

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 13, 1977.

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The meeting was called to order at 1:00 P. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN, COCKRELL; Absent: NONE.

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77-53 The invocation was given by The Reverend Donald F. Wales, Pilgrim Presbyterian Church.

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77-53 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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77-53 The minutes of the Meeting of October 6, 1977, were approved.

77-53 THEATER STUDY

Councilman Eureste moved that the Council rescind its action taken in informal session on October 12, 1977, when it rejected a proposal made by the San Antonio Arts Council for a study of downtown theaters. The motion was seconded by Councilman Steen.

City Manager Huebner said that \$8,000 was left over from the Auditorium study and \$22,000 could be taken from the contingency fund.

Councilman Cisneros distributed copies of a summary of a meeting of downtown businessmen last month in which the priorities of downtown merchants are listed. He pointed out that 68 percent indicated that high prices on parking is a major problem in bringing people back to downtown. They suggested that the free parking on Saturday afternoon be extended to all day Saturday. It has been estimated that this move would cost the City \$15,000 per year.

Dr. Cisneros offered a substitute motion that the City implement a program whereby the \$30,000 would go to finance two years of forgoing the Saturday morning parking charge.

Mayor Cockrell ruled the substitute motion out of order because it was not germane to the original motion as it introduces a new subject matter.

The motion was discussed pro and con by the Council.

Mr. Steen moved the previous question. The motion was seconded by Mr. Pyndus and carried by the following roll call vote: AYES: Dutmer, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: Cisneros, Webb, Wing, Alderete; ABSENT: None.

On roll call, the original motion by Mr. Eureste was passed and approved by the following vote: AYES: Dutmer, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: Cisneros, Webb, Wing, Alderete; ABSENT: None.

The City Attorney was requested to post notice that the matter would be considered by the Council later in the meeting.

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Mrs. Ellen Sawyer, Communications Director for the San Antonio Arts Council, said she wished to present the Council members with copies of the photography book and cultural calendar published by the Arts Council. This is a project attempting to involve the City in the Arts. The book also provides a means for local photographers to show some of their work.

Mayor Cockrell thanked Mrs. Sawyer for her presentation.

NATIONAL PEDESTRIAN SAFETY AWARD

Mr. Luke Duffy and Mr. George Bichsel, representing the American Automobile Association, presented Mayor Cockrell with a plaque for pedestrian safety achievement. Mr. Bichsel recognized the good work done toward this goal by the Department of Public Works, Traffic and Transportation Department, as well as the Police Department.

Mayor Cockrell accepted the plaque on behalf of the City and expressed the Council's appreciation.

77-53 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Webb, Dutmer, Eureste.

AN ORDINANCE 48,576

PERMITTING ERECTION OF APPROXIMATELY 130 LINEAL FEET OF 8' HIGH PRIVACY FENCE AT 11106 CRESTPARK. (Mr. Lawrence E. Wilson, on behalf of Mr. Harold Burkhardt)

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AN ORDINANCE 48,577

PERMITTING CONSTRUCTION OF A CANOPY AT 159 E. COMMERCE OVER A CITY SIDEWALK. (Mr. Elic Anbar)

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AN ORDINANCE 48,578

PERMITTING CONSTRUCTION OF APPROXIMATELY 167 LINEAL FEET OF 8' HIGH CONCRETE AND PLASTER WALL AT 2634 BROOKHURST. (Mrs. Margery Rymer)

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AN ORDINANCE 48,579

PERMITTING ERECTION OF APPROXIMATELY 250 LINEAL FEET OF 8' HIGH WOOD PRIVACY FENCE AT 438 RECOLETTA. (Mr. Cosmo Guido)

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77-53 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Dutmer, Eureste.

AN ORDINANCE 48,580

GRANTING A SIX MONTH EXTENSION TO THE PRESENT OPTION TO TESORO PETROLEUM CORPORATION FOR THE LEASE OF 100,374 SQUARE FEET OF LAND AT INTERNATIONAL AIRPORT FOR THE CONSIDERATION OF \$1,673.74.

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AN ORDINANCE 48,581

MANIFESTING THE EXTENSION, AS AMENDED, OF AN AGREEMENT WITH COVENANT, INC., TO EXTEND THE SAN ANTONIO INTERNATIONAL AIRPORT LEASE FOR THE "CHAPEL OF THE AIRWAYS", FOR A TERM ENDING JULY 31, 1978.

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AN ORDINANCE 48,582

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$38,083.00 TO THE CONSTRUCTION CONTRACT ON I.C.C. (MARTINEZ) PARK BETWEEN THE CITY AND J. R. RAMON AND SONS, INC.

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77-53 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Wing, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Dutmer, Eureste, Ortiz.

AN ORDINANCE 48,583

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY OWNED REAL PROPERTY SITUATED IN SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, TO-WIT: THE LOCATION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENANCE OF PUBLIC FACILITIES DESIGNATED COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; AND AUTHORIZING THE INSTITUTION AND PROSECUTION TO CONCLUSION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH PROPERTY AS CANNOT BE ACQUIRED BY NEGOTIATION.

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77-53 The Clerk read the following Ordinance:

AN ORDINANCE 48,584

ADOPTING A NAME FOR THAT CERTAIN CITY PARK LOCATED AT AURORA AND N. W. 36th STREETS. (Clarissa Victoria Alderete Park)

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Mr. Gene Sprague, Chairman of the Parks and Recreation Advisory Board, said that the Board felt a very deep loss in the death of Clarissa Alderete, young daughter of Councilman and Mrs. Joe Alderete. Mr. John Buentello, a Board member, made the recommendation that Loma Linda Park be renamed in honor of Clarissa Victoria Alderete so that the memory of her spirit might live on with the children who play in that park.

Mr. Buentello also addressed the Council and asked that the Council support his recommendation.

Councilman Alderete expressed his appreciation to the Council and the Board.

After consideration, on motion of Mr. Pyndus, seconded by Mr. Steen, the Ordinance was passed and approved by the following vote: AYES: Webb, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Dutmer, Ortiz.

77-53 The Clerk read the following Ordinance:

AN ORDINANCE 48,585

AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON THE ARTS AND HUMANITIES FOR A \$7,000 GRANT TO ASSIST IN FUNDING A SECOND ANNUAL JAZZ FESTIVAL TO BE ADMINISTERED BY THE CARVER COMMUNITY CULTURAL CENTER OF THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES.

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After consideration, on motion of Mr. Steen, seconded by Mr. Webb, the Ordinance was passed and approved by the following vote: AYES: Webb, Eureste, Ortiz, Alderete, Pyndus, Steen, Hartman, Cockrell; NAYS: None; ABSENT: Cisneros, Dutmer, Wing.

Mayor Cockrell expressed her pleasure at the programs being sponsored at the Carver Cultural Community Center.

Mr. Webb said he looks forward to the Jazz Festival and hopes that the entire city will turn out for it.

77-53 The Clerk read the following Ordinance:

AN ORDINANCE 48,586

ESTABLISHING A SPECIAL FUND FOR CASH CONTRIBUTIONS TO THE CARVER COMMUNITY CULTURAL CENTER; AUTHORIZING EXPENDITURES OF SUCH FUNDS; AND AUTHORIZING ACCEPTANCE OF GIFT ITEMS BY THE CARVER CENTER.

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Mr. Webb moved the approval of the Ordinance. Mr. Steen seconded the motion.

Mayor Cockrell stated that many persons have given gifts to the City which have been enjoyed by all citizens, and this Ordinance is an effort to encourage this practice which is appreciated by the City.

On roll call, the motion, carrying with it passage of the Ordinance, carried by the following vote: AYES: Cisneros, Webb, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Wing, Alderete.

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77-53 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Webb, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Dutmer, Wing, Alderete.

AN ORDINANCE 48,587

AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES, TO EXECUTE AGREEMENTS WITH ARTISTS INVOLVING PAYMENTS LESS THAN \$3,000.00.

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77-53 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Dutmer, Alderete.

AN ORDINANCE 48,588

AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES TO ENTER INTO LEASE AGREEMENTS FOR THE USE OF CARVER COMMUNITY CULTURAL CENTER FACILITIES; ADOPTING A STANDARD LEASE AGREEMENT FORM COVERING THE USE OF SUCH FACILITIES; APPROVING GUIDELINES FOR ENTERING INTO SUCH AGREEMENTS; AND ADOPTING RENTAL RATES FOR THE USE OF SUCH FACILITIES.

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AN ORDINANCE 48,589

AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON THE ARTS AND HUMANITIES FOR A \$7,000 GRANT TO ASSIST IN FUNDING A COMPREHENSIVE PROGRAM EMPLOYING 30 CETA ARTISTS AND ADMINISTRATIVE PERSONNEL, TO BE ADMINISTERED BY THE CARVER COMMUNITY CULTURAL CENTER OF THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES.

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77-53 The Clerk read the following Ordinance:

AN ORDINANCE 48,590

AUTHORIZING THE CITY MANAGER TO SUBMIT TO THE U. S. DEPARTMENT OF LABOR A SPECIAL GRANT APPLICATION, IN BEHALF OF THE ALAMO MANPOWER CONSORTIUM, IN THE AMOUNT OF \$1,865,176 UNDER THE SKILL IMPROVMENT TRAINING PROGRAM.

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In response to Councilman Ortiz' question, Mr. Sam Dominguez, Director of the Manpower Program, stated that this application is devoted to the employer of the business sector. At the present time, this program does not include the involvement of local schools. By classroom training, it is meant that on-the-job training will be provided. He listed the six agencies that offered proposals.

Mr. Ortiz asked why local schools with their many excellent programs are not utilized for such programs.

Mr. Dominguez responded that local schools are utilized in other areas but not in this special program.

Mr. Ortiz stated that in the future he would suggest that local schools be utilized in such programs.

Mr. Pyndus stated that in the past he had objected to the fact that the private business sector did not have a dominant role with reference to training in these types of programs. He then stated that this program is an effort along the lines that he supports. He asked Mr. Dominguez to comment on how companies could apply for some of these funds in this program.

Mr. Dominguez stated that no proposals were received directly from private employers. Several proposals that were received via direct contact with private employers proposing on-the-job training with private companies. He also explained that due to the short time frame imposed by the Department of Labor in this case there was no time to contact private employers per se.

After consideration, on motion of Mr. Webb, seconded by Mr. Eureste, the Ordinance was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Alderete, Hartman.

77-53 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Alderete, Hartman.

AN ORDINANCE 48,591

SETTING A PUBLIC HEARING ON OCTOBER 27, 1977, ON AN ORDINANCE AMENDING CHAPTER 36 (SUBDIVISION) OF THE CITY CODE SO AS TO MAKE VARIOUS CHANGES IN PLAT SUBMISSION PROCEDURES BY REDEFINING THE PLAT SUBMISSION REQUIREMENTS, ESTABLISHING A FILING DATE, REQUIRING LETTERS OF CERTIFICATION FROM CERTAIN DEPARTMENTS, SPECIFYING AND CLARIFYING THE DATA REQUIREMENTS FOR CERTIFICATION, PROVIDING FOR A PROCEDURE FOR VARIANCES, AND DELETING CERTAIN OBSOLETE PORTIONS.

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AN ORDINANCE 48,592

GRANTING PERMISSION TO THE HIGHLANDS STUDENT COUNCIL TO HOLD A BONFIRE NOVEMBER 11, 1977, AT HIGHLANDS HIGH SCHOOL.

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AN ORDINANCE 48,593

AUTHORIZING THE CLOSING OF SAN SABA STREET BETWEEN DOLOROSA AND WEST COMMERCE STREETS ON OCTOBER 22 AND 23, 1977, DURING CERTAIN HOURS.

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77-53

HIGHLANDS HIGH SCHOOL BONFIRE

Mr. Pyndus stated that the City Council had just approved the request of Highlands High School to hold a Bonfire and asked if it is possible for brush in the area to be hauled to that location.

Mayor Cockrell asked through the City Manager that the Public Works Department contact the school in this regard.

Mayor Pro-Tem Eureste asked that the Fire Chief investigate this matter because of a possible fire hazard.

77-53 The Clerk read the following Ordinance:

AN ORDINANCE 48,594

AUTHORIZING CERTAIN ADJUSTMENTS TOTALING
\$25,067.92 TO THE TAX ROLL.

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In response to Mr. Ortiz' questions about frequency of errors, Mr. Carl White, Director of Finance, explained how the errors are discovered and their review by the Tax Error Review Board. He also explained the procedures used in the office with regard to quality control.

Mr. Ortiz suggested that at some future time the Council should review the operation of the Property Tax Office and expressed concern over the citizens' tax money.

In response to Mr. Eureste's questions, Mr. White remarked on the number of cases heard by the Board of Equalization. With reference to the number of property devaluations and their dollar figure, Mr. White stated he did not have these figures with him but will return later in the meeting with a report.

On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

Later in the meeting, Mr. White reported the following to the Council:

REAL PROPERTY: The total tax roll in 1976 was \$37,948,500.

A total of \$106,305 in supplemental additions.
A total of \$666,347 in cancellations.
Out of the 1975 tax roll, a \$442,401 reduction was caused because of lawsuits of property along Loop 410. Net reduction would have been about \$100,000 if not for the Court Judgments mentioned.

PERSONAL PROPERTY: The total tax roll was \$8,092,760.

A total of \$19,390 in supplemental additions.
A total of \$62,216 in cancellations.

Total amount of cancellations (real and personal property) is approximately \$700,000.

Mr. White stated that these figures are all included in the Annual Finance Report to be distributed to Council next week. (A copy of Mr. White's report is on file with the papers of this meeting.)

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77-53 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 48,595

APPROPRIATING \$275.00 OUT OF FUND 41-002-004, INDEX CODE 508-523 FOR PAYMENT OF APPRAISAL FEES IN ACQUISITION OF RIGHT OF WAY FOR 24TH STREET IMPROVEMENT PROJECT.

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AN ORDINANCE 48,596

ACCEPTING THE LOW QUALIFIED BID OF JOHN YANTIS COMPANY AND BILL SHANNON, INC., A JOINT VENTURE IN THE AMOUNT OF \$993,976.33 FOR THE CONSTRUCTION OF CUPPLES ROAD; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT COVERING SAID WORK; APPROPRIATING THE AMOUNT OF \$1,075,161.50; AND AUTHORIZING PAYMENT OF SAID AMOUNT AS HEREIN PROVIDED.

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AN ORDINANCE 48,597

APPROPRIATING THE SUM OF \$130,734.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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77-53

BOARD OF EQUALIZATION

Mayor Pro-Tem Eureste asked for information on the Board of Equalization regarding any consultation on real estate matters the members might have had with any group or organization.

Mayor Cockrell asked for this information through the City Manager's Office.

77-53 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 48,598

ACCEPTING THE LOW QUALIFIED BID OF GOLDTHWAITE'S OF TEXAS, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH HERBICIDES FOR A NET TOTAL OF \$5,336.00.

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77-53 The Clerk read the following Ordinance:

AN ORDINANCE 48,599

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH SAN ANTONIO BASKETBALL, LTD. AND SPURS PROFESSIONAL BASKETBALL, LTD. FOR LEASE OF CERTAIN FACILITIES AT HEMISFAIR PLAZA; AND AMENDING ORDINANCE NO. 47139 BY DELETING RENTAL SPACE IN THE ARENA.

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Mr. Webb moved to approve the Ordinance. Mr. Steen seconded the motion.

On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Pyndus, Hartman, Steen, Cockrell; NAYS: Wing, Eureste, Ortiz; ABSENT: Alderete.

Mrs. Dutmer commented that she has suggested a five cent per square foot agreement instead of a ten cent agreement and this was rejected. Later, she was surprised to learn that they had received it for free.

Mayor Cockrell explained that previously free space had been provided in the original lease and Council concurred with this provision.

77-53 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 48,600

APPOINTING MR. ROBERT V. BUCK TO THE AIRPORT ADVISORY COMMITTEE. (July 31, 1979)

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AN ORDINANCE 48,601

APPOINTING AND REAPPOINTING PERSONS TO THE MARKET ADVISORY BOARD FOR TWO YEAR TERMS EXPIRING OCTOBER 13, 1979.

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Mr. James W. Gorman and Mr. Henry Guerra -- reappointed as members.

Father John Yanta, Mr. Moses Esquivel, Mr. K. W. Houston, Mr. Albert McKnight, Mr. Reuben L. Salazar, Mrs. Consuelo Zaragosa, Mr. Julian Rodriguez, Mrs. Linda Hardberger, and Mr. Richard Rodriguez -- appointed as members.

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AN ORDINANCE 48,602

AMENDING THE PRIOR PLUMBING APPEALS BOARD ORDINANCE SO AS TO INCREASE ITS SIZE AND QUOTA; DESIGNATING THE FUNCTION OF THE TWO NEW VACANCIES AND MAKING APPOINTMENTS TO SAID BOARD.

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Mr. Tom Vasquez -- appointed as Master Plumber (Union Shop) representative for term expiring October 13, 1978.

Mr. Alex Coy -- appointed as Journeyman Plumber (Open Shop) representative for term expiring October 13, 1980.

Mr. Conrad Truss -- reappointed as Journeyman Plumber (Union Shop) representative for term expiring October 13, 1980.

Mr. George Schliesing -- appointed as Contractor representative for term expiring October 13, 1980.

Mr. Jack Ammann, Jr. -- appointed as Practicing Professional Engineer representative for term expiring October 13, 1978.

Ms. Carolyn Peterson -- appointed as Architect representative for term expiring October 13, 1978.

Mrs. Mary Jane Flores -- appointed as Layman/Consumer representative for term expiring October 13, 1979.

Mr. George H. Clark -- appointed as Layman/Consumer representative for term expiring October 13, 1979.

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77-53 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,603

APPOINTING AND REAPPOINTING PERSONS TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES; INCREASING THE NUMBER OF TRUSTEES FROM 11 TO 13; AND INCREASING THE NUMBER OF MEMBERS NECESSARY FOR A QUORUM.

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Ms. Adela Escareno and Ms. Karen Sprague -- reappointed for terms expiring July 31, 1979.

Ms. B. Louise Nabors -- reappointed for term expiring July 31, 1978.

Mrs. Kay Pena -- appointed to replace Mrs. Isabel Onion for term expiring July 31, 1978.

Mrs. Julia Knight -- appointed to replace Mr. Dan Jaime for term expiring July 31, 1979.

Mr. Ruben Rodriguez -- appointed to replace Mrs. Dorothy Pickett for term expiring July 31, 1979.

Mrs. Allen A. Parker -- appointed for term expiring July 31, 1979.

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AN ORDINANCE 48,604

CANCELLING THE PUBLIC HEARING SCHEDULED FOR OCTOBER 20, 1977 ON THE ADOPTION OF AN ORDINANCE AMENDING CHAPTER 36 OF THE CITY CODE TO REQUIRE A DEVELOPMENT PLAN AS PART OF THE PRELIMINARY PLATTING PROCESS.

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Mr. Al Eisenmenger, Assistant Director of Planning, explained that this Ordinance is necessary due to the fact that the legal staff recommended to the Planning Commission at its meeting on Wednesday, October 12, 1977, that the draft of the amendment to Chapter 36 of the City Code requiring a development plan as part of the preliminary platting process needs further revision. Based on this legal recommendation, the Planning Commission decided to cancel the hearing and reschedule it after further review.

After consideration, on motion of Mrs. Dutmer, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell.

The Clerk read the following Resolution:

A RESOLUTION
NO. 77-53-69

URGING THE TEXAS RAILROAD COMMISSION NOT TO GRANT THE NATURAL GAS RATE HIKE REQUESTED BY LO-VACA GATHERING COMPANY.

* * * *

Mrs. Dutmer moved the adoption of the Resolution. Mr. Hartman seconded the motion.

Mr. Alderete stated that he supports the essence of the Resolution but feels that it should be stronger. He offered an amendment to the motion stating that the City of San Antonio will not accept or pay any additional rate increase imposed by the Railroad Commission. The motion died for lack of a second.

Mayor Cockrell stated that the Resolution as it is written states the feelings of the Council very strongly and asked Council to approve the Resolution as written.

In response to Mr. Wing's question about appeals on the Railroad Commission's decisions, City Attorney Jane Macon stated that the Texas Railroad Commission is the authority that sets the rates and is governed by the Texas Statutes. Any appeal would be an uphill battle.

After discussion, the motion, carrying with it the passage of the Resolution, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: Alderete; ABSENT: None.

REPRESENTATIVES FROM BAVARIAN STATE GOVERNMENT

Councilman Hartman stated that a delegation from the Bavarian State in The German Republic has been visiting in San Antonio and he introduced some German representatives who were present in the audience. He then greeted, in German, Dr. Ludwig-Holger Pfahls and Dr. Rudolf Baer and invited them to the podium to address the Council.

Mayor Cockrell welcomed them to the meeting.

Dr. Pfahls thanked the City Council for their hospitality and cited the many similarities between the State of Texas and the State of Bavaria. They presented Mayor Cockrell with a gift to the City as a memento.

Mr. Hartman stated that they also had presented a replica of the Bavarian State Coat of Arms which will be placed in City Hall for display.

77-53

PROTECTIVE VESTS

Councilman Cisneros spoke to the Council regarding the need for protective vests for Police officers. He then displayed to the Council a bulletproof vest which he stated is light and comfortable to wear. He asked that the City investigate the possibility of purchasing this type of vest. Dr. Cisneros further stated that he has spoken to many police officers who wish to wear the vests and have put in a requisition for same.

Mayor Cockrell stated that she had already spoken to the City Manager and the Chief of Police on this same matter.

City Manager Huebner stated that 200 bulletproof vests were purchased and, after a review, only 15 percent of the officers were using them; but he has instructed the Chief of Police to purchase additional vests.

77-53

At this point in the meeting, Mr. Carl White, Director of Finance, returned to the meeting and reported to the Council on the real and personal property tax rolls. See page 7 of these minutes.

77-53

The meeting was recessed at 2:30 P. M., and reconvened at 4:00 P. M.

77-53

CITIZENS TO BE HEARD

MR. VAUGHAN B. MEYER

Mr. Vaughan B. Meyer, 3714 Marymont, representing a delegation present in the audience, presented a petition to the Council requesting that the median on Starcrest Drive be curbed. He described the street and stated that the median, in its present condition, is a safety hazard and cited cases of accidents in the area. He then presented a petition signed by 311 residents of the area and 123 parents of children attending St. Mary's Hall. Mr. Meyer then stated that they had discussed this same problem in 1966 with the staff and described what had transpired at that time. He said that the City had promised to put in curbing on that median since that time.

Mr. Hartman stated that he is very familiar with the area and, in view of the fact that Starcrest is a very heavily traveled street, it might be best to remove the median.

Mr. Meyer then discussed the cost involved with curbing the median as opposed to the paving over of the street. He stated that a private consultant had quoted the price of \$25,000 to curb the median. If the curbing of the median is accomplished together with three feet of paving on each side then the cost would be approximately \$50,000. Total reconstruction of the street is estimated to be \$250,000.

Mr. Pyndus suggested that this request be referred to the staff for their investigation and suggested the possibility of using CETA workers for labor.

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Mr. Steen stated that these people were promised relief over 11 years ago; and, in view of the traffic problem, he moved the authorization of a maximum expenditure of \$30,000 to curb the median on Starcrest. Dr. Cisneros seconded the motion.

Mr. Hartman asked that the staff also review the cost of removing the median and paving it over.

Mr. Mel Sueltenfuss, Director of Public Works, then addressed the Council. He stated that he would not recommend curbing of the median only because the street definitely needs to be widened to at least a 24-foot section. He asked the Council to delay any expenditure authorization until he submits to them options and costs by next week.

Mr. Steen then withdrew his motion pending the staff's report. Dr. Cisneros stated that Council should earmark these funds and did not wish to withdraw his second.

Mr. Eureste took exception to Dr. Cisneros' comments about the \$30,000 expenditure discussed by Council earlier at the beginning of the meeting.

Mr. Hartman then moved to table the motion pending the staff report. Mr. Pyndus seconded the motion. On roll call, the motion carried by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: Cisneros; ABSENT: Alderete.

Mrs. Dutmer took exception to the fact that she was not recognized by the Chair.

Mayor Cockrell asked that the delegation come back and receive the report to be presented by staff.

Dr. Cisneros stated that the Council has committed itself for \$30,000 for a Theatre District Study and cited the reasons he is opposed to this expenditure.

Mrs. Dutmer then asked how the citizens would feel about having the median paved over before the staff reports on this point.

Mayor Cockrell asked Mr. Meyer and his delegation to submit any comments to the Council in writing.

Mr. Eureste again commented that he took exception to Dr. Cisneros' remarks.

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MR. CORNELIUS BULL

Mr. Cornelius Bull, Headmaster at St. Mary's Hall, also addressed the Council on the median curbing needed on Starcrest Drive. He mentioned the many accidents which have occurred over the past few years.

Mayor Cockrell responded that the Council has asked for a staff report on this matter.

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MR. CARL HENRY

Mr. Carl Henry, 225 Linares, stated that he had a copy of the Incorporation of the C.O.P.S. Organization with the Secretary of State and read from certain sections of it. He stated that the C.O.P.S. Organization has violated sections of the Texas Penal Code and also has violated sections of the Election Code.

City Attorney Jane Macon advised Mr. Henry that any complaints or violations can be filed with the District Attorney. The City Council does not have jurisdiction in cases of this nature.

MRS. LILA LANDEZ

Mrs. Lila Landez, Chairperson of the Southeast Concerned Citizens, read a prepared statement regarding a meeting held with Mr. Ruben Escobedo, a member of the City Public Service Board of Trustees, on the matter of the transmission towers on Zarzamora Street. She again stated to the Council that the residents of the area were never contacted about the proposed route and were never invited to any meetings. She stated that they have arrived at a compromise and asked Council to support the new route they propose. The new route will take in part of Route 6 and part of Route 7. She then demonstrated on a map the combination route.

Mayor Cockrell stated that the City Council is planning to have another briefing by City Public Service Board and will ask for a cost estimate on this combined route. She stated that citizens will be advised in advance of this meeting. She stated that the City Public Service Board of Trustees has decided to withhold any consideration on this matter until the City Council and the City Public Service Board meet jointly.

77-53

DOWNTOWN THEATRE DISTRICT STUDY

The Clerk read the following Ordinance:

AN ORDINANCE 48,605

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE NATIONAL ENDOWMENT FOR THE ARTS FOR A GRANT OF \$30,000 TO SUPPORT THE COST OF CONDUCTING A DOWNTOWN THEATRE DISTRICT STUDY; PROVIDING FOR A CONTRIBUTION OF \$30,000 IN MATCHING FUNDS FROM THE CITY; ESTABLISHING A FUND AND ACCOUNTS AND AUTHORIZING TRANSFER OF FUNDS.

* * * *

The following discussion then took place:

MR. PHIL PYNDUS: So move.

MR. JOHN STEEN: Second the motion.

MAYOR LILA COCKRELL: All right, it has been moved and seconded. Is there discussion on the motion? I think Mr. Wing was first.

MR. FRANK WING: I'd like to speak against the motion again. I think that the City of San Antonio can utilize \$30,000 to address the merit of municipal problems that we have and, most notably, I'm reading on this they'd buy a lot of bullet-proof vests for police or traffic lights and drainage areas. So, I speak against the motion.

MAYOR COCKRELL: Mr. Hartman.

MR. GLEN HARTMAN: Madam Mayor, I would like to state that last evening there was some degree of confusion as to exactly what the proposals were and what each would do. There was some concern, I think, the major concern, and my major concern was the fact that the information materials that we had presented to us, I think, indicated a great degree of overlap between the so-called U.T.S.A. proposal and the proposal which was submitted by the so-called San Antonio Performing Arts District Study. Subsequently, I think each of us has been provided with this brochure which is, in fact, the proposal that should additionally have been provided with the handout material last night. And I think that reviewing this proposal and that of the U.T.S.A. and having talked to a representative from U.T.S.A. on the compatibility of the two studies,

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I spoke to Professor Dick Howe and he has indicated that there could be compatibility between the two and apparently all of the problems have been resolved. I don't know if Professor Howe is in the audience or not. So, I think, perhaps last evening there was not the clear understanding that there should have been as to exactly what each of the proposals presented or represented.

So, I think the proposal now...the caption of the Ordinance is to proceed with the request for a grant. I think it would be compatible with the other action that is being introduced by the U.T.S.A. representatives. And, I would certainly be strongly in favor of proceeding with the Ordinance.

I think there's one other point that should be raised. I don't know why this particular proposal was not passed by the Planning Commission. I understand the U.T.S.A. proposal was, and this one was not. And I don't know what fell through the cracks on that one. In any event, this proposal should likewise have been presented to the Planning Commission. Be that as it may, I think that we're in the position where the Council should proceed with the request for the grant.

DR. HENRY CISNEROS: First, the point that I'd like to make, Mayor, is that the Arts Council of San Antonio has been caught in an outright falsehood; and, that is that they came last evening to tell us that that if they couldn't apply by tomorrow and if we didn't rush through and not look at it too closely and pass it that they were going to lose out on funding for a year. So, I went and looked up the application for this architecture and environmental art program. I'd like to pass out the page that has to do with application periods. You will note, for example, that the application deadlines for all applicants is October 14, 1977, and, in failing that, February 2, 1978. Now, I knew what Mr. Canon's response would be. It would be that, well, that was another program, another money and that there weren't in the pipeline. So, I called Washington and talked to the head of the agency that heads this; and, sure enough, February 2, just like we mentioned that night would have been, would be a good time for them to apply. So, that was sufficient time to integrate it with the other planning efforts we have going. There would be no loss of funding--no jeopardy to the program. It was another one of these instances where the Council was being asked on October 12 to pass something so it could be somewhere else by October 14, preferably pass it on October 13, that way there'd be even less time to get into it.

My main criticism of this, simply stated, is that it is a very poorly put together proposal and it is very generally written. I watched this consultant game at work over the years. We have two experiences ourselves right now. The Metcalf & Eddy Study one, and the Chicago legal relationship at the moment where a consultant is able to get their foot in the door on something and then with the right mix of fuzzy-headed language and jive talk is able to expand it to something that becomes much, much more expensive.

Mr. Hartman is correct, this is different from what we saw last night, the main difference is that they took out the pages that had to do with the later segments. They took out Phase 2 and Phase 3 because Phase 2 and 3 were so poorly defined and the cost figures, I use the word to be negotiated and then become a real liability to have Phase 2 and 3 associated with this. So, somebody did a whole lot of work last night and sort of did some retyping and took out some language and took out some pages that were particularly indicting.

I think it's a shame, if we pass this, because what we're going to end up with, we all know, it's very clear to me what we're going to end up with at the end of this study is a document, maybe of 45 or 50 pages, something of that sort, that talks in Phase 1, in such general terms as trying to understand the ambiance of San Antonio and trying to become familiar with the metropolitan region and that

sort of thing. We have lots of people if what we want is an art study, if what we want is somebody to assess whether the Majestic can be used as a theatre then why don't we get the excellent faculty at Trinity and the excellent student groups at Trinity, who are involved in drama and are state-wide and nationally known for drama work to do a cheap analysis of whether the Majestic or the Aztec or some of these other theatres can be used.

Right now, when we made Revenue Sharing expenditures, we had to turn down the San Antonio Theatre Group. But the critical fact is that we're here at all. The reason they were here is because they needed a public subsidy to maintain a single theatre. We did, however, give money to the Church Theatre, another instance of having to dole out public money to keep theatre alive. And, now these groups who would have us believe that we're going to be able to sustain five, five functioning, and last night we expanded it to seven performing theatres.

I don't call that directly related to downtown revitalization. I don't see it as an attraction generator. I think the key to the downtown of this City lies in residences and in office space and in the viability during the daytime and evening of the downtown; but, it's not going to come just by using one night or two nights a week, during a particular season, seven major facilities in the downtown.

I'm extremely upset over this because I think it is a sham. I think we're leading the people on, we're wasting money. We just did a survey of the downtown, and we found out what the real needs are and the real needs are to deal with the parking situation. The real needs are to deal with the clean-up situation. We have broken sidewalks. We have unclean sidewalks. We have streets that are messed up. We have basic services to provide; instead, we're paying \$30,000 on something that is to produce, mark my words, absolutely nothing useful, except Phase 2 and 3 yet to be negotiated.

I would like to make a substitute motion, that motion being that we allocate the \$30,000 which the City Manager has miraculously identified with this and allocate that to two years of free parking, all day Saturdays, in the downtown. The City Finance Director has indicated to me this morning that the \$15,000 which is the cost to the money generated to the City Treasury by Saturday morning parking charges, that for \$30,000 we can provide two years of free parking all day Saturdays and let's really do something for the merchants of the downtown, instead of producing another book that's going to sit on another shelf and leading the people on that we've accomplished something. That's my motion.

MAYOR COCKRELL: All right, is there a second to the substitute? Hearing none, it dies of lack of a second. Mrs. Dutmer.

MRS. HELEN DUTMER: Yes, Henry, I've heard a lot of rhetoric here today. The truth of the matter is the reason we didn't get to fund the San Antonio Theatre for the amount is because we fit, not I--I was against it, but certain Council people saw fit to award an extra hundred thousand dollars to the MAUC program.

You made another statement that I'm going to have to disagree with on your part, and that is that the real trouble with the downtown is the cleaning up and the repairing of the sidewalks. Yet, not too long ago, you sat here, and it was you who initiated it, to take money away from the sidewalk program downtown and give it to a separate organization. Now, your concerns are simply not consistent, Henry, for the downtown and I think you better get your act together.

MAYOR COCKRELL: Let me just make this suggestion. I think it's...if we can just now relate to the particular proposal in front of us, and we'll hear any further pro and con discussion.

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- MR. PHIL PYNDUS: I'll call the question.
- MR. RUDY ORTIZ: Madam Mayor.
- MR. JOHN STEEN: I want to move the question.
- MAYOR COCKRELL: I hear Mr. Ortiz, and I didn't hear a second to call.
- MR. STEEN: I'll second it.
- MAYOR COCKRELL: Well, Mr. Ortiz was recognized before I heard a second.
- MR. RUDY ORTIZ: Thank you. I want to vote in favor of this particular motion. First of all, I'm very much interested in theatres; and, number two, I'm interested in downtown revitalization. And, I think this would be a good move to show that this one element... (inaudible) ...that we're interested in studying possibilities. And, I'm very please to know that we would tie in the Alameda Theatre, the Nacional Theatre and put in an ethnic element in there which I understand, and I passed around a copy of this article that just came out in the editorial page of the San Antonio Light, by the way, Don Walden. And it does, it points out the fact that in several cities, for instance, in Los Angeles, Little Tokyo; and in Baltimore, Little Italy; this particular approach, in trying to appeal to the ethnic or cultural element within the City is working very good and, in fact, it points out that this constitutes a few of the success stories in this City-- in downtown revitalization. I think we ought to give it at least a try and make a good faith effort with at least one segment of our business community to indicate our interest and our concern and our support in their efforts. And for that reason, I would ask my colleagues to give it serious consideration for a "yes" vote.
- MR. PYNDUS: I call the question, Mayor.
- MAYOR COCKRELL: All right, is there a second?
- MR. STEEN: I second it.
- MAYOR COCKRELL: It has been moved and seconded that we close debate and call the question. Those in favor of the motion say "aye." All opposed, "no."
- AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell.
- NAYS: Cisneros.
- MAYOR COCKRELL: Let's have the roll call vote on the motion to approve the Ordinance.
- MR. ALDERETE: No.
- MR. PYNDUS: Yes.
- MR. HARTMAN: Yes.
- MR. STEEN: Yes.
- MAYOR COCKRELL: Yes.
- DR. CISNEROS: Waste of money--no.
- MR. WEBB: Abstain.
- MRS. DUTMER: Yes.
- MR. WING: No, I'm tired of the citizens of San Antonio subsidizing private enterprise.

MR. EURESTE: Yes.
MR. ORTIZ: Yes.
CITY CLERK: Motion carried.
MAYOR COCKRELL: The motion carried.

77-53 The Clerk read the following letter:

October 7, 1977

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

The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council.

October 5, 1977

Petition submitted by Mr. Ray A. Ragsdill, requesting that the City of San Antonio release 199.181 acres of land from its ETJ to the City of Converse.

October 7, 1977

Petition submitted by Mr. Joe Van De Walle, Jr. for Advanced Automotive Electronics, requesting permission to retain six (6) foot high fence topped by three (3) strands of barbed wire at the property at 5507 Old Highway 90 West, said property owned by Narciso Carrillo.

/s/ G. V. JACKSON, JR.
City Clerk

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There being no further business to come before the Council, the meeting adjourned at 5:10 P. M.

A P P R O V E D

Lela Cockrell

M A Y O R

ATTEST:

G. V. Jackson Jr.
C i t y C l e r k