

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 23, 1975.

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The meeting was called to order at 9:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: PYNDUS, CISNEROS, BLACK, HARTMAN, ROHDE, NIELSEN, COCKRELL; Absent: BILLA, TENIENTE.

75-63 The invocation was given by The Reverend E. O. Allen, Southside Gospel Church.

75-63 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

75-63 MINUTES OF OCTOBER 16, 1975

Mayor Cockrell asked the Council's permission to delete the summary of Zoning Case 6207 which appeared in the Council minutes of October 16, 1975, and in its place substitute a verbatim transcript of this Case. Council members concurred, and it was so ordered.

Approval of the minutes of October 16, 1975, was postponed one week.

75-63 REPORT OF HASKINS AND SELLS ON
THE ANNUAL AUDIT FOR FY 1974-75

Mr. Floyd Burnside, Project Manager for Haskins and Sells, Certified Public Accountants, said that a copy of the financial report for the year 1974-75 had been furnished each Council member. In addition, Mr. Burnside said that it was the practice of his company at the conclusion of each audit to furnish their clients with a supplemental report containing comments and suggestions which are intended to be constructive and should not be construed as criticism.

Mr. Burnside then went through the supplemental explaining and commenting on the suggestions offered by his company. (A copy of the supplemental report is included with the papers of this meeting.)

Mayor Cockrell inquired about an inventory of the City's physical properties.

City Manager Sam Granata said that there is an annual physical inventory. It is prepared by each department and verified by Internal Audit Division. The total figures are included in the annual audit. Disposal of surplus property is done in accordance with state law. No disposals are made until other departments are notified to see if the property could be used elsewhere.

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Mayor Cockrell stated that in looking through the annual statement there is a certified audit listed for every agency except the Transit System. She asked Mr. White to comment.

Mr. Carl White, Finance Director, said that auditors for the Transit System have held up their opinion letter pending verification from the Department of Transportation in Washington.

Mayor Cockrell said that she and other Council members are interested and wish to be kept informed about this matter.

Mr. White advised the Council that he would report to them on implementation of suggestions made by the auditors.

75-63

RESOLUTIONS OF APPRECIATION

Mayor Cockrell said that the following three Resolutions had been requested in response to the progress that has been made in trying to seek designation as a national historic park for the mission plan.

After consideration, on motion made and duly seconded, the Resolutions were passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Rohde, Teniente.

A RESOLUTION
NO. 75-63-93

EXPRESSING THE GRATITUDE OF THE CITY OF SAN ANTONIO TO THE NATIONAL PARK SERVICE AND TO THE ADVISORY BOARD ON NATIONAL PARKS, HISTORIC SITES, BUILDINGS AND MONUMENTS FOR THEIR FAVORABLE RESPONSE TO THE PROPOSED SAN ANTONIO MISSIONS NATIONAL HISTORIC PARK AND URGING THAT FOLLOW-UP STEPS BE INITIATED TO ACHIEVE THIS OBJECTIVE.

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A RESOLUTION
NO. 75-63-94

EXPRESSING THE APPRECIATION OF THE CITY COUNCIL TO THE BEXAR COUNTY COMMISSIONERS COURT AND THE CITIZENS OF BEXAR COUNTY FOR THEIR COMMITMENT OF FUNDING ASSISTANCE TO DEVELOP THE ACEQUIA RECREATION AREA.

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A RESOLUTION
NO. 75-63-95

EXPRESSING THE CITY'S GRATITUDE TO THE SAN ANTONIO CONSERVATION SOCIETY FOR THE DONATION OF PROPERTY TO BE DEVELOPED AS A PART OF THE ACEQUIA RECREATION AREA.

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Mr. Ron Darner, Director of Parks and Recreation, thanked the Council for its action. He said that he felt that the Mission Parkway is on its way and has a good chance in Congress.

75-63 The Clerk read the following Ordinance:

AN ORDINANCE 45,865

AUTHORIZING THE CITY MANAGER TO EXECUTE
A QUITCLAIM DEED TO THE STATE OF TEXAS
OF ANY RIGHT, TITLE AND INTEREST THE
CITY MAY HAVE IN AND TO THE ALAMO PARK
COMPLEX.

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The Ordinance was explained by Mr. Ron Darner, Director of Parks and Recreation, who said that this deed of property is a part of the agreement recently made with the Daughters of the Republic of Texas. This property falls within the east curblin of the street to the walls.

Mr. Alexander Fraser, Attorney for the Daughters of the Republic of Texas, said that upon execution of the deed, work will commence at once on Alamo Plaza refurbishing. He expressed his appreciation for the Council's action.

Mrs. Charles A. Hall, representing the DRT, thanked the Council for their action and the interest the Council has shown. A ribbon cutting for this section of land is planned for November 25.

After consideration, on motion of Mr. Cisneros, seconded by Mr. Pyndus, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Rohde, Teniente.

75-63 The Clerk read the following Ordinance:

AN ORDINANCE 45,866

AMENDING SECTION 3 OF ORDINANCE 45565 BY
ADDING A FEE FOR TENNIS COURT TOURNAMENT
USE AT JOHN R. MCFARLIN TENNIS CENTER.

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Mr. Ron Darner, Director of Parks and Recreation, said that this fee of \$2.00 per hour per court is for tennis tournaments having 250 participants or less. Non-profit organizations or events sponsored by the Parks Department are not affected. There has been so much demand for use of the courts at peak hours it is hoped that this will afford some relief for that congestion.

Mr. Pyndus and Mr. Cisneros discussed the need for tennis facilities in the downtown area, possibly at HemisFair Plaza.

Mr. Darner said that this matter is being looked into in an effort to locate a suitable site.

After consideration, on motion of Mr. Pyndus, seconded by Mr. Hartman, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

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75-63 The following Ordinances were read by the Clerk and explained by Mr. Ron Darner, Director of Parks and Recreation, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

AN ORDINANCE 45,867

AUTHORIZING APPLICATION TO THE TEXAS DEPARTMENT OF MENTAL HEALTH/MENTAL RETARDATION FOR A GRANT TO CONDUCT A MH/MR RECREATION PROGRAM AT THE SOUTHEAST DEVELOPMENT DISABILITIES RECREATION CENTER.

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AN ORDINANCE 45,868

AUTHORIZING THE COMMISSIONING OF PARK RANGERS AS PEACE OFFICERS, ESTABLISHING POLICIES RELATIVE TO THEIR FUNCTIONS AND AREAS OF RESPONSIBILITIES AND PRESCRIBING THE BASIC RELATIONSHIP BETWEEN THE SAN ANTONIO POLICE DEPARTMENT AND THE DEPARTMENT OF PARKS AND RECREATION.

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75-63

SAN ANTONIO WINGS FOOTBALL TEAM

Councilman Al Rohde spoke of the news that the San Antonio Wings Football Team had quit operations. He said that this is a great disappointment to sports fans in San Antonio. He said that there are some fine coaches in the Wings organization and he asked if there is a recreation program where they could be used at least on a temporary basis.

Mr. Ron Darner, Director of Parks and Recreation, said that he would look into the possibilities and report back to the Council.

75-63

The Clerk read the following Ordinance:

AN ORDINANCE 45,869

ACCEPTING THE OFFER OF RABA & ASSOCIATES, CONSULTING ENGINEERS, INC., TO PERFORM A GEOLOGICAL INVESTIGATION AND PREPARE AN ENGINEERING REPORT ON THE CAUSES AND REMEDIAL ACTION TO INHIBIT A LANDSLIDE OCCURING AT THE 700 BLOCK OF PICKWELL DRIVE ENDANGERING PICKWELL DRIVE AND OTHER PROPERTIES, AUTHORIZING PAYMENT OF \$18,040.00 TO SAID FIRM AND \$1,960.00 IN CONTINGENT EXPENSES FROM REVENUE SHARING FUNDS AND AUTHORIZING A BUDGET REVISION IN SAID FUNDS.

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Mr. Mel Sueltenfuss, Director of Public Works, said that this problem on Pickwell Drive had previously been discussed in "B" Session and offered to answer any questions.

Councilman Nielsen said that he wished it clearly understood that passage of this Ordinance does not constitute a commitment pending the engineer's report.

Other Council members concurred with Dr. Nielsen's remarks.

After consideration, on motion of Mr. Rohde, seconded by Mr. Hartman, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

Mrs. Jeannette Ploch expressed the appreciation of residents in the area for the Council's action.

Mr. Al Rohde stated that this whole problem on Pickwell Drive has been a traumatic experience for Councilman Bob Billa who happens to be a resident of the area. He said that he wished to assure Mrs. Ploch and other residents of Mr. Billa's concern in the matter.

75-63 The Clerk read the following Ordinance:

AN ORDINANCE 45,870

ACCEPTING A GRANT OF \$12,598.00 FROM THE U. S. CIVIL SERVICE COMMISSION THROUGH THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS TO CONDUCT A PERSONNEL TESTING EVALUATION AND VALIDATION STUDY BY THE PERSONNEL DEPARTMENT OF THE CITY OF SAN ANTONIO, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO DEPARTMENT OF PSYCHOLOGY TO RENDER PROFESSIONAL SERVICES & APPROPRIATING FUNDS.

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The Ordinance was explained by Mr. Leroy Harvey, Project Director for Public Service Careers, who said that this grant would be used to conduct a test validation project. This is consistent with the Affirmative Action Plan and with Title 29 of the Equal Employment Opportunities Act of 1972.

Mr. Pyndus spoke against the motion. He said that he had asked for an explanation of this item and he had been advised that it is for validating tests under EEO regulations. He said that he felt that the City is already in compliance with EEO requirements. Merely because the funds are available they are being used. He said that he objected to this and wished to return these federal funds even though they are available. He then made a motion that this ordinance be rejected. The motion was seconded by Mr. Rohde.

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Rev. Black spoke in favor of the ordinance saying that it is needed as a part of the affirmative action program.

City Manager Granata agreed with the idea of saving money but said that he felt that this would be a good investment.

Mr. Hartman offered a substitute motion that the ordinance be approved. The motion was seconded by Rev. Black and on roll call, the substitute motion, carrying with it approval of the ordinance, was passed and approved by the following vote: AYES: Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: Pyndus, Rohde; ABSENT: Billa, Teniente.

75-63

CLASS FROM ST. ANTHONY SEMINARY

Councilman Hartman recognized a class of advanced social studies students present in the audience from St. Anthony Seminary. They were accompanied by Father Billy Morrel and Brother Rufus Whitley. They were welcomed to the meeting and invited to visit again.

75-63 The Clerk read the following Ordinance:

AN ORDINANCE 45,871

APPROVING OPERATING PROCEDURES AND A BUDGET FOR THE COLONIA SANTA CRUZ PROJECT; ALLOCATING \$632,550 IN THE COMMUNITY DEVELOPMENT PROGRAM FOR THE PROJECT; AND AUTHORIZING EXECUTION OF A CONTRACT WITH THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO (SAN ANTONIO DEVELOPMENT AGENCY) IN CONNECTION WITH SAID PROJECT.

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The Ordinance was explained by Mr. Cipriano Guerra, Director of Community Development and Planning, who said that the Colonia Santa Cruz area was formerly known as Cassiano Park area. The funds will be used to relocate 31 owner occupants in the area, to acquire 31 lots plus legal and engineering expenses. The project has been reviewed by the Council's housing task force which recommends approval.

There were several persons who spoke in favor of this ordinance. They were:

Mrs. Isabel Sanchez, 940 Santiago
Mr. Earl De Long, 1017 Tampico
Mr. Miguel Gonzales, 1539 Tampico
Father Bill Davis
Father Ron Rodriguez

All proponents urged the Council to approve this ordinance and promised that they would remain in the area to help in its development.

Mrs. Cruz Sellers spoke in favor of the ordinance also and added that she is concerned about zoning in the area. There should be solid residential zoning in the area.

After consideration, on motion of Dr. Nielsen, seconded by Mr. Cisneros, the ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

75-63 Item 10 of the agenda being a proposed agreement with Hill Country Village to acquire 224.6 acres of extraterritorial jurisdiction was withdrawn from consideration at the request of the City Manager.

75-63 The following Ordinances were read by the Clerk and explained by Mr. Bill Holtzinger, Assistant Director of Convention Facilities, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Rohde, Teniente.

AN ORDINANCE 45,872

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH EARL W. MAYFIELD, FOR BUILDINGS 531, 532 AND 533 IN HEMISFAIR PLAZA.

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AN ORDINANCE 45,873

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH HAYES PRODUCTIONS, INC., FOR BUILDING NO. 606 IN HEMISFAIR PLAZA.

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75-63

HEMISFAIR PLAZA

In answer to a question from Mr. Cisneros, Mr. Holtzinger said that HemisFair Plaza is under the direction of the Convention Facilities. There will be close coordination between the staffs of the Convention Facilities and the Parks Department in the matter of locating tennis courts in the area. He said that many conventions now have a tennis tournament instead of a golf tournament.

75-63

CONVENTIONS

Rev. Black said that a large convention has sought the opportunity to come to San Antonio in 1979. One problem they face is the possibility of a conflict with the Mexican Trade Fair. He asked if expansion of the exhibit hall would be completed by then and if this convention could be accommodated.

Mr. Holtzinger said that he felt certain that arrangements could be made and asked Rev. Black to have the proper authorities contact the Convention and Visitors Bureau.

75-63 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: Pyndus, Cisneros, Black, Hartman, Cockrell; NAYS: None; ABSENT: Billa, Rohde, Teniente, Nielsen.

AN ORDINANCE 45,874

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH NAYAK AVIATION CORPORATION FOR GROUND AND BUILDING SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 45,875

ACCEPTING THE LOW QUALIFIED BID OF \$64,049.00 FROM THE CADLE CONSTRUCTION CO. OF SAN ANTONIO TO CONSTRUCT ALTERATIONS TO THE AVIATION DEPARTMENT OFFICES IN THE TERMINAL BUILDING AT INTERNATIONAL AIRPORT, AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT, APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT FOR CONTRACTUAL SERVICES, ARCHITECTUAL FEES, AND CONTINGENT EXPENSES.

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AN ORDINANCE 45,876

PERMITTING A BONFIRE TO BE CONDUCTED BY THE HIGHLANDS HIGH SCHOOL STUDENT COUNCIL ON OCTOBER 30, 1975.

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75-63 The following Resolution was read by the Clerk and explained by Mr. Bill Donahue, Director of Human Resources and Services, and after consideration, on motion of Mr. Cisneros, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Cockrell; NAYS: None; ABSENT: Billa, Rohde, Teniente, Nielsen.

A RESOLUTION
NO. 75-63-96

SUPPORTING AND ENDORSING THE SUBMISSION OF PROPOSALS TO THE TEXAS YOUTH COUNCIL AND THE TEXAS CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE FOR JOINT FUNDING OF AN AGENCY TO BE KNOWN AS THE METROPOLITAN YOUTH AGENCY.

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75-63 The Clerk read the following Ordinance:

AN ORDINANCE 45,877

AUTHORIZING PAYMENT OF THE SUM OF \$4,061.49 TO THE WASHINGTON HILTON HOTEL FOR A MEXICAN FIESTA GIVEN BY THE CONVENTION AND VISITORS BUREAU.

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The Ordinance was explained by Mr. John Mosty, Assistant Director of the Convention and Visitors Bureau, who said that entertainment such as is covered by this payment results in definite, as well as tentative commitments for conventions in addition to a good public relations act. The Bureau expects to continue this type of effort in the future.

After consideration, on motion of Mr. Cisneros, seconded by Rev. Black, the ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Cockrell; NAYS: None; ABSENT: Billa, Rohde, Teniente, Nielsen.

75-63 The meeting recessed at 11:20 A. M. and reconvened at 11:30 A. M.

75-63 The Clerk read a proposed ordinance amending the Uniform Building Code to amend the minimum space requirements for nurseries for children (day care).

Mr. George Vann said that the amendment changes the square footage requirement for a child occupant from 50 square feet to 35 square feet in a day care nursery. It also provides for inside measurement of rooms. The purpose of the change is to bring the building code into conformity with state regulations.

Councilman Cisneros questioned the rationale for 50 square feet and why it would be changed to 35 square feet.

Dr. Michael Zaccaria, President of the Child Care Association of Texas, also spoke in favor of the ordinance. He said that the 50 square foot figure was arbitrary to begin with and measurement of rooms was usually done on the outside. He said that 35 square feet is a recognized figure in most states.

The matter was discussed at some length and it was decided that action would be postponed for two weeks. Mayor Cockrell asked that questions from Council members be put in writing and directed to Mr. Vann.

The Ordinance was pulled.

75-63 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: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

AN ORDINANCE 45,878

APPROPRIATING \$277,400.00 PAYABLE TO THE STATE TREASURER AS A PART OF THE CITY OF SAN ANTONIO SHARE OF THE COST OF RECONSTRUCTION OF GEN. McMULLEN DRIVE.

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AN ORDINANCE 45,879

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR INSTALLATION OF TRAFFIC SIGNALS AT THE INTERSECTIONS OF THE NORTH AND SOUTH FRONTAGE ROADS OF GENERAL HUDNELL DRIVE AND CUPPLES ROAD.

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AN ORDINANCE 45,880

CLOSING AND ABANDONING A PORTION OF TAMPICO STREET ADJACENT TO NEW CITY BLOCK A36, AND AUTHORIZING A QUITCLAIM DEED TO HOOD-GILLIS BUILDING COMPANY FOR THE CONSIDERATION OF \$4,370.00.

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AN ORDINANCE 45,881

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS IN THE TOTAL SUM OF \$3,414.50 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH STORM DRAINAGE PROJECT #58C (MARTIN-CULEBRA DRAINAGE); STORM DRAINAGE PROJECT #58D (MAYBERRY); STORM DRAINAGE PROJECT #69C (BRUNSWICK STORM DRAINAGE); CUPPLES ROAD IMPROVEMENT; MARTIN LUTHER KING STREET IMPROVEMENT (NEBRASKA STREET); U. S. 281 NORTH EXPRESSWAY; JO MARIE SANITARY SEWER MAIN (MISCELLANEOUS EASEMENTS & DEDICATIONS); SPECIAL PROJECT #200 - ADDITION TO ELMENDORF PARK; AND CROWNHILL ACRES SUBDIVISION CULVERT (MISCELLANEOUS EASEMENTS & DEDICATIONS).

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Councilman Hartman asked Mr. Mel Sueltenfuss if it is feasible to advertise for bids now on the Mayberry Drainage Project.

Mr. Sueltenfuss said that bids are scheduled to be advertised in seven to fourteen days. It is not essential that all of the right of way be acquired before advertising for bids.

75-63 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: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

AN ORDINANCE 45,882

AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE CITY, THE SAN ANTONIO BELT AND TERMINAL RAILWAY COMPANY, AND MISSOURI-KANSAS-TEXAS RAILROAD COMPANY FOR THE CONSTRUCTION OF A CULVERT IN CONNECTION WITH ARROYO LARGO DRAINAGE PROJECT 11 AND 12; AND APPROPRIATING THE SUM OF \$50,000.00 OUT OF FUND 41-001 IN CONNECTION THEREWITH.

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AN ORDINANCE 45,883

ACCEPTING THE LOW QUALIFIED BID OF R. L. JONES, CO., INC. IN THE AMOUNT OF \$22,355.06 FOR CONSTRUCTION OF THE JO MARIE DRIVE SANITARY SEWER MAIN; AUTHORIZING EXECUTION OF A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT; APPROPRIATING FUNDS; AUTHORIZING PAYMENT AND PROVIDING FOR A CONTINGENCY ACCOUNT.

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AN ORDINANCE 45,884

CONSENTING TO THE ASSIGNMENT OF A LEASE AGREEMENT FOR SPACE ATOP THE TOWER OF THE AMERICAS.

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AN ORDINANCE 45,885

ACCEPTING THE LOW BID OF E. N. DEAN SHEET METAL & ROOFING CO. IN THE AMOUNT OF \$23,900.00 FOR RE-ROOFING BEETHOVEN HALL; AUTHORIZING EXECUTION OF A CONTRACT; AND REVISING THE BUDGET PREVIOUSLY APPROVED FOR THIS PROJECT.

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75-63 The Clerk read the following Ordinance:

AN ORDINANCE 45,886

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 1 TO A CONTRACT WITH UTILITIES CONSOLIDATED, INC., ON THE SALADO CREEK SANITARY SEWER OUTFALL PROJECT, NACOGDOCHES ROAD TO BLANCO ROAD, PHASE II, IN THE AMOUNT OF \$46,100.00; AND AUTHORIZING PAYMENT OF SAID SUM OUT OF FUND 63-010.

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The Ordinance was explained by Mr. Mel Sueltenfuss, Director of Public Works, who said that when bids were advertised on this project, the Environmental Protection Agency had sent the prevailing wage rates for the project. Bids were opened and sent back to the Environmental Protection Agency for approval and then it was discovered that E.P.A. had sent the wrong wage rates. To get out of the dilemma, E.P.A. agreed to participate in 75 percent of the additional cost rather than delay the project. He recommended the Ordinance be approved.

Mr. Pyndus asked about the status of the wage survey being conducted by the Department of Labor. It has been reported that some of the rates are up and some are down.

Mr. Sueltenfuss said that he expects to reserve the report next month at which time a full report will be made to the Council.

After consideration, on motion of Mr. Cisneros, seconded by Dr. Nielsen, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

75-63 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: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente .

AN ORDINANCE 45,887

APPROPRIATING THE SUM OF \$476,900.00 OUT OF VARIOUS FUNDS TO PAY ADDITIONAL ENGINEERING FEES IN CONNECTION WITH CERTAIN PUBLIC WORKS PROJECTS, AND FOR CERTAIN SEWER CONSTRUCTION PROJECTS, AND WASTEWATER TREATMENT FACILITIES EQUIPMENT.

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AN ORDINANCE 45,888

ACCEPTING THE LOW QUALIFIED BID OF VERTEX CORPORATION OF SAN ANTONIO FOR \$913,913.00 TO CONSTRUCT A RECREATIONAL FACILITY AT MARTIN LUTHER KING PARK FOR THE EASTSIDE BOYS CLUB; AUTHORIZING A CONSTRUCTION CONTRACT FOR THE JOB, AUTHORIZING PAYMENTS FOR ARCHITECT SERVICES AND CONTINGENCIES; ESTABLISHING A FUND FOR THE PROJECT; APPROVING A BUDGET, AND AUTHORIZING A TRANSFER OF FUNDS INTO THE PROJECT FROM OTHER CITY FUNDS.

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AN ORDINANCE 45,889

AUTHORIZING PAYMENT OF \$1,116,540.00 TO THE SAN ANTONIO RIVER AUTHORITY FOR RETIREMENT OF PRINCIPAL AND INTEREST ON SAN ANTONIO RIVER AUTHORITY - CITY OF SAN ANTONIO WASTE DISPOSAL GENERAL REVENUE BONDS - SERIES 1972, ISSUED BY SARA FOR THE CITY UNDER A FUNDING ARRANGEMENT IN CONNECTION WITH THE GRANT OBTAINED BY THE CITY FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR THE LEON CREEK SANITARY SEWER OUTFALL PROJECT.

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AN ORDINANCE 45,890

APPROPRIATING \$7,141.03 PAYABLE TO THE URBAN RENEWAL AGENCY FOR EXPENSES IN CONNECTION WITH RIGHT-OF-WAY ACQUISITION SERVICES FOR THE MARTINEZ CREEK DRAINAGE PROJECT.

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75-63 The meeting recessed for lunch at 12:00 noon and reconvened at 1:45 P. M.

75-63

CITIZENS TO BE HEARD

MRS. HELEN R. WALTER

Mrs. Helen R. Walter discussed zoning for malls. She said that last Sunday a four year old boy drowned in a water filled hole on the construction site of Windsor Mall being built on Walzem Road. She said that there should be guidelines for permitting construction of a shopping mall. She described the severe traffic problems around the Windsor Mall site.

Mayor Cockrell pointed out that there is no "mall" zoning as such. A property is zoned "B-2" or "B-3" and the owner can build whatever he chooses as long as it complies with the zoning and building codes.

MRS. LIZ DAVIES

The following conversation took place:

MRS. LIZ DAVIES: I am Liz Davies, and I am representing the League of Women Voters in San Antonio. I do not have a prepared presentation today. What I'm going to speak about is something that has come up since I've come down here today. It concerns what probably is going to be known as the Aquifer Mall. So many people are talking about it today. My concern with this is the fact that the Council made a decision on October 16, 1975, and it is rather an unfavorable decision in terms of the people. I wrote letter - a letter to each of you, and I think you received it yesterday. It addressed the fact that I did not appear, why I did not appear on October 16 when that particular mall was being considered and that my Organization felt that any development of the magnitude of that particular request for rezoning would not receive consideration from the Council until after January 1 because of the amount of property involved. The parking, the transport of cars, vehicles whatever, and their emission onto the Aquifer Recharge Zone, and that these would be considered and, therefore, the Council would think in terms of we are not ready for that kind of pro decision at this time.

Well, that did not take place. You all did consider it. You did vote for it. There are many persons who want a reconsideration of the vote. I know that reconsideration means that a person who voted for, in favor, would have to ask for the Council to reconsider their position. Now, that brings us to another point. Two people are not here today that voted on the prevailing side. Also to the point of my concern for even coming up here this afternoon and.....

MAYOR LILA COCKRELL: Mrs. Davies, may I interrupt you just at this point because this question, this procedural question, not the substantive but the procedural question has been raised, and I have asked the City Attorney to research it just to give us the legal information about whether or not it is possible to request consideration should a member of the prevailing side have a desire to do so. I'd like to ask the City Attorney to clarify that.

MRS. DAVIES: All right.

CITY ATTORNEY JAMES PARKER: Once the Council has voted and rezoned a piece of property, it is zoned. Then at that point if there is to be a change in zoning it has to go through the complete hearing process before the Planning Commission, their recommendation and brought back to the Council. The Council has absolutely no authority to just say we want to reconsider a zoning case that we passed before.

MRS. DAVIES: I know, I know, these things I know. However, is it not true that it must first generate at this point, then go back to the Planning Commission and then proceed again. And is it not true that a time element enters into it in that if the reconsideration by the Council isn't made at their next meeting, which is today, that you can't consider it.

MAYOR COCKRELL: No, that would be true on a reconsideration on any other type of action other than zoning. For example, on any other...this was a five-four vote, of course, if on any other type of action an ordinance or anything like that that the Council wished to reconsider in normal parliamentary procedure it must be done either at that session or at the next session. However zoning, the City Attorney tells me, zoning becomes final on the day when it is heard and when the Council has acted. Now, the only way that there could be efforts made to change the decision would be not through the process of reconsideration, it would be beginning the initiation of a totally new zoning case which would then move. It could initiate with the Council, but it would not have to be related the next day. It would be a totally new zoning case when the City would be the applicant for rezoning from the grant of zoning the PUD "B-2" back to wherever it was, the "R-1".

MRS. DAVIES: Right, then the..

MAYOR COCKRELL: Is that correct, Mr. City Attorney?

CITY ATTORNEY PARKER: Yes, you have notice requirements on the state statutes that says you have to post, I mean publish, the notice of the hearing and everything for two weeks before you can consider any of the zoning and you cannot, once you pass the zoning, you have, you've got the publication impediment immediately. So, you can't reconsider it. It's gone.

DR. CISNEROS: What would be the length of time that would have to expire before the re-application could occur?

CITY ATTORNEY PARKER: It could be now. The City is not bound by the rules that are set out in the...for the six months of the one year. It's only where the City is not an applicant. So, the City can rezone and exercise its own police powers but can suggest to the Planning Commission to review it again, and come up with some other zoning if they so choose but that's the prerogative of anybody.

MRS. DAVIES: May I suggest that the Council consider then, the applicator for rezoning of this property?

MAYOR COCKRELL: Well, I'm sure the full Council is not here, and I'm sure that it would be taken under advisement. Yes, Dr. Cisneros?

DR. CISNEROS: Madam Mayor, I really have wrestled with this thing all week because I felt the vote was a five to four vote and I was on the losing side and felt over the course of the week and perhaps as a matter of courtesy and so forth, propriety that one, after having one, being on the losing side you just take the loss, you know, and be quiet. But, then, I also got to thinking about what this case really means. I guess I really, really believe that what we did was very critical and really precedent-setting and that, I think, that it wouldn't be a full carrying out of my responsibilities and having been elected and so forth, to in fact, do that. To take the loss and be quiet. So, I would really like to initiate the procedure at the earliest possible date of getting this

Council to sit in camera on the issue of possibly being a re-applicant or re-applying for the zoning change. I'm not making a formal motion at this time because I think all nine Council members ought to be present. Probably ought to do it in "B" Session first or something like that. I really feel strongly that we made a mistake and I would hate to see us in a position...

MAYOR COCKRELL: No, you feel that five people made a mistake because...

DR. CISNEROS: No, we all made a mistake. I made a mistake for not being able to persuade...

MR. AL ROHDE: You don't speak for me on that.

DR. CISNEROS: For not being able to persuade a fifth person on the merits. I went home and I thought what other bit of logic or what other argument could I have used to persuade someone on the merits that it wasn't the right thing to do. Anyway, my point is that I'd hate to see us locked into something which we may have doubts about in retrospect substantively on the merits because of the procedural hang-ups. Do you know what I mean, the .. with the prcedural? -

MAYOR COCKRELL: There are no procedural hang-ups as I understand it. The City Attorney says that the entire Council has the prerogative of initiating rezoning procedures. But it has to go through all the procedures and it cannot be a reconsideration as some other type of business could be reconsidered.

DR. CISNEROS: Could I then, as one member of the Council, just suggest not in the form of a motion, but just suggest and with the concurrence of those present that we at some date very soon, maybe next week, meet in "B" Session or "A" Session, if appropriate, to discuss, at least, the issue of the City taking it up as a re-applicant? The merits, the merits of the case.

MAYOR COCKRELL: You certainly may make that suggestion. Mr. Pyndus.

MR. PYNDUS: Henry, you don't know about being on the losing side. I've been there many times, and I wish I were as articulate in the...my lost causes. As you know, I vote with you and the moral sense of responsibility that we have precludes any action by this Council on this subject now, as far as I'm concered. I feel that if in my absence that someone hurriedly got a vote together and proposed an action on something that I had opposed...

DR. CISNEROS: Because people aren't here, I agree with you.

MR. PYNDUS: Yes sir, okay fine.

MAYOR COCKRELL: No one is asking us to act on it.

MRS. DAVIES: And I didn't either and I hope you all understood that. I just was thinking in terms of if it were in parliamentary law.

MR. PYNDUS: Yes, I feel it goes beyond the point of parliamentary law and I feel that we should probably take this up in full Council to be more fair-minded about it. I would say rather than surmise what we should do while the other two members are out on official duties that we should cut the debate and the discussion because it deserves their consideration before we would propose any action.

MAYOR COCKRELL: Well, let me just, I want to speak for myself on this and that is, so far as I'm concerned, any time any citizens are dissatisfied or disapproving of any action that I have taken, I'm always willing to meet. I have personally scheduled a meeting at 3 o'clock tomorrow to meet with some of those persons who are concerned about it. Up to now, very honestly,

I have reviewed the whole case. I felt that when I cast my vote I was doing a very logical thing based on the entire sequence of action that the Council had taken up till then. The adoption of the Aquifer zoning overlay ordinance the support that the last Council and this one has given to establishing very strict rules with the Texas Water Quality Board, the action by the City Manager in setting up the Edwards Aquifer Protection Office with a certified public engineer to really review and monitor all the actions that are being taken, the fact that zoning, you do not zone specifically for a mall or anything else. You zone for a business in this case a business-type use, and the fact that the "B-2" Business type use was very moderate for a major intersection and further the fact that there was PUD restrictions. So, I am always glad to re-discuss with any citizen and will do so tomorrow with the group that I have been visiting with.

MRS. DAVIES: If I would not be out of order just to say one thing. My major point is the fact that this is a unique situation in that it's a mall on the Aquifer Recharge Zone and that we do not believe the work was done on the ordinance until January 1.

MAYOR COCKRELL: Fine, Mr. Hartman.

MR. GLEN HARTMAN: Yes Madam Mayor, I think the discussion thus far is centered on the matter of this Council being the applicant for the rezoning case. Of course, I believe, correct me if I'm wrong, Jim, anyone could become the applicant for zoning.

CITY ATTORNEY PARKER: Well, they could become the applicant but under the Chapter 42 regulations as they are presently written, it says that any case that's gone before the Planning Commission and been acted upon, there can't be a re-application for six months. Now, they would be an applicant, any individual who walked in would be an applicant. And so they couldn't do it for six months. The City Council is not an applicant, so the City Council could ask the Planning Commission to do something if they saw fit to take it into consideration, to rezone it and make recommendations to rezone it over here. It could be done.

MR. HARTMAN: So, you're saying the only difference between the Council being the applicant and any group being applicant is the six month waiting period.

CITY ATTORNEY PARKER: Is the six month waiting period basically only...

MAYOR COCKRELL: Mr. Rohde.

MR. ROHDE: Mayor, I've had a lot of time to think about this the whole week, and I feel very comfortable with the vote that I made on this. I further say that, Liz, if you want to change this vote is that you have every right as an applicant, any citizen has to go and change it. I think it set a very tremendous precedent for the Council here to go into a matter like this in rezoning property by private property owners regardless of the circumstances. If you're dissatisfied with this vote, you take it on. That's your right and that's your privilege. But for the Council to do this I think it is zoning in reverse, and I would vote no on it.

MAYOR COCKRELL: Let me just say this that we appreciate your interest and concern and the fact that you have made this suggestion. Dr. Cisneros has made a suggestion that the Council consider whether or not it wishes to review or wishes to serve as applicant in a re-zoning procedure, that this be discussed in a "B" Session with all members present. On that suggestion since there are members who are not here, I would like the opportunity to confer individually with the Council members and I think we will be perhaps announcing some forthcoming decision on that. Yes, Mr. City Attorney.

CITY ATTORNEY PARKER: Mrs. Cockrell, also on that same vein, the Texas Water Quality Board is continuing monitoring these things. They're having another hearing. I think it's scheduled for November 16 in the Convention Center on this subject on whether the Edwards Order should be modified, and most of the things that I understood, Mrs. Davies, was not really happy about were, are actually construction or other type activities as far as run-off, I think, that would properly come within the exercise of the police power and if that is deemed to be necessary by the Texas Water Quality Board and they insist it be done, I'm sure that it will be done to everybody. It is not one that...

MAYOR COCKRELL: In that regard I might say that in view of those forthcoming additional hearings, this matter was discussed yesterday at the AACOG, and I made the suggestion that the AACOG Task Force, which had taken the original initiative for pressing for stricter requirements in the TWQB Order on behalf of the region, actually, that that committee be reconvened and be prepared to offer additional comments on any areas that it felt might need strengthening. I think it might be well also for the City's own task force on the Aquifer to review and see if it had any suggestions from the point of view of the City. We've all stated that we feel we have a very fine Board order but it's the matter that it's not a finished product, we'll never regard it as a totally finished product because we'll continue to consider what suggestions can be made for additional strengthening. Reverend Black.

REV. BLACK: In receiving the detailed minutes of this zoning case, I have reviewed many of the statements here and while I did not vote as my colleague, Councilman Rohde, I feel very comfortable with the vote that I did make. Now, it seems to me that any suggestion of review would rest with the possibility of any change, any change of position. Now, one of the things that I think might be established in the Council simply raising the question of whether or not it would want to review, we might be also at the same time asking ourselves whether or not there is any potential for changing the position. Now, it seems to me that it might be that some of the Councilmen, having read the minutes and recognize through the minutes some of the positions that were held at that time, might feel like this would give them an opportunity to change their vote. Now, if they would take the position that they were willing to review this matter, then it seems to me it would say to us that there is a potential for changing the position.

MRS. DAVIES: Right, Right.

REV. BLACK: But if the review is not, if we do not take a vote on the review, then it simply means that all things are as they were, and the Council is pretty well, and there would be no need and it would be...

MRS. DAVIES: A waste of time.

REV. BLACK: A waste of time.

MRS. DAVIES: May I just for one second, and I have to pick up my child. I think, what I project as the possibility for change would be that after January 1 and the sensitive areas are designated, and the boundaries are set up, the full ordinance is complete, as the resolution from the Council came forward, that then the Council would, in fact, perhaps, some of them would like to change their vote. I think there is an...inaudible...

CITY ATTORNEY PARKER: Mayor Cockrell, in that vein is another part of the memo I wrote to you on that subject, I have to point out to the entire Council that on any rezoning of this, if the property owner objects, if the owner of the actual property that is being rezoned objects or 20 per cent of those owners, it will take a three-fourths vote of the City Council to do it. So, it would take seven votes.

MAYOR COCKRELL: It would then become a protest by the property owners.

CITY ATTORNEY PARKER: The property owner himself. It's his property being rezoned which, in effect, it would be...now, I don't know whether the property owners would object, but I would strongly suspect that he would. So, you would then be faced with a three-fourths vote.

MAYOR COCKRELL: This is a very pertinent procedural point that needs to be made.

MR. PYNDUS: Mayor Cockrell, The Texas Water Quality Board had under review the construction of the Thousand Oaks Subdivision which is over the Aquifer. That construction or subdivision had been started prior to the ordinance that we had passed, so they are going to review it. I was wondering if the City would have a representative at that hearing.

MAYOR COCKRELL: Yes, Mr. Granata, the point was that the Texas Water Quality Board plans to do a review of the Thousand Oaks Subdivision, we might wish to consider asking your staff person in charge of the Aquifer Office.

CITY MANAGER GRANATA: Yes, I think Mr. Vega and Mr. Norris both plan to be there or someone from the Public Works Department.

MR. PYNDUS: Thank you. I'd like to have a report back on their findings.

MAYOR COCKRELL: Thank you.

STEPHAN HARVESTY

Mr. Stephan Harvesty, Executive Secretary of Involved Texans, read a prepared statement questioning the bookkeeping practices of the City Public Service Board. He also complained that City Public Service used the public's money to advertise for people not to sign his referendum petition. He also said that the City Council condoned the use of public funds in this manner. He pointed out that a solar energy plant will be built by the federal government and urged the Council to apply for its location here. (A copy of Mr. Harvesty's statement is included with the papers of this meeting.)

Mayor Cockrell said that the solar energy plant had been brought to her attention by Congressman Henry B. Gonzalez and that she had asked the City staff to confer with City Public Service about it.

RAUL RODRIGUEZ

Mr. Raul Rodriguez, 719 Delgado, again protested the proposed purchase of park land from Harold Vexler by the Urban Renewal Agency. He said that he had asked for the names of the appraisers of this property and was told that this is confidential information.

City Attorney James Parker confirmed that it would be against state law to reveal the names of the appraisers until this project is completed at which time that would become public information.

MR. ROBERT THOMPSON

Mr. Robert Thompson, President of Local 694 Amalgamated Transit Union, said that the funds allocated to the Transit System for the purpose of a five percent pay raise would actually provide only a 2½ percent pay increase. He is also asking for additional sick leave and holidays.

Mayor Cockrell said that it is the Council's intention to give the Transit employees a five percent wage increase. The difference will be made up by federal grants. The matter of bargaining will be between the union and the Transit System.

KARL WURZ

Mr. Karl Wurz, 820 Florida, stated that he opposed the expenditure of public funds on the Pickwell Drive landslide problem. He said that this is the developer's problem and could be corrected by a landfill.

Mr. Wurz said that other information at the Urban Renewal Agency is closed to the public but should be available. He had not been there to ask for it.

City Manager Sam Granata advised Mr. Wurz to go directly to the Urban Renewal Agency. If his request is denied, then he could complain to the City.

E. L. RICHEY

Mr. E. L. Richey talked about the show at City Hall.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley Avenue, said that Monday evening the Aquifer Association meets and she is in a quandary since the passing of Zoning Case 6207 which is on the Recharge Zone. There will have to be a decision as to whether there will be a recall movement or whether to seek injunctive relief.

In answer to Mrs. Dutmer's question, Mayor Cockrell said that the problem involves six zoning cases over the Aquifer. She said that in light of all of the procedures adopted by the Council she felt that the rezoning was in accordance with procedure. She also said that she will confer with Council members on an individual basis to get their reaction to the suggestion that was made to schedule at a "B" Session the question of whether the Council wished to consider exercising an option to start the whole zoning procedure working again from the very start.

75-63

AQUIFER LEGAL ADVICE

The following discussion took place:

DR. HENRY CISNEROS: I have a question, and it's not a question of being out of order or anything, I'm just asking a question of whether anything of this sort had ever been done before. In the Congress, for example, there's a majority and a minority side on an issue. Both sides are entitled to equal access to advice from the staff, so the majority committees and the minority committees both have legal opinions and so forth. It seems in this case that the Legal staff, or it would at least it would seem to me this week, is pretty well disposed to advising the majority side and finding ways to make not possible what the majority side might want to do.

MAYOR COCKRELL: Is there any information that you have requested that has not been made available to you?

CITY ATTORNEY JAMES PARKER: Whenever any City Councilman directs any inquiry to me, I make a memo, a written memo of that, and I direct a copy of that memo to the City Manager, and I direct a copy of that memo to the Council person that asked for my opinion on that subject.

DR. CISNEROS: Well, I'm not trying to start a fight or.....

CITY ATTORNEY PARKER: I don't helter skelter send them out to everybody around. Now, and I give the opinions as I see fit not to what somebody or some party, or some person, or some individual wants, and it's not going to be 99 percent of the time probably what anybody wants.

DR. CISNEROS: Okay, all I'm getting is.....

CITY ATTORNEY PARKER: If they don't like it they can throw it in the trash can.

MR. PYNDUS: Don't change.

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DR. CISNEROS: What I'm talking about is a commitment to an issue, okay, and I think it makes a lot of difference if there's somebody advising both sides of an issue that has some measure of commitment to the issue. I think, and again, I'm again talking out loud now, I'm not on solid base, but I wonder whether or not somebody from the City Attorney's Office might be inclined to, really, you know, commit to the minority side and, therefore, seek out all the legal opportunities available to the minority side as much as is done for the majority side.

MAYOR COCKRELL: Dr. Cisneros, I would comment this. I think if you had been told that there were no alternatives available, I think you might have some feeling that you had not been given as much help as you might desire. The City Attorney has said there are legal alternatives available. He said that in the one case, which I think you had asked about, the idea of reconsideration, that the ordinary procedure in parliamentary procedures does not apply in this case because of all of the requirements for advertising and so forth and that the zoning was final. But he has said on the other hand that there are legal alternatives and that the Council can serve to initiate a request for a total change in zoning which would start from ground zero. In other words you are asking if the City Attorney will be an unbiased person.....

DR. CISNEROS: No, no, no.....

CITY ATTORNEY PARKER: I am going to be an unbiased person, if anybody thinks I am not, I'll leave now.

DR. CISNEROS: That's not the point.

MAYOR COCKRELL: If there's any other kind of legal advice that you want, that you haven't gotten, you know, I am sure either through the City Attorney's Office or if you feel the need of any outside consultant on the subject, we're most happy for you to have it.

MR. AL ROHDE: May, may I ask a question, a political question? Do you feel that there is a minority and a majority, a feeling of issues on this Council? This is the first time that I've heard of this.

MAYOR COCKRELL: This was relating to, I guess, this one Zoning Case, one vote.....

MR. ROHDE: I think the information is the same to everybody. I felt this since I've been on the Council.

MR. PHIL PYNDUS: I would, if I may interject, I would say, Henry, there is a procedure that can be followed with regards to getting the ear of the Council members. I would work with you.

DR. CISNEROS: I have a real tough time though getting all straight facts. I hear a lot of different things about ways to go about this; but I can't seem to pin down in any one place the whole range of realistic procedures available without catch point two being involved at the end of every single one of them. And I wonder whether a commitment on somebody's part to objectively investigate the whole way through a particular point of view. What is a point of view, obviously I have a point of view.

MAYOR COCKRELL: In other words, you were not satisfied with the City Attorney's advice on a move to reconsider, is that it?

DR. CISNEROS: I don't want to say that.

MAYOR COCKRELL: He has given advice.

DR. CISNEROS: Yes, he has given advice for a point of view.....

MAYOR COCKRELL: Let me just say this. If you don't feel that it is available to you through the City Attorney's Office, I, for one, would be happy for you to get it outside and for the City to consider a consultant to you.

MR. PYNDUS: No, I wouldn't feel that way, Mayor Cockrell. I feel, I've been on the minority viewpoint a lot, and I've had as much principle in the way that I felt that Henry has in this issue. I think that the manner in which to approach this thing is to sway the Council members to your point of view. If you feel deeply about it, work harder at it. And I promise I'll back you on this, and I'll work with you, but I do not think it's a matter of legality.

DR. CISNEROS: Well.....

MAYOR COCKRELL: Let me just say this. You are continuing to push it. I have already said that for one person I have stopped to review my entire position. I have set up a meeting tomorrow to meet with some of the people. I am going to visit with them. I am going to go over not just this Case. I am going over the whole situation from A to Z. In order for the Council to re-initiate zoning, there would have to be some feeling by a majority of people that they wanted to do something different. Now, as of this point I have not yet worked through any decision to change from my past position. That's not saying I have a closed mind. It is saying that I am meeting with some people, I am reviewing the whole issue, but I'm also reviewing all the safeguards the Council has adopted up to now, all the safeguards it has in the future with the continued review under PUD, the continued review on the Texas Water Quality Board. All of these things I am continuing to look at and discuss. We are not in a time box so far as the ability to re-initiate. Now, the citizens anytime they want can decide to take any action at any time, but as an individual, I feel that I have the responsibility to be open.....

DR. CISNEROS: I tried to avoid the situation, all the more extreme alternatives that have been projected. All I'm trying to do is, every way that I look at this thing, I've looked at it a thousand different angles since last Thursday, and it still comes up the same to me. We talked about setting up a - reconvening the Task Force. Well, it just so happens the three members from this Council who were at the Task Force and participated hours and hours of deliberation.....

MAYOR COCKRELL: I'm not talking about the City Task Force, I was talking about AACOG.

DR. CISNEROS: The three members from this Council all voted against it. We had the Planning and Policy Priorities Committee - three out of four voted on the minority side the other day. I guess I just feel that.....(inaudible).....

MR. PYNDUS: Just keep working at it.

CITY MANAGER GRANATA: Mayor Cockrell, if I may please, most attorneys represent their clients, as you all well know, and I have instructed my staff, be it the City Attorney, the Director of Public Works, whenever any of you on this Council ask for anything of me or of the staff, we don't first sit down and decide whether you're a GGLer or an IT.....

DR. CISNEROS:Inaudible.....

CITY MANAGER GRANATA: Well, it came out that way.

DR. CISNEROS: Well, when I said majority or minority I meant five - four vote.

CITY MANAGER GRANATA: Well, the way I read it it came out that way, it came out that way very strong - and I just want you all to know, and I'll reiterate whenever you all ask us to do, we do it for the City Council of San Antonio regardless of how you got on the Council, and we'll continue to do so, but it came out the way I think.....

DR. CISNEROS: I'm sorry, I didn't mean it to come out that way. I don't even think in those terms.

CITY MANAGER GRANATA: I understand that, sir, but it sounded like you wanted a consultant or your own attorney. That's what made it strong coming out that way.

MAYOR COCKRELL: All right, is there anyone else who has anything to say?

REV. BLACK: I would simply like to, Mayor, to - since you are reviewing all of the areas that have been considered by this Council, I wonder if we could not get a map that indicates what we have done up to now.....

MAYOR COCKRELL: Fine, I've got it in my office. I'm sure one can be made available to you.

REV. BLACK: I think it would be important to me to have in terms of not only what we have done, but also what we are in the process of doing, and we can see the total picture.

MAYOR COCKRELL: It will show you the August zoning, which is "B-3" exactly next to this property, and it will show you the - all the zoning that has taken place prior to this Council coming into operation. It will show you that the City limits expire at this point and directly across the street in the County that any type of project could be built without the City's supervision. It would show you a great many things, and I would be glad to make this available to you.

REV. BLACK: I would certainly appreciate that.

MAYOR COCKRELL: Fine, all right, then we'll go back to the Item 34.

* * * *

75-63 Item 33 of the agenda being a proposed ordinance to retain a consultant for Centro 21 was withdrawn from consideration at the request of the City Manager.

75-63 The following Ordinances were read by the Clerk and explained by Mr. James Parker, City Attorney, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Rohde, Cockrell; NAYS: None; ABSENT: Billa, Hartman, Teniente, Nielsen.

AN ORDINANCE 45,891

APPROPRIATING \$3,129.64 OUT OF FUND NO. 62-009, INDEX 430504 FOR DEPOSIT INTO THE REGISTRY OF THE 131ST DISTRICT COURT OF BEXAR COUNTY, TEXAS, IN SATISFACTION OF JUDGMENT IN CAUSE NO. 75CI-390.

* * * *

AN ORDINANCE 45,892

DECLARING A PUBLIC NECESSITY FOR ACQUISITION OF CERTAIN PRIVATELY OWNED REAL ESTATE FOR PUBLIC PURPOSES IN COUNTY BLOCK 4433 IN BEXAR COUNTY, TEXAS.

* * * *

75-63 Item 36 of the agenda being a proposed ordinance amending fares to be charged by the Transit Board of Trustees was withdrawn from consideration at the request of the City Manager.

75-63 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: Pyndus, Cisneros, Black, Rohde, Cockrell; NAYS: None; ABSENT: Billa, Hartman, Teniente, Nielsen.

AN ORDINANCE 45,893

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF DISPOSITION PARCEL 7297-C-2, LOCATED WITHIN THE KENWOOD NORTH PROJECT, TEX. R-136, TO NORTHSIDE STATE BANK FOR THE SUM OF \$18,500.00, BEING \$1.85 PER SQUARE FOOT.

* * * *

AN ORDINANCE 45,894

ACCEPTING THE LOW QUALIFIED BID OF AMERICAN FURNITURE COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH FOLDING CHAIRS AND TABLES FOR A TOTAL OF \$7,580.00, LESS 1% - 10 DAYS.

* * * *

AN ORDINANCE 45,895

ACCEPTING THE LOW QUALIFIED BID OF GLASSTOV CAFE - HOTEL SUPPLY CO. TO FURNISH THE CITY OF SAN ANTONIO WITH KITCHEN EQUIPMENT FOR A TOTAL OF \$34,768.00, LESS 1% - 20 DAYS.

* * * *

AN ORDINANCE 45,896

ACCEPTING THE LOW QUALIFIED BID OF KLINES OF SAN ANTONIO, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH WORK UNIFORMS ON A CONTRACT BASIS.

* * * *

AN ORDINANCE 45,897

ACCEPTING THE LOW QUALIFIED BID OF WATSON DISTRIBUTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH THREE WHEEL UTILITY WORK VEHICLES FOR A NET TOTAL OF \$37,174.79.

* * * *

AN ORDINANCE 45,898

ACCEPTING THE LOW QUALIFIED BIDS OF ACME COTTON PRODUCTS CO., INC., GENTEC HOSPITAL SUPPLY CO., HOPE MEDICAL SUPPLY, MEDI-CENTRAL, SCHERER MEDICAL SCIENTIFIC AND STANLEY SUPPLY CO., INC., TO FURNISH THE CITY OF SAN ANTONIO WITH MEDICAL SUPPLIES FOR A TOTAL OF \$9,109.13.

* * * *

AN ORDINANCE 45,899

ACCEPTING THE LOW QUALIFIED BIDS OF O. M. SCOTT & SONS AND OCCIDENTAL CHEMICAL CO. TO FURNISH THE CITY OF SAN ANTONIO WITH FERTILIZER FOR A TOTAL OF \$12,432.85.

* * * *

75-63

The Clerk read the following Ordinance:

AN ORDINANCE 45,900

ACCEPTING THE PROPOSAL OF ALLRIGHT PARKING, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH PARKING LOT MANAGEMENT ON A MONTH-TO-MONTH CONTRACTUAL BASIS.

* * * *

The Ordinance was explained by Mr. Archie Titzman, Assistant Purchasing Agent, who said that this would approve a management contract with Allright Parking for the employee parking lot at Alamo and Durango Streets at a cost of \$3.00 per month for management plus costs.

Councilman Rohde expressed reservations about this arrangement. He said that he felt the City might be subsidizing free parking for employees when we are in court on this matter.

City Manager Granata said that the employees renting space on this parking lot will pay for it. There will not be a subsidy. There is a 60 day cancellation clause in the lease.

Mr. Rohde asked for a monthly report on this parking lot.

After consideration, on motion of Mr. Rohde, seconded by Mr. Cisneros, the ordinance was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Rohde, Cockrell; NAYS: None; ABSENT: Billa, Hartman, Teniente, Nielsen.

75-63 The following Ordinance was read by the Clerk and explained by Mr. Archie Titzman, Assistant Purchasing Agent, and after consideration, on motion of Mr. Cisneros, seconded by Mr. Rohde, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Rohde, Cockrell; NAYS: None; ABSENT: Billa, Hartman, Teniente, Nielsen.

AN ORDINANCE 45,901

ACCEPTING THE LOW QUALIFIED BIDS OF NORTH STAR DODGE, INC., O. R. MITCHELL MOTORS, GRANDE FORD TRUCK SALES, INC., INTERNATIONAL HARVESTER COMPANY, ANCIRA-WINTON CHEVROLET, INC., AND SMITH MOTOR SALES TO FURNISH THE CITY WITH TRUCKS THROUGHOUT THE 1976 MODEL YEAR.

* * * *

75-63 Item No. 47 being a proposed resolution supporting a San Antonio Light editorial stand on the Criminal Justice Reform Act of 1975 was offered for consideration by Councilman Pyndus.

Mr. Pyndus said that he had distributed copies of the resolution to other Councilmen who had requested that it be considered first in "B" Session before acting on it.

The City staff was asked to comment on the editorial.

75-63 The Clerk read the following letter:

October 16, 1975

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

Madam and Gentlemen:

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

October 6, 1975

Petition of Mr. Robert W. Jenkins, d/b/a/ ABC Pest Control, 1523 Austin Highway, requesting permission to add a barbed wire extension on the 6' fence erected at 10022 I.H. 35 North, to help keep children out of the area since dangerous chemicals are stored there.

J. H. INSELMANN
City Clerk

* * * *

October 23, 1975
el

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There being no further business to come before the Council,
the meeting adjourned at 3:45 P. M.

A P P R O V E D

Lila Cockull
M A Y O R

ATTEST: *G. V. Jackson, Jr.*
C i t y C l e r k