the City's bulletin board.

Mr. Rodriguez compared acquisition costs and sale prices and claimed that there is some dishonest dealings taking place and that prices on these parcels are much too cheap.

Mr. Morton took exception to Mr. Rodriguez' accusations and actions in the Council Chamber and moved that the Ordinance be adopted. The motion was seconded by Mr. Mendoza.

In answer to Mayor Becker's question, Mr. Wagner said that he had personally posted notices of this Ordinance as directed by the City Council.

Mr. Mendoza said that he would be happy to accompany Mr. Rodriguez in a visit to the Tax Office to get this matter settled once and for all.

Mayor Becker thanked Mr. Mendoza for his offer and suggested that a meeting be arranged soon.

On the following roll call vote, the motion, carrying with it adoption of the Ordinance was passed and approved: AYES: Cockrell, San Martin, Becker, Lacy, Morton, Beckmann, Mendoza; NAYS: Padilla; ABSENT: Black.

74-12 The following Ordinance was read by the Clerk and explained by Mr. Carl White, Director of Finance, and after consideration, on motion of Dr. San Martin, seconded by Mr. Padilla, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Black.

AN ORDINANCE 43,558

LEVYING CERTAIN PERMIT FEES ON MIXED BEVERAGE ESTABLISHMENTS AND AMENDING CHAPTER 5 OF THE CITY CODE; AND PROVIDING A PENALTY FOR VIOLATIONS BY A FINE OF NOT LESS THAN \$10.00 NOR MORE THAN \$200.00.

* * * *

74-12 The meeting was recessed at 12:00 o'clock and reconvened at 2:00 P. M.

A. CASE 5413 - to rezone a 10.82 acre tract of land out of NCB 14939, being further described by field notes filed in the office of the City Clerk, 9900 Block of I. H. 10 Expressway, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located between I. H. 10 Expressway and Bluemel Road, being 310' northwest of the cutback between I. H. 10 Expressway and Wurzbach Road; having 976' on I. H. 10 Expressway, 867.87' on Bluemel Road and a distance of 524.36' between I. H. 10 Expressway and Bluemel Road.

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

Mr. Ralph Bender, representing Kirby Enterprises, Cafeterias, Inc., and the Frost National Bank, distributed copies of a site plan for the proposed project. In the first phase, there would be a bank and cafeteria and in later phases, approximately 80,000 square feet of office space would be built. He described the site location and the types of development in the vicinity. He estimated total development costs to be approximately \$8 million.

Mr. Bender said that there had been considerable opposition to the project from residents in the area. Since the meeting before the Planning Commission, there have been numerous meetings with groups and individuals in the area and as a result, certain concessions have been made. The proponents have agreed to a 75' building setback line on Bluemel Road and the cafeteria has been turned to eliminate one curb cut on Bluemel Road.

The developers will provide a 42' paved and curbed dedicated street on the south end of the property connecting Bluemel Road and the frontage road of I. H. 10. There will be a private road on the north end of the property which will remain open to the public and will also connect Bluemel Road and I. H. 10.

In addition, the developers have agreed to rebuild, widen to 42' and curb Bluemel Road from Wurzbach Road to the north end of the property. Funds for the improvement of Wurzbach are in Revenue Sharing funds and this project should be complete within a year.

All of the agreements and concessions have been put in writing by the proponents and are in the hands of the Planning Commission.

Mr. Tom Frost, Jr., Chairman of the Board of Frost National Bank, confirmed the commitments of the applicants as outlined by Mr. Bender. He said that the bank and cafeteria wish to be good neighbors and will work to that end.

Mr. Norwood Jones, Executive Vice President of Cafeterias, Inc., also confirmed Mr. Bender's statements.

Mr. Leo Erhard, 4015 Glenrock, spoke in opposition. He said that he represented over 100 families in the immediate area. The two objections were:

1. Increased traffic which would filter through the residential area and
2. Lack of visual aesthetics.

After certain changes were agreed to in the screening of the cafeteria and the landscaping design, he said that it now appears that their second objection had been overcome. The remaining fear is that extremely heavy traffic will occur on Bluemel Road and cause traffic to filter through the residential area. Mr. Erhard said that the residents want a non-access easement on the property all along Bluemel Road.

Mrs. Carolyn Hickey, 4006 Glenrock, also spoke in opposition and also asked that a non-access easement be imposed on the Bluemel Road side of the property.

Mr. Stewart Fischer, Director of Traffic and Transportation, estimated that when fully developed, the project would attract about 1800 cars per day. The design of the residential streets would discourage their use for through traffic. He felt that the project could be so designed that at least 75 percent of the traffic generated would use I. H. 10.

Mrs. Marina Pisano, 4011 Glenrock, also spoke in opposition saying that this project would ruin the quality of life in the area.

Mrs. Peggathies Jennings, 4034 Mt. Laurel, also spoke in opposition as did Mr. William Hickey.

In rebuttal, Mr. Bender said that the plan has been thoroughly studied. Access to Bluemel Road is absolutely necessary. The new streets to be provided to connect Bluemel Road with I. H. 10 will facilitate the movement of traffic for the residents and will be a blessing to them.

Mr. Frost also stated that without access to Bluemel Road, the project would fail.

After consideration, Mr. Beckmann made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. 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: Becker, Morton, Beckmann, Padilla, Mendoza; NAYS: San Martin; ABSENT: Cockrell, Black, Lacy.

AN ORDINANCE 43,559

AMENDING CHAPTER 42 OF THE CITY CODE
 THAT CONSTITUTES THE COMPREHENSIVE
 ZONING ORDINANCE OF THE CITY OF SAN
 ANTONIO BY CHANGING THE CLASSIFICATION
 AND REZONING OF CERTAIN PROPERTY
 DESCRIBED HEREIN AS A 10.82 ACRE TRACT
 OF LAND OUT OF NCB 14939, BEING FURTHER
 DESCRIBED BY FIELD NOTES FILED IN THE
 OFFICE OF THE CITY CLERK, 9900 BLOCK
 OF I. H. 10 EXPRESSWAY, FROM TEMPORARY
 "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT
 TO "B-2" BUSINESS DISTRICT, PROVIDED
 THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

B. CASE 5371 - to rezone Lots 80A and 81A, NCB 8238, 400 Block of Highway 90 West, from "C" Apartment District and "F" Local Retail District to "B-3" Business District, located on the north side of Highway 90 West, being approximately 300' southwest of the intersection of S. W. 36th Street and Highway 90 West; having 304.2' on Highway 90 West and a maximum depth of approximately 295'.

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

No one spoke in opposition.

After consideration, Mr. Mendoza made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished, that a one foot non-access easement is imposed on the north property line abutting N. W. 35th Street and that a four foot fence or barricade be erected on the north property line where it abuts N. W. 35th Street. 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, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 43,560

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 80A AND 81A,
NCB 8238, 400 BLOCK OF HIGHWAY 90 WEST,
FROM "C" APARTMENT DISTRICT AND "F"
LOCAL RETAIL DISTRICT TO "B-3" BUSINESS
DISTRICT, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED, THAT A ONE FOOT NON-
ACCESS EASEMENT IS IMPOSED ON THE NORTH
PROPERTY LINE ABUTTING N. W. 35TH STREET
AND THAT A FOUR FOOT FENCE OR BARRICADE
BE ERECTED ON THE NORTH PROPERTY LINE
WHERE IT ABUTS N. W. 35TH STREET.

* * * *

C. CASE 5417 - to rezone a 6.241 acre tract of land out of NCB 15688, being further described by field notes filed in the office of the City Clerk, 13202 Scarsdale Drive, from Temporary "R-1" Single Family Residential District to "B-3" Business District; and a 61.919 acre tract of land out of NCB 15837 and a 71.078 acre tract of land out of NCB 15688, being further described by field notes filed in the office of the City Clerk, 13202 Scarsdale Drive, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District.

The "B-3" zoning being located on the northeast side of Scarsdale Drive being 2035' north of the intersection of Feathercrest Road and Scarsdale Drive; having 730' on Scarsdale Drive and a maximum depth of 390'.

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The "R-3" zoning being located on the northwest and southeast side of Scarsdale Drive, being 1180' north of the intersection of Scarsdale Drive and Feathercrest Drive; having 854.80' on the northwest side of Scarsdale Drive with a maximum depth of 1660' and a total of 1540.27' on the southeast side of Scarsdale Drive with a maximum depth of 1750'.

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. 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, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 43,561

AMENDING CHAPTER 42 OF THE CITY CODE
 THAT CONSTITUTES THE COMPREHENSIVE
 ZONING ORDINANCE OF THE CITY OF SAN
 ANTONIO BY CHANGING THE CLASSIFICATION
 AND REZONING OF CERTAIN PROPERTY
 DESCRIBED HEREIN AS A 6.241 ACRE TRACT
 OF LAND OUT OF NCB 15688, BEING FURTHER
 DESCRIBED BY FIELD NOTES FILED IN THE
 OFFICE OF THE CITY CLERK, 13202 SCARSDALE
 DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY
 RESIDENTIAL DISTRICT TO "B-3" BUSINESS
 DISTRICT; AND A 61.919 ACRE TRACT OF LAND
 OUT OF NCB 15837 AND A 71.078 ACRE TRACT
 OF LAND OUT OF NCB 15688, BEING FURTHER
 DESCRIBED BY FIELD NOTES FILED IN THE
 OFFICE OF THE CITY CLERK, 13202 SCARSDALE
 DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY
 RESIDENTIAL DISTRICT TO "R-3" MULTIPLE
 FAMILY RESIDENTIAL DISTRICT, PROVIDED
 THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

D. CASE 5469 - to rezone a 15.1 acre tract of land out of NCB 15688, being further described by field notes filed in the office of the City Clerk, 11000 Block of Uhr Lane, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District; and a 13.8 acre tract of land out of NCB 15688, being further described by field notes filed in the office of the City Clerk, 11000 Block of Uhr Lane, from Temporary "R-1" Single Family Residential District and "R-6" Townhouse District to "B-2" Business District.

The "R-3" zoning being located on the northwest side of Uhr Lane, being 1465' northeast of the cutback between Uhr Lane and Feathercrest Road; having 1207.47' on Uhr Lane and a maximum depth of 690'.

The "B-2" zoning being located on the northwest side of Uhr Lane, being 550' northeast of the cutback between Uhr Lane and Feathercrest Road; having 915' on Uhr Lane and a maximum depth of 720'.

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

AN ORDINANCE 43,562

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 15.1 ACRE TRACT OF LAND OUT OF NCB 15688, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 11000 BLOCK OF UHR LANE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; AND A 13.8 ACRE TRACT OF LAND OUT OF NCB 15688, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 11000 BLOCK OF UHR LANE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND "R-6" TOWNHOUSE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

E. CASE 5458 - to rezone a 6.4682 acre tract of land out of NCB 16480, being further described by field notes filed in the office of the City Clerk, 8800 Block of Blanco Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the east side of Blanco Road, being 1384.24' northeast of the intersection of Blanco Road and West Avenue; having 777' on Blanco Road and a maximum depth of 588.31'.

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, provided that proper replatting is accomplished. 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, Becker, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: San Martin, Black, Lacy.

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AN ORDINANCE 43,563

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 6.4682 ACRE TRACT OF LAND OUT OF NCB 16480, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 8800 BLOCK OF BLANCO ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

F. CASE 5454 - to rezone a 3.0 acre tract of land out of NCB 15723, being further described by field notes filed in the office of the City Clerk, 13800 Block of O'Connor Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, being located on the northeast side of O'Connor Road, being 692.98' south-east of the cutback between Nacogdoches Road and O'Connor Road; having 410.81' on O'Connor Road and a maximum depth of 413.75'.

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

AN ORDINANCE 43,564

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.0 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13800 BLOCK OF O'CONNOR ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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March 21, 1974
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74-12 The following Ordinances were read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Black, Lacy, Mendoza.

AN ORDINANCE 43,565

ACCEPTING THE LOW BID OF E. C. HALL COMPANY FOR CONSTRUCTION OF THE K.D.R. MEADOWS SUBDIVISION OFF-SITE SANITARY SEWER MAIN; AUTHORIZING EXECUTION OF A CONTRACT COVERING SUCH WORK AND APPROPRIATING \$11,514.03 OUT OF SEWER REVENUE FUND PAYABLE TO SAID CONTRACTOR, \$600.00 TO BE USED AS A MISCELLANEOUS CONTINGENCY FUND AND \$575.00 PAYABLE TO BROWN ENGINEERING COMPANY FOR PROFESSIONAL FEES.

* * * *

AN ORDINANCE 43,566

ACCEPTING THE LOW BID OF HOWARD STICH & SON, INC. FOR CONSTRUCTION OF THE ELM CREEK SUBDIVISION OFF-SITE SANITARY SEWER MAIN; AUTHORIZING EXECUTION OF A CONTRACT COVERING SUCH WORK AND APPROPRIATING \$100,994.10 PAYABLE TO SAID CONTRACTOR OUT OF SEWER REVENUE FUNDS AND \$5,050.00 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT; ALSO APPROVING A TRANSFER OF FUNDS.

* * * *

74-12 The Clerk read the following Ordinance:

AN ORDINANCE 43,567

ACCEPTING THE LOW BID OF HEATH & STITCH, INC. FOR CONSTRUCTION OF SAN DARIO DRAINAGE PROJECT; AUTHORIZING EXECUTION OF A CONTRACT COVERING SUCH WORK AND AUTHORIZING PAYMENT OF \$1,417,777.77 OUT OF FUND 708-04 TO SAID CONTRACTOR AND \$70,888.89 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT; ALSO AUTHORIZING PAYMENT OF \$32,017.79 TO PFENNING, WEYMAN & ASSOCIATES, INC. AS ADDITIONAL ENGINEERING FEES AND APPROVING A TRANSFER OF FUNDS.

* * * *

The Ordinance was explained by Mr. Mel Sueltenfuss, Director of Public Works, who said that this has been a Model Cities project and will cover about an 80 block area from Buena Vista to 36th and from McMullen to San Joaquin. He recommended adoption of the Ordinance.

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

74-12 The following Ordinance was read by the Clerk and explained by Mr. Clyde McCullough, Director of Personnel, and after consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Black, Lacy, Mendoza.

AN ORDINANCE 43,568

AUTHORIZING PAYMENT OF \$1,277.53 TO THE BAPTIST MEMORIAL HOSPITAL FOR HOSPITAL CARE RENDERED MR. RICHARD REYES, A LABORER EMPLOYEE OF THE ZARZAMORA SERVICE CENTER.

* * * *

74-12 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 43,569

REDUCING APPROPRIATIONS TO CERTAIN PROJECTS IN THE FEDERAL REVENUE SHARING BUDGET FOR THE 1ST & 2ND ENTITLEMENT PERIODS AND REALLOCATING SAME TO CERTAIN OTHER PROJECTS.

* * * *

AN ORDINANCE 43,570

ACCEPTING THE LOW BID OF MINNESOTA MINING & MANUFACTURING CO. TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN PORTABLE BARRICADES AND REFLECTIVE MESSAGE BANNERS FOR A TOTAL SUM OF \$37,557.20.

* * * *

AN ORDINANCE 43,571

ACCEPTING THE LOW BID OF GRANDE FORD TRUCK SALES, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH A TRUCK TRACTOR FOR A TOTAL SUM OF \$17,397.60.

* * * *

74-12 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Black, Lacy, Mendoza.

AN ORDINANCE 43,572

ACCEPTING THE LOW BID OF THOMPSON LITHO SUPPLY INC. TO FURNISH THE CITY OF SAN ANTONIO WITH A CAMERA PLATE SYSTEM FOR A TOTAL OF \$6,875.00.

* * * *

AN ORDINANCE 43,573

ACCEPTING THE LOW BID OF GIRARD MACHINERY & SUPPLY CO. TO FURNISH THE CITY WITH GRADALL TYPE EXCAVATOR FOR A TOTAL COST OF \$66,030.00.

* * * *

AN ORDINANCE 43,574

AMENDING ORDINANCE NO. 42347 PERTAINING TO AN ANNUAL CONTRACT FOR LAMPS BY CHANGING THE NAME OF MISSION ELECTRIC COMPANY TO AMFAC ELECTRICAL SUPPLY COMPANY.

* * * *

74-12 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 43,575

CONFIRMING THE CITY MANAGER'S APPOINTMENT OF MR. ROBERTO R. GARCIA TO THE SAN ANTONIO HOUSING AUTHORITY AND CONFIRMING THE CITY MANAGER'S REAPPOINTMENT OF MRS. KATIE FERGUSON AND MR. RAYMOND WELLS AS MEMBERS OF THE SAN ANTONIO HOUSING AUTHORITY; BOTH TERMS TO EXPIRE ON FEBRUARY 23, 1976.

* * * *

(Mr. Garcia is replacing Mr. M. Coronado Sanchez)

* * * *

AN ORDINANCE 43,576

APPOINTING MR. GERALD G. MALONEY TO FILL A VACANCY ON THE HEATING, AIR CONDITIONING, AND REFRIGERATION CODE BOARD OF APPEALS FOR A TERM EXPIRING JULY 31, 1976.

* * * *

(Mr. Maloney is replacing Mr. Oscar Schuchart)

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AN ORDINANCE 43,577

APPOINTING MR. HAYDEN GRONA TO FILL A VACANCY ON THE WATER WORKS BOARD OF TRUSTEES FOR A TERM EXPIRING DECEMBER 31, 1975 AND APPOINTING MR. ROBERT BOUBEL TO FILL A VACANCY FOR A TERM EXPIRING ON DECEMBER 31, 1977.

* * * *

(Mr. Grona will replace Dr. Leo Galindo, who has resigned and Mr. Boubel will replace Mr. Roland Bremer, who is deceased.)

* * * *

74-12 The following Resolution was read by the Clerk and after consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Black, Lacy.

A RESOLUTION
NO. 74-12-16

REAFFIRMING RESOLUTION NO. 73-59-60
URGING THAT THE TEXAS WATER QUALITY BOARD INCLUDE THE ALAMO AREA COUNCIL OF GOVERNMENTS TASK FORCE RECOMMENDATIONS IN ITS EDWARDS AQUIFER PROTECTION ORDER.

* * * *

74-12 STATEMENT OF CITY MANAGER GRANATA
CONCERNING TICKET QUOTAS FOR POLICEMEN

City Manager Sam Granata read the following prepared statement:

"Before I discuss the question of ticket quotas raised by Councilman Padilla at the last Council meeting, I would like to clear up a point that causes me much concern. Too many citizens believe that traffic tickets are issued mainly to make money for the City. This is not so. Traffic laws are enforced to protect the lives and property of our citizens. Tickets are issued because that is the only way we can enforce the law.

The existence of a ticket quota has been rumored for years. The Department has always denied this, citing official policy that each patrolman is to enforce the traffic laws as well as all other laws, without a quota.

However, contrary to this official policy, an unofficial ticket quota does exist in the Patrol Division of the Police Department. This unofficial policy is not uniform. It appears to exist because certain sergeants are unwilling to exercise proper supervisory techniques. Instead, these sergeants have taken the easy way by adopting a 15 year old standard. A young patrolman supervised by these sergeants soon learns that "two a day keeps the sergeant away."

It is this arbitrary, unofficial policy established by the men themselves which has given rise to charges of a ticket quota.

I will not accept the continuation of this policy. As you will recall, Council approved 7 additional sergeants for the Patrol Division on March 7. These additional supervisors, along with other changes made in the Police Department, will remove any excuse for a sergeant taking this easy way out.

The Police Department will enforce the traffic laws without any artificial quota system. The sergeants will use the accident prevention bureau monthly reports, along with their personal observation of the districts under their control, to gauge the effectiveness of their men.

A copy of this statement will be given to Chief Peters today with my order that two a day ends today."

* * * *

Mr. Padilla complimented Mr. Granata on his statement and commended his actions.

74-12 The Clerk read the following letter:

March 15, 1974

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

Gentlemen and Madam:

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

March 15, 1974

Petition of Rudy Cantu, USAF
Retired MSGT, 106 Jay Williams
Street, et al, requesting that
the City of San Antonio improve
and update the unused portion of
Lance Street between South San
Joaquin and S. W. 34th Street.

* * * *

/s/ J. H. INSELMANN
City Clerk

There being no further business to come before the Council,
the meeting adjourned at 5:25 P. M.

A P P R O V E D



Charles L. Becker

ATTEST: 
City Clerk

March 21, 1974

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