

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 4, 1973.

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

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73-52 The invocation was given by The Reverend Richard B. Lear, St. Stephen's Methodist Church.

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73-52 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

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73-52 The minutes of the meeting of September 20, 1973, were approved.

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73-52 The Clerk read the following Ordinance:

AN ORDINANCE 42,824

ACCEPTING A CONVEYANCE OF CERTAIN LAND
BY THE NATIONAL BANK OF COMMERCE AS
INDEPENDENT EXECUTOR AND TRUSTEE OF THE
ESTATE OF NORMA FRIEDRICH WARD, AND
ASSURING COMPLIANCE BY THE CITY WITH
THE TERMS OF SAID CONVEYANCE AND THE
WILL OF SAID MRS. WARD.

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The Ordinance was explained by Mr. Ron Darner, Acting Director of Parks and Recreation, who said that by passage of the Ordinance, the City will accept a gift of 180 acres of virgin park land northwest of the City. The land was bequeathed by the late Mrs. Norma Friedrich Ward in memory of her parents, Emilie and Albert Friedrich. Mr. Darner displayed a map of the park which depicted the general hilly terrain with nature trails, camping areas and comfort stations. He then introduced Mr. Gilert Hein, Senior Vice President of the National Bank of Commerce, to make the presentation.

Mr. Hein explained to the Council the terms and conditions of the will of Mrs. Ward and said that in addition to the land there is a bequest of \$100,000 to be used to help finance the original construction. He complimented the Parks and Recreation Department on its planning and on the presentation made to the Trust Officers of the bank. He then presented the deed to the park land to Mayor Becker who accepted the gift on behalf of the citizens of San Antonio.

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

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Following presentation of the deed to Mayor Becker the following Resolution was introduced and read:

A RESOLUTION
NO. 73-52-56

EXPRESSING APPRECIATION FOR THE
GENEROUS AND PUBLIC SPIRITED GIFT
BY MRS. NORMA FRIEDRICH WARD.

* * * *

WHEREAS, Mrs. Norma Friedrich Ward, an outstanding benefactor in the community, passed away on September 11, 1971, and provided in her will that 180 acres of land on the Heuermann Road near Leon Springs be given to the City or Bexar County for use as a public park, and in addition, provided for a bequest of \$100,000 for improving and equipping the land as a park, and

WHEREAS, the National Bank of Commerce, as independent executor and trustee of the estate of Mrs. Norma Friedrich Ward, with the advice of Mrs. Mary Friedrich Rogers, selected the City of San Antonio to be the recipient of this most generous gift and for the benefit and enjoyment of all citizens for years to come, and

WHEREAS, Mrs. Ward's will provides that in memory of her parents, the park be known as, "EMILIE AND ALBERT FRIEDRICH PARK," NOW, THEREFORE:

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

SECTION 1. In behalf of the citizens of San Antonio and a grateful City government the City Council does hereby express its deepest appreciation for the generous and public spirited gift of Mrs. Norma Friedrich Ward and to her niece, Mrs. Mary Friedrich Rogers, and the National Bank of Commerce for selecting the City of San Antonio as the grantee of the land and \$100,000 for development into a park which shall be known as, "EMILIE AND ALBERT FRIEDRICH PARK".

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Upon motion made and duly seconded, the Resolution was unanimously passed and approved.

73-52

MR. C. STANLEY BANKS

Mrs. Cockrell introduced Mr. C. Stanley Banks, the attorney who assisted in arranging for the transfer of the park land to the City of San Antonio. Mr. Banks is a noted Texas historian and is Mrs. Cockrell's uncle.

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The Clerk read the following Ordinance:

AN ORDINANCE 42,825

AUTHORIZING THE SAN ANTONIO JAYCEES
TO PLACE STICKERS ON ALL PARKING
METERS REMINDING MOTORISTS TO LOCK
THEIR CAR AND POCKET THE KEY.

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The Ordinance was explained by Mr. Stewart Fischer, Director of Traffic and Transportation, who said that the Jaycees have a national campaign underway to reduce automobile thefts. As a part of this campaign, they wish to put stickers on all parking meters to remind people to lock their cars.

He introduced Mr. Leonard Gilley, Chairman of the Jaycees' Lock it and Pock it Committee who reviewed efforts being made by Jaycees across the nation. Very good results are being obtained in reducing car thefts and asked that permission be given his organization to put stickers on the parking meters.

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

AN ORDINANCE 42,826

AUTHORIZING EXECUTION OF CONTRACTS
WITH VARIOUS AGENCIES FOR CARRYING
OUT PROJECTS PREVIOUSLY APPROVED IN
THE REVENUE SHARING BUDGET.

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The following discussion took place:

MR. ROY MONTEZ: Mr. Mayor, this Ordinance authorizes the execution of various services from seven different agencies which you had approved previously in the revenue sharing budget. These seven agencies are committed to work program budgets which are all being reviewed by our office and the review is almost complete. We are particularly reviewing the salary schedules to assure that wage scales of the various employees in these programs are in accord with the City's pay plan schedule. That is a requirement. We are also checking out the work programs, the work schedules, to insure that one year from now we can report to you whatever performance they have accomplished during that period. We ask that you authorize the execution of the Ordinance. The contracts will be signed and executed as soon as the reviews are complete.

MAYOR BECKER: Do you care to read the names?

MR. MONTEZ: I'll be happy to. One agency is the Mexican-American Neighborhood Civic Organization for the Intoxicant Inhalant Project; the San Antonio Literacy Council for the Adult Literacy Project; the San Antonio Free Clinic for the Free Clinic; United Organizations Coalition for the Contractors Consortium Project; Bexar County Mental Health and Retardation for the Day Care for the Mentally Retarded Project; Image, Inc., for the Youth Entrepreneurship Project and Drug Abuse Central for the Drug Abuse Central Project.

All these seven contracts total \$525,150.

MRS. LILA COCKRELL: Mr. Mayor, I am certainly in favor of every one of these projects. I do want to just add this word that I really feel is the sentiment of the entire Council, and that is that I think we want to be very sure that there is fiscal responsibility maintained in monitoring the activities of all of these projects so that the City is very much aware of how the money is being administered and that there is adequate reporting to the City and that in all cases the money is used to its best advantage. I feel that this will be a factor when the City Council evaluates the next revenue sharing budget as to whether or not any of these projects are going to be re-funded based on their performance and their fiscal accountability.

MR. MONTEZ: I might make one extra note, too, Mrs. Cockrell. I don't know if you have a copy of the actual Ordinance in front of you. Section 5 says "wages and benefits for the employees of the agencies funded hereunder shall be no more liberal than those of the corresponding positions within the City of San Antonio as evidenced by the San Antonio Pay Plan and the City Manager shall not execute contracts provided for herein until a staff review of the budget to determine compliance herewith." We have this attachment because there seems to be some indication of raises from the first months allocation. So in guarding against those things we are doing a very tight review of them.

MRS. COCKRELL: I think that the policies regarding such things as trips for staff members and all of that type of thing generally follows the policy of the City of San Antonio.

MR. MONTEZ: One other extra word - I have an idea that some of these agencies will find our review too tight and phone calls will come to you in that regard. We are treating this identically as we do any other department. So, if you hear about it that's why it is going on. We are giving it a good shakedown if I can use that expression.

MAYOR BECKER: We get phone calls all the time.

MR. MONTEZ: I just wanted to be sure you knew why these phone calls might be coming about. These are about ready to go. The Finance Department, your department, the City Attorney's Office have all been reviewing every contract to insure that what you have expressed in the past is all being complied with.

CITY MANAGER SAM GRANATA: What Roy is saying is you may get calls from someone that pays higher salaries than we pay in the City. That's one area you may be called. Rest assured we will have adequate audits to see that it is pretty well in accordance with City regulations.

REV. CLAUDE BLACK: To the concern, Mr. Mayor, of Councilwoman Cockrell, in addition to the concerns that have been expressed, I know that along with all federal appropriations there is the insistence upon what we call equal opportunities in terms of employment. I would like to request a breakdown of the position and ethnic employment of these agencies that are being funded because I think we must seek in every respect to utilize our best resources in our community and, therefore, we can't afford any other guidelines but the capability of the individuals employed. And, therefore, I would like to have a breakdown of these agencies that have been funded out of revenue sharing of their ethnic and position in their job opportunities.

MR. MONTEZ: I might mention that these seven agencies will employ fifty persons all combined in various positions. We'll get that information back to you.

REV. BLACK: We appreciate that very much.

MR. MONTEZ: Thank you.

MR. MENDOZA: Roy, Mr. Mayor, I'd like to ask Roy a question. How often do you get an evaluation of these programs. Do you get a monthly report or progress report or evaluation of the program?

MR. MONTEZ: Yes, sir. We track them, we monitor them on a monthly basis. Now, evaluation really comes about almost at the end of the entire work's program. Some of these are what we would call new starts so there's the process of finding the location, interviewing staff, training staff. There's little at that point that you can evaluate against the work program. There are monthly reports supplied to our office. On those monthly reports if we see that there are certain things that are getting off tract we bring that to the attention of the agency. An evaluation itself is not really done until the work program has had a chance to be tried out, usually occurring from about the ninth month on to the twelfth month. These are all for one year contracts.

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MR. PADILLA: Sam, this may involve I guess it should properly involve the City policy, but in the case there is some understanding, I would like to further request that at anytime that we flag problems with any of these situations or direct City problems that that manager call this to the attention of the Council. We've had several occurrences where even members of this Council pointed out problems and discussed problems with staff. The Council as a whole was not made aware of these things, and the thing I know where later on it turns out that people suggest, imply, and even remark that the City Council was aware of it. In some cases, even if that the City Council approves it, and I'll just take another moment, Mr. Mayor, I guess this is as good a time as any. Just two days ago there was an article in the newspaper written by Jim Dolan and I have a copy of it. It had something to do with taxes. I want to emphasize this that I have no complaint about the article itself or the way it was written. It very clearly states that let me find it, I think it was a man named Tipps. Is that correct, Mr. Granata?

CITY MANAGER GRANATA: Yes, sir, that's what it said.

MR. PADILLA: It said that the ledgers, or the records, that Mr. Tipps had were marked in the margin that these changes were made under instructions, so to speak, of City Council and Mr. Earl Dean who was then City Assessor.

CITY MANAGER GRANATA: That's right.

MR. PADILLA: I've said it to the reporter. He called me and asked me the day after and there was an article that clarified that point yesterday but to my knowledge the City Council did not make that approval. The City Council to my knowledge knew nothing of it. I know as an individual Councilman, I knew nothing of it. I had no hint of it, and I resent any entries on any City ledger or document that indicates that the City Council approve something when, in fact, it did not. I'd like to ask you that in your checking of all this, and I notice by yesterday's paper that you have so instructed City staff, that any entries that are found on any City document indicating that certain actions were taken upon instructions of the City Council that that be checked and if that not be the case that those entries be stricken because I don't think they belong there. On the other hand anything that this Council approves or any other Council has approved quite properly could and should bear perhaps that notation. If it has happened in the past I hope that you stop it and stop it immediately that people attribute things to the City Council when indeed the City Council has not done it. Now, if a member of the Council does it or influences it or convinces someone, and if you care to make that notation that's fine as far as I'm concerned but I think we should recognize the distinction between a member of the City Council whoever he be or she be and the City Council.

CITY MANAGER GRANATA: I understand. As you know, as a result of the articles in the paper I have issued instructions to Mr. White to make a full investigation and report back to the Council. I also, which was not in my memorandum, told and instructed the Assessor-Collector and everyone involved that in the future there will be no more of this sort of thing that nothing put into the file that something was reduced because of that even if I called or any other individual member of the Council that if something comes up to let me know then we take it up with the Council as a whole. In further looking there used to be, in order to prevent this, and I'm still looking, what was known as a Tax Error Review Board to care care of such cases. If

there was an actual error, even an error, because errors are allowed to be made and changes made when there is an error, but, even so, staff would not be deeply involved that when an error was found that it would go before the Tax Error Review Board and when they then, in fact, agreed to the error, in fact, they would still then recommend to the City Council and by ordinance the error was corrected, but this was administratively dropped, I'm told now some two or three years ago. I'm looking into that, and if that be the case I am recommending that we go back and re-instate a Tax Error Review Board to keep this sort of thing from happening. Yes, sir, I would do all within my power to, if there are anything to make the notations and instruct the staff to make notations but one other thing I can say for this Council, I doubt that these things will happen because since you've been a Council, we've only had two executive sessions and I can speak to that. Staff have been aware of both of those, and I know no other time when we have gotten together and talked about anything and none of you as individual members have instructed me to do anything, and if you do, I'll come back to all of you so that five of you can tell what to do.

MR. PADILLA: I'd like to repeat briefly, Mr. Granata, so there will be no misunderstanding. If you can discover on this particular case or any other case, if you can establish to your satisfaction that perhaps there is an entry there that something was done with Council approval or at Council instructions if that not be the case that that record be clarified. In this particular case if the article was substantially accurate, and I do not know, I cannot comment as to the accuracy of the article because I have not checked any information the City might have on record, but the statement is made that the City records are marked that this particular action whether proper or improper I have no comments on that, but the article clearly says that this particular City record - City ledger - or whatever it be is marked that these changes were made at the instructions of the City Council and Earl Dean.....

CITY MANAGER GRANATA: That's what we're checking.....

MR. PADILLA: And the City Council did not give those instructions as the City Council.

MAYOR BECKER: We know not of a single instance where the City Council instructed the City Manager then or any member of the staff as a City Council to lower anyone's taxes or tax rate.

CITY MANAGER GRANATA: We will attempt to find out why that.....

MAYOR BECKER: I don't know of a single instance. I was absent for a brief period of time during a vacation and also during another period of time while I was in the hospital. But other than that I was here most of the time. I don't know of a single instance where it was actually approved by the City Council.

MR. LEO MENDOZA: Mr. Mayor, of course, I was also a member of the previous Council, and I'd like to say that I had no knowledge of it either. I would like to compliment Mr. Granata though in taking immediate action into this situation because I think it's very important that we satisfy at least the citizens by giving a clarification or some kind of a report on this matter. I would like to ask Mr. Granata though to include a copy of the last audit if possible in your report. I'd like to know when this audit was made and how soon we'll be having another one. I would like for that to be included and then, of course, I'm sure we'll have a chance to discuss the report itself.

REV. BLACK: Mr. Mayor, it seems to me, I was not a member of the last Council, and I don't know whether I'll be a member of the next one, when I get through asking this question, but I am concerned about the legal implications of a decision that's made of this nature and which the Council members have indicated that they had no part in it. Now, I certainly would like to hear from our attorney on that because if decisions are made of this kind in which there is no participation on part of the Council I don't know how binding they are and what the relationship is. I've certainly would like to know.

CITY ATTORNEY REEDER: The decision is not supposed to be made by the Council, Reverend Black. I'm glad you brought up the point. It's supposed to be made by the Assessor-Collector. His decision is appealable to the Board of Equalization which is in turn appointed by the City Council. The function of the Board of Equalization is to take care of this very type of thing. If anyone has any gripes about their assessment they are supposed to appeal to the Board of Equalization. Now, I'm told on good authority mainly by my Back Tax people, delinquent tax lawyers, as well as friends of mine in the tax assessor's office that over the many, many years when an error in an assessment like a clerical error, we will say, is brought to the attention of of the Assessor-Collector that the Assessor-Collector will correct it. For example, your house has for years been appraised or assessed at \$7,500. If all of a sudden you get a tax bill based on \$75,000. you know there's a clerical error and so you shouldn't have to go to the Board of Equalization. You go and talk to the Assessor-Collector point it out, and if he agrees that he has made an error he'll change it. I don't know about the facts of the incident case. I read the newspaper story but that's all I know about it. Normally, in the absence of a clear cut error in assessment what is done is appeal is taken to the Board of Equalization. That's the function of the Board of Equalization to take care of inequities in assessments of taxes or even mistakes. The legal implications of this thing being done without the Council are not really material, Rev. Black, the Council doesn't have anything to do with it. The Assessor-Collector is supposed to do it, and if the property owner isn't - well, first the Assessor-Collector shouldn't change an assessment unless there is a clear cut error in the assessment. He should not change it once the tax bill has been made and mailed out only where there is a clerical error or a clearly demonstrable mechanical error. Otherwise, appeal should be taken to the Board of Equalization. I don't know enough about the facts of the instant situation to comment further about it.

MAYOR BECKER: Well, while we're on this subject, we had a meeting Tuesday, wasn't it, with those people from the hotel, the various investors, financial institution represented there and hotel corporation represented there and so forth. And in connection with what we're saying here today I told those people at that meeting that the first meeting would be held privately at their request as it was then I see that the person that asked it to be held privately revealed the source of the - the name of the hotel corporation and everything else. So, I don't know who is playing games with who. But, I generally believe in trying to respect the request of people like that because they don't like to be drawn into false starts and hot and cold situations. It's not good for the corporate image. We didn't reveal it at any rate. At that meeting I made it very plain I think that this Council was going to conduct all future meetings regarding that Alamo Plaza project and the subsequent assistance to forming a hotel there of 1,000 rooms or whatever it finally comes up to be. Those meetings are going to be held in full public view because we were dealing with public funds

We're dealing with taxpayer's money. We have a fiduciary interest and responsibility in that connection. And also, I further stated that no member of this Council had any interest in becoming an investor either through direct participation or carried interest or anything else like that. Now, down the road or in the sweet by and by or to our heirs and assigns because that starts getting the thing fuzzy. One member of the group, I think it was one of the people from one of the financial institutions said that we were trying to set a precedent as far as the United States was concerned. I said, perhaps we are, but that's the way this Council is going to conduct business. So just take it or leave it. So, I'd like to suggest that someone offer a resolution to the City Manager that this Council, one, goes on record as not being in favor of nor will it participate in any type of direct instructions to the City Manager, regarding some matters such as this tax situation. That's number one. That if anything is done, it be done by Council action, whatever it might be. And, two, we do not involve ourselves in identifiable or otherwise financial positions in any type of an involvement such as this hotel proposition and so forth, and go on record to that effect. Someone else has a better ability to write these things than I.

MR. PADILLA: Mr. Mayor, I think you're absolutely right. However, I'd like to point this out. I believe the City Charter adequately covers that point, so it is in writing to that extent. Now, I'm not objecting to your suggestion in any way and I try to practice just that very concept in my own individual dealings, but I do recognize that it is in the Charter. Now, the problem I described a while ago, is one of the things that I very much resented as a member of the last Council. That is that the Charter designates the City Council of the City of San Antonio as its governing body. It doesn't designate any one person on that City Council and, frequently in the past, we've had in fact, on certain issues in looking for solutions to certain problems and so forth and this kind of thing, whether the actions taken were proper or improper, as I said earlier, I have no opinion on that. I do not have the facts. But it appears that it is a fact that the whole thing was resolved through the efforts and unbenown through the efforts of one member of the Council, unknown this fact that the problem was being solved and looked into. The problem itself was not known to the rest of the Council. Now, I'll be very frank and candid with you, Mr. Granata, the article also says that this happened at the time that you were acting City Manager and as such, indirect as it may be, you are responsible for every one under you. Apparently, you were also indirectly responsible for the gentlemen that made this entry in the ledgers. However, business was done at that time that this took place...I think that you will agree that the City Council did not instruct anyone to take this action and yet the entry appears on the ledgers and this is why I remarked that I would like that record cleared not only in this case but in all cases.

CITY MANAGER GRANATA: Yes sir, I understand. And if I may, at this time, Mr. White came up and asked me if he could speak. I'll call on him to see if he would like to put some of this into perspective at this time and then he'll have to report further too.

MAYOR BECKER: Carl, before you commence, Al, my interest in having this resolution passed, even though it's part of the City Charter, perhaps is superfluous, is not necessary but still, in all, I would like for it to be done.

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MR. PADILLA: Mr. Mayor, I concur with you sir. I wasn't disagreeing. I was simply saying that in the past, though it is in the Charter...

MAYOR BECKER: It goes directly on record.

MR. PADILLA: The fact that the City Council is the governing body of this City was not always adhered to. I was simply making that point. I was not disagreeing with you, sir, in any other way or in any way.

MAYOR BECKER: I believe it, Al.

MRS. COCKRELL: Mr. Mayor?

MAYOR BECKER: Yes, Mrs. Cockrell?

MRS. COCKRELL: May I ask, if our City Attorney could review the request that you have made towards this resolution and if it is in order prepare one for us. I would be happy to introduce it at the next session but I would like to have it written and to be sure that it fits in with the legal requirements of the City in every way.

CITY ATTORNEY REEDER: Well, I think that Mr. Padilla summed it up pretty well, Mrs. Cockrell. He took the words out of my mouth. The City Charter covers exactly what he said and so, if you pass the resolution, you're merely saying you're going to follow the City Charter. Now, I can draw one up that sounds real good, put whereas and all that in there, but I don't think there's anybody in this audience anybody in San Antonio that thinks this Council is not going to follow the City Charter. I think you made that clear. If you want it in writing, well, we'll put it in writing.

MAYOR BECKER: It just puts us on record, you see.

CITY ATTORNEY REEDER: All right, I'll put it in writing. I'll have it for next week.

MRS. COCKRELL: It would just merely underline the intent of the Council in every way.

MR. MENDOZA: I would like to suggest that we include everything that we do at the Council level rather than just the tax office or tax department. I'd like to emphasize that everything rather than just this particular issue.

MAYOR BECKER: Oh, we're talking about everything

MR. MENDOZA: Yes sir.

MAYOR BECKER: All right. Carl?

MR. CARL WHITE: I just wanted to say that there is a report being prepared at this moment and will be in your packets next week, that will outline in minute detail, all of the ramifications and the situation that existed between the two breweries. I think, when you review the facts and different methods of evaluation, it will clearly be shown that what was done was simply a correction of the records that resulted from the methods of valuation between the two breweries. You can go

back and this report will reflect this, you can go back twenty years, ten years or whatever you'd like and historically, Pearl has been about 20 percent higher than Lone Star's valuation. And what we had in this particular case apparently, and we're still investigating, is someone was inexperienced on the Lone Star staff that prepared the rendition. We had an inexperienced staff over here in the personal property section at that time, accepting the renditions. They were never compared. They were never checked out, just accepted as submitted and it wasn't brought to light until the tax bills were sent out.

I'd like to say this also, that I've been with the City now 16½ years. Fifteen of those have been in a responsible position either Budget Director, Assistant Director of Finance, or Director of Finance. At no time in my tenure with the City have I ever been approached by any City Council member, any Mayor or any official of the City and asked to, in any way, try to influence the decision or any action that the staff might take. Mayor Gatti was involved in this particular meeting, but he at no time directed Earl Dean or me or the City Manager either one, we were all in this same meeting. Mayor Gatti did not, and I want to emphasize it, he did not direct or ask that the assessments be lowered. He merely asked Earl Dean to look into it and when Earl laid the two files out, he had both of them together, he admitted right there on the spot, he said, "obviously something is wrong", and that's the last we knew of it. I never knew what correction he'd made or anything else until now.

MAYOR BECKER: Then how did the notation....

MR. WHITE: Okay now, all right.....

MR. PADILLA: Was that notation there, Carl, accurate?

MR. WHITE: The notation is not on the ledger sheet. There is a little hand-written note for the file. Now, many times I'll write notes to the file so that I can remember if you pick a file two or three years later and you don't know why you made this thing. There was a little note written to the file by George Tipps, who was a Personal Property Supervisor at that time. I'm sure that Earl Dean made this statement when he asked George Tipps to make the correction and he told him how to correct it, what to do to correct it. The little note in the file indicates that the adjustment was made at the direction of Earl. Well, Earl was giving this to George, George Tipps, but it does say the City Council. Well, this is erroneous. I don't know how the word City Council got in there unless Earl Dean says, "well go ahead and do it, the City Council wants it this way", but at no time did any City Council member, including the Mayor, try to influence Earl Dean in any way, shape or form.

MR. PADILLA: I think, when someone gives that kind of an instruction, they're playing fast and loose.

MR. WHITE: That well may be...

MR. PADILLA: With the City Council....

MR. WHITE: That's right. Now, what happened in this case, you got to remember now, Earl Dean at this point in time, was under a lot of pressure and he was being shot at from all different sides and he was on shaky ground. I don't know why maybe this influenced what he said. The note is in the file.

MR. PADILLA: Can that note be stricken from that record?

MR. WHITE: It's got to be corrected. I mean, it's got to reflect the true picture and it will be.

MR. PADILLA: Thank you.

MR. WHITE: But that's the sum and substance and you'll get a report in your package next week on it.

MAYOR BECKER: Are there any other notations out there to that effect that the City Council had directed?

MR. WHITE: Well, I don't know. We'll just have to go through the files. There may be...I just don't know. I want to say another thing, other things I'd like to say. Number one, something about the audit. There was something said about an audit. Now the Finance Department is open to audit at any time that anyone wants to audit the thing. But I want to point this out, that we've just gone through an audit by one of the best auditing firms in the country, Haskins & Sells. They began their audit in May and they worked through May, June, July, August and September. Five months with a minimum of six to eight people auditing the finance records of the City of San Antonio for five months. They just completed their audit and I want to say also, that during the course of their audit, every correction that's made to the taxroll, there's a tax certificate, a correction certificate that's filed. The auditors looked at every one of those, including the ones that are under question right now. They saw nothing wrong with the way it was done, the way it

was handled and....

MR. PADILLA: Let me ask you this Carl. Perhaps it's stretching a point, but I think it bears on the whole thing. You know, usually when a commercial firm is audited, I know my auditor sent out and I received a little statement with balance and so forth and we verify the form and mail back. Now, does your audit include an examination of records that may indicate that Council gave certain instructions? Now, if an action is a formal action, the record here will show it....

MR. WHITE: There'd be an ordinance on it.

MR. PADILLA: If it is a note such as that, Councilmen, unless they read about it in the newspaper to this point in time, do not know that someone suggested that the City Council issued instructions. I didn't receive a note from anybody asking if I participated in that decision, for one.

MR. WHITE: Well, now, in defense of the auditors, they can't look at every file we've got. We've got hundreds and hundreds of thousands of files, so what they do is they take files at random and go through the files, so it could have been that these particular files were not examined by the auditors.

MR. PADILLA: Yet, in my own mind, I know of one case where a statement was made with someone's note in the file that the City Council instructed this City Council and Earl Dean. That's the only case I know of. That may be the only case. There may be another twenty in there or fifty or what have you.

MR. WHITE: There could be, but we will go through and correct that. I didn't see it until Jim Dolan showed it to me. I didn't know the note was in the file. This was written by the supervisor and put in there and I don't know why.

MR. MENDOZA: Now, Carl, at this meeting that you had, either in the Mayor's office or with the Mayor, were there any other Council members there? I don't want to know the names; I just want to know if there were any of the Council members present.

MR. WHITE: Well, as I recall, and Sam Granata was there, he could correct me if I'm wrong, but as I recall, the only people in that meeting was the Mayor...Mayor Gatti, who incidentally, called the meeting. I might say this, I think the reason that the Mayor got into the act was because the officials of Lone Star Brewery had contacted the Mayor and I think the reason for that is the fact that Earl Dean was a sort of a person that was kind of hard to talk with and would kind of cut you off pretty short and it was a pretty difficult situation, particularly along about that time. As I recall, the meeting was a very short meeting and the Mayor simply asked that the tax assessor look into the situation. If there is an error, then it ought to be corrected, but he did not, in any way, try to influence Earl to adjust it.

MR. MENDOZA: There were no other Council members present?

MR. WHITE: No. There were not, that's for sure.

CITY MANAGER GRANATA: Let me add one thing, Carl, and that's on Councilman Padilla. We will check other files to see any other notations, if we find any other notations, it will be brought to your attention.

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MRS. COCKRELL: Mr. Mayor, if we're through with this, then I move that we approve the ordinance that we started out considering.

CITY MANAGER GRANATA: Fine, just before you do that, you may have noticed or some of you remember we didn't mention a couple of the programs. We're going to talk about two in the "B" session. We'll give you the reasons for, but there'll be two others that we'll act on next week after we talk to you about them in the "B" session.

MR. PADILLA: I second it if it needs it.

MR. MORTON: Before we conclude the discussion on the motion, there was some mention of work programs, Mr. Montez, and the timeframe where you are having operating budgets completed for these. Would it be possible for the Council to have a summarized program of work for the fiscal year of each of the projects, along with a budget so we can see what the goals are against what we're attempting what we're willing to pay for.

MR. MONTEZ: We'll be happy to. This is for seven of the programs we have this morning. There are seven individual packets here. We have condensed this form considerably from the form we used to be required under Model Cities procedures.

MR. MORTON: I understand...

MR. MONTEZ: It has a section for the program purpose that goes on into the description of the type of personnel. It has a complete breakdown of the salary schedules, staff schedules, etc. We'd be happy to make these available.

CITY MANAGER GRANATA: We can include those in next week's packet. If they aren't sufficient, we'll go further for you.

MR. MORTON: Getting back to Councilwoman Cockrell's concern regarding the experience that we had this past year, how do you propose to implement procedures that will minimize the chances for such an occurrence in the future?

MR. MONTEZ: We are scheduled to discuss this with you, I believe, at a Tuesday meeting at the Comprehensive Planning Office.

CITY MANAGER GRANATA: The 9th, next Tuesday, the 9th.

MR. MONTEZ: Let me elaborate on it at that point. We are developing a procedure and process, which, in our opinion, will strengthen that from happening. One item that I wanted to be sure that the record brought out this morning, that in the past, our staff and I'm not just defending our Model Cities staff, our staff includes the Finance Department, and the City Attorney, that assists us in an awful lot. We have brought many of these matters to the attention of Council and full knowledge that the agencies involved also called the Council, we know that. They tell us, listen, Montez straighten this out or I'll call somebody. This is why I wanted to be sure that you understood that what we are doing now is giving a real good shakedown of all of these budgets and work programs and what have you, to avoid some of these things. If there is something that is kind of hidden or screened, what have you, we want to pull that out now. This is a good filtering process. We also are going to discuss with you next Tuesday, a process that we feel

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will help us all in assuring that we don't have situations like occurred last year.

MR. MORTON: Okay. In it, would you also include a time schedule for reporting back to the Council on expenditures for the year to date versus budget. I got the impression that you were talking about once we approve the budget, then a year later we have an opportunity to check it.

MR. MONTEZ: No. I hope I didn't leave that impression with you. Quarterly, in our other program, we have been sending to you a report about this thing. By the time you deal with the 61 agencies that we had full of figures. You've seen them. It's hard reading because it's so repetitious, but quarterly, we were supplying to the Council a report. We still are, as a matter of fact. Now, if you desire to submit to you monthly programs, monthly reports, quarterly. If that's your desire, we'll be happy to do so.

MR. MORTON: I think you should, at the Tuesday meeting, make a recommendation of what you think would be timely in this respect, but in addition to talking about the quarterly financial reports, I would also expect that there would be a summary of what has been accomplished at current quarter and year to date...not from a financial standpoint but how they're doing it against their program of work.

MR. MONTEZ: I'll be happy to do that.

MR. MORTON: As far as the accounting for the funds that we are granting to each of these various agencies, is accounting done by the operating agency and audited by the City?

MR. MONTEZ: Yes. Each agency has a fiscal unit which is first, before the contract is executed, examined by our City staff to insure that that fiscal operation is in accord with proper accounting procedures.

MR. MORTON: Can I just say our City staff. Are you talking about the Finance Department?

MR. MONTEZ: Finance. Now, furthermore, all of these bills are paid on what we call the reimburseable basis. An agency will have spent \$7 thousand this month in wages and other expenditures. We check that against budget. If we find that in our judgement, an expenditure was made which is not part of the budget, we don't authorize payment for that. In many cases, they will send us a voucher for \$7,000, we will only authorize 6½ or whatever. The remainder they have to pay from sources of their own. So we do, on what we call a...we don't advance them any money.

MR. MORTON: I understand.

MR. MONTEZ: It's a reimbursement process.

MR. MORTON: I understand.

MR. MONTEZ: And that ties up the whole operation.

CITY MANAGER GRANATA: Are they not audited by the Finance Department by Internal Audit and then HUD audits their audits also?

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MR. MONTEZ: Correct. The audits, as Mr. Padilla mentioned a while ago, we do quarterly monitoring, monthly monitoring and certain amount of that. But an audit itself is, of course, usually on an annual basis.

MR. MORTON: I understand. I'm not asking for a full report.

MR. MONTEZ: It's a very tight process, one which is, to some of the agencies, an awful lot of red tape they will encounter. We do it. We feel we're responsible for these programs and we got to see that they're done properly. It upsets them. And some have already told me they are very upset. This is why I wanted to bring it to your attention. That you might be getting complaints but that's why. We're doing our job.

MR. MORTON: (Inaudible)...subject to the meeting to be held on Tuesday as.....to report on.....

* * * *

The Ordinance was passed and approved by the following roll call vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

73-52 The following Ordinance was read by the Clerk and explained by Mr. Mike Sexton, Library Director, and after consideration, on motion of Mr. Mendoza, seconded by Mr. Beckmann, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 42,827

ACCEPTING A GRANT FROM THE TEXAS STATE LIBRARY FOR A LIBRARY SYSTEMS ACT GRANT (1974 PROJECT), APPROVING A BUDGET FOR THE PROJECT AND APPROPRIATING FUNDS.

* * * *

73-52 The Clerk read the following Ordinance:

AN ORDINANCE 42,828

ESTABLISHING A METROPOLITAN SAN ANTONIO OFFICE ON AGING; APPROVING A BUDGET AND A PERSONNEL COMPLEMENT THEREFOR; AND AMENDING THE CURRENT PAY PLAN AND BUDGET IN COMPLIANCE THEREWITH; AND AUTHORIZING A TRANSFER OF FUNDS.

* * * *

The Ordinance was explained by Mr. William Donahue, Director of Human Resources and Services, who said that this Ordinance will establish a Metropolitan Office on Aging and simultaneously abolishes the Office of Senior Citizens effective October 1, 1973. In keeping with the Administration on Aging and state guidelines a central office for prime contracting agencies in selecting target areas must be designated to receive Federal grant-in-aid money available for financing major projects of relevance to senior citizens. Immediately upon establishment the Metropolitan Office on Aging and the Department of Human Resources, in behalf of the City and County, proposes to submit an application to the Governor's Committee on Aging for grant assistance in the approximate amount of \$900,000 to serve nutrition projects for 2,200 older citizens in Bexar County. There will be social programs 260 days per year at 20 sites in principal areas of the county.

Local support will be provided by non-cash in kind services.

Mrs. Cockrell said that she had been contacted last July by Mrs. Ida Kenny who was a member of the Governor's Council on Aging. Mrs. Kenny pointed out that there was going to be a grant available that would provide money for nutrition services for senior citizens in the Bexar County area if the City were able to qualify and get an application submitted in time. A meeting was held with County Judge Reeves, representatives of the City staff and the County staff. Also present were Mrs. Kenny and representatives from the Governor's Office on Aging. After several meetings, the plan was arrived at to have the county and City jointly sponsor a Metropolitan Office on Aging, and it would be housed in the City management structure and would handle many of the local aging projects. There is a very limited time to complete an application for funds and she urged that the Council move on this matter at once.

Mr. David Andrews, Executive Director of E.O.D.C., spoke to the Council regarding this plan. He said that there are still unanswered questions concerning the feasibility of this program. He felt that this is a duplication of another effort. He suggested that the Ordinance is premature and should be held in abeyance for further study by the AACOG Task Force. He said that his organization is presently working on a counter proposal.

Mrs. Cockrell expressed the opinion that many times San Antonio has lost out on funds because of competing groups trying to outdo each other. She said that she does not wish to run a risk of losing out this time by having a last minute squabble. She asked that the Council go ahead.

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

73-52 The following Ordinance was read by the Clerk and explained by Mr. Fernando Arellano, Supervisor of the Youth Services Project, and after consideration, on motion of Mr. Mendoza, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Padilla, Mendoza; NAYS: None; ABSENT: Beckmann.

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AN ORDINANCE 42,829

AMENDING THE PAY PLAN AND THE CURRENT CITY BUDGET SO AS TO CHANGE JOB TITLES AND PAY RANGES FOR CERTAIN POSITIONS, AND ESTABLISHING ONE NEW POSITION, WITHIN THE YOUTH SERVICES DIVISION OF THE HUMAN RESOURCES AND SERVICES DEPARTMENT.

* * * *

73-52 The Clerk read a proposed ordinance providing for a contract with Dr. Fred Vogt to devise a radio telemetry system for the City's Emergency Medical Services.

Fire Chief Bart Mulhern explained that this is a sophisticated medical radio telemetry system to monitor heart beats and respiration, et cetera. The data will go from a patient in an ambulance to a doctor in a hospital who will evaluate the information and give necessary instructions to the ambulance personnel. Dr. Vogt is well qualified by being both a M.D., and a professor of electrical engineering. He recommended adoption of the ordinance.

In answer to Mr. Morton's question, Chief Mulhern said that there is about \$125,000 available for the system out of revenue sharing funds. The consultant will be paid \$1,250 per month not to exceed 12 months.

Mr. Morton said that he did not receive enough information on this item to make a decision. He said that he needed additional information.

City Manager Granata asked that the item be withdrawn from consideration at this time. Additional information will be provided.

Mr. Padilla said that this is another instance that points up the need for a commitment from the hospitals which he has been seeking. One of the objections to the commitment has been that hospitals don't practice medicine and there is no way that hospitals can guarantee that medical doctors will be there to treat patients. In this instance, the City is being asked to spend \$14,000 for a consultant to devise a system so a doctor can monitor a patient's condition. He reiterated that this problem of commitment by the hospitals must be resolved.

Dr. San Martin said that he agreed that it is very necessary that this matter be resolved, and asked Chief Mulhern to have representatives here next Thursday to discuss this problem with the Council.

After consideration, it was agreed to postpone consideration of this item until next week.

73-52 The following Ordinance was read by the Clerk and explained by Mr. Fred Bell, Director of Environmental Health, and after consideration, on motion of Dr. San Martin, seconded by Mr. Beckmann, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 42,830

GRANTING PERMISSION TO JAMES K. YOUNG, D.V.M., TO ESTABLISH A VETERINARY HOSPITAL AT THE NORTHEAST CORNER OF MARBACH ROAD AT LOOP 410 SOUTHWEST.

AN ORDINANCE 42,831

AUTHORIZING EXECUTION OF AN AGREEMENT
BETWEEN GENERAL ELECTRIC CABLEVISION
CORPORATION AND THE CITY OF SAN
ANTONIO MUTUALLY RELEASING OBLIGATIONS
AND ALL CAUSES OF ACTION OR OTHER
RIGHTS CONTAINED IN THE CABLEVISION
FRANCHISE AGREEMENT ENTERED INTO
PURSUANT TO ORDINANCE 36004 OF
JANUARY 11, 1968.

* * * *

The following discussion took place:

CITY ATTORNEY CRAWFORD REEDER: As members of the Council will recall, General Electric already had a franchise with us and for weeks and months you and the preceding Council cussed and discussed the proposition of amending that franchise. Finally, I think, two weeks ago you decided not only not to amend it but to rescind the whole thing. General Electric has agreed to the rescision of the whole thing so that we wipe out the franchise that they had. There is no franchise. They have no claim to our streets, no claim to operate in San Antonio, and we keep the \$300,000 that they paid us. That is, if this Ordinance is passed and the agreement is executed as the Ordinance directs. Is that correct, Mr. Troilo?

MR. ARTHUR TROILO: Yes, sir.

DR. JOSE SAN MARTIN: I move the adoption of the Ordinance. He answered my questions, Mr. Mayor.

MR. ALVIN G. PADILLA, JR.: He answered mine as well. I would like to just see if Mr. Troilo would like to comment on it or not.

MR. TROILO: The form of the releases and attachments to the Ordinance have been approved by both sides. They have been negotiated so this should terminate the whole thing.

MR. PADILLA: I second.

* * * *

On the following roll call vote, the Ordinance was passed and approved: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Padilla, Mendoza; NAYS: None; ABSENT: Beckmann.

MAYOR BECKER: I would like to recommend and request at the same time that we have a resolution provided that will permit the City of San Antonio to, one, engage the services of Mr. Joe Gibson, the attorney in Washington that has represented citizen groups in times past in discussion of the cablevision contract to formulate a contract that contains all of the provisions that the various citizen groups, Citizens Committee for Cable Television, whatever the proper terminology was, it incorporates all of the various things that they recommended and that that contract be made a boiler plate type of a situation that we can provide each and every interested corporation or party or concern that is interested in bidding on cable television and that all those

parties that are interested in bidding on cable television for San Antonio be instructed to adhere to the provisions of that contract and follow it word by word, section by section, covenant by covenant, and not deviate nor elaborate upon it in any manner, shape, fashion, or form so that they can be laid down side by side and compared in a very intelligent and easily done fashion. I don't think that despite the prediction that have been made in certain sections that it would take us another six months, nine months, a year, two years to be able to compare apples with apples, oranges with oranges, provided it is done on that basis. It is just like bidding on anything else. Where we get mixed up is when people take a license to start changing the thing around. Generally speaking, the tail is where the head is and the head is where the tail was. That we do not care to have done in this particular case because we are trying to expedite this situation as much as possible. So if there is any further discussion.....

DR. SAN MARTIN: Just one brief comment, Mr. Mayor, I certainly agree with what you said. I would like to differ a little bit on the question of -- there are other people who are highly competent. I have nothing against Mr. Gibson. I think he is a competent lawyer, but, perhaps, the City Manager, as is his due and his responsibility, should look into the possibility of several consultants, and if it happens that Mr. Granata recommends Mr. Gibson to the Council, well, fine. But, I think he should have the freedom, which is his prerogative, to investigate the possibility of a consultant.

CITY MANAGER GRANATA: Yes, sir. I was going to suggest that whoever - we must get proposals ahead of time from him and several others and then we can study the proposals and it will be in our instructions to them about giving us a proposal we will say what we are after.

DR. SAN MARTIN: What I'm really after is one should, perhaps, be a technical adviser and consultant and another one a legal consultant. There might be a difference there. You will come up with recommendations.

MAYOR BECKER: I guess his name came to my mind, Doctor, because of his acquaintanceship with all of the various work that has gone into this. Whoever they choose as long as.....

MR. PADILLA: Mr. Mayor, again, I don't differ with your statement in any substantial form. I would like to comment on just one point, and that is that this resolution or document is to be drafted incorporating all of the various recommendations made by the various citizen groups. I would like to merely point out, and for the staff to bear in mind, that the Council has not in any way, shape, or form adopted all of the recommendations made by all of the citizen groups. I think we have to keep that in mind. I think substantially I agree with you, but I would like that minor point recognized.

MR. CLIFFORD MORTON: If I could comment on that, I think that what we are really asking for here - what I'd like to amend your suggestion would be that the staff review the report of the committee. In discussions with the Council I think all of us were very complementary of the comprehensiveness and the insight that they had to this problem. But, I would like to before we outline the terms of the contract that would include this report in total that we have a staff review of the report.

MAYOR BECKER: Shall we give a time limit?

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MR. MORTON: Yes, sir.

CITY MANAGER GRANATA: Give us a couple of weeks to prepare a type of review that I think you might want to incorporate in a letter to these people asking them to submit a proposal based on that.....Let us come up with that in a couple of weeks.

DR. SAN MARTIN: Mr. Mayor, may I suggest 30 days. I think two weeks perhaps we might not have sufficient time. I think that I could not personally accept every one of the recommendations of the citizens' committee. I think Mr. Granata can evaluate those that we can live with.

MRS. COCKRELL: Mr. Mayor, as I understand what I have felt the Council's desires were, were that when we enter into such a contract that we will be launching in effect a consumer oriented service and that we are more interested in the availability of the service to the citizens than in just how much the City can extract from it in percentages or whatever. That is the main point of the whole thing.

MAYOR BECKER: That's the main point. You know this thing should be educational and should have many uses that should have some value other than just Donald Duck and Porky Pig and how much money does it accrue to the City of San Antonio. That in itself is a rather superficial pursuant at times.

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CITIZENS TO BE HEARD

MR. STEPHEN HARVESTY

Mr. Stephen Harvesty, 7113 Bandera, spoke to the Council protesting the proposed installation of a temporary sewer treatment plant above Leon Valley on the Creek which flows through Leon Valley. He also objected to the legal notice being published in small point and said that a notice of public hearing should be published as a news item.

Mr. Mel Sueltenfuss, Director of Public Works, said that there will be another public hearing on this matter and that it will be well advertised. He described the type of installation proposed and the effluent that would be discharged into the creek.

Mr. Padilla said that he has received many inquiries on this matter and felt that the Council should be briefed by the staff on it before the public hearing.

MRS. HELEN R. WALTER

Mrs. Helen R. Walter, 5286 Round Table Drive, spoke to the Council concerning the need for fire equipment in the Camelot area which was annexed to the City last December. There was a fire in a school this week, and the Fire Department did an excellent job, however, it was just lucky that the equipment was not held up by a train. She said that it is imperative that equipment be stationed east of the M.K.T. tracks to serve this area even on a temporary basis until a permanent fire station can be built.

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In the discussion which followed, it was brought out that funds were provided in the 1970 bond election for a new station in the general area of Eisenhower Road and Rittiman Road but to date a site has not been selected though an architect has been selected.

Mr. Padilla asked that the City Manager make a report on the current status of acquiring a site and when construction of a new station can get started.

MR. OLLY OTTEN

Mr. Olly Otten, 1002 N. E. Loop 410, spoke to the Council regarding a severe flooding condition where he owns a building at the corner of New Braunfels Avenue and Loop 410. He said that the storm drainage box is built improperly and gets clogged every time it rains and asked that something be done to relieve the situation.

Mrs. Cockrell said that the matter of drainage all over town needs to be looked at and projects that were provided for in the 1970 bond election should be expedited.

City Manager Granata reviewed the work that has been done since 1955 to improve drainage and pointed out that prior to that time nothing had been done. The master plan reveals what has to be done and is being worked on as much as possible.

After discussion, the Council asked that the City Manager have this situation investigated and a report made to the Council.

CHAMBER OF COMMERCE QUARTERLY REPORT

Mr. Roane Harwood, President of the Greater San Antonio Chamber of Commerce, presented each member of the City Council with a copy of the Economic Development Activity Report for the Fourth Quarter (May 1, 1973 through July 31, 1973).

Mr. Harwood reviewed the highlights of the report and the various activities underway to promote economic development in San Antonio.

Particularly important was the recent Mexican Trade Fair which was held at the Convention Center. There were 3,441 buyers registered for the fair who came from 44 states as well as many foreign countries. There were \$11.3 million in recorded sales but \$115 million in predicted near future sales. Mexican exhibitors and officials were highly pleased with the results of the fair. It is hoped that it will become a permanent feature. As a direct result of the Trade Fair, 14 new businesses are in the formative stage in San Antonio at the present time.

Mayor Becker thanked Mr. Harwood for his fine report and congratulated the Chamber of Commerce on its efforts.

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez, 719 Delgado, spoke to the Council concerning alleged police brutality involving Mr. David Cruz on May 26, 1971. He related the events that are alleged to have happened and displayed enlarged photographs of injuries sustained by David Cruz. He also read from affidavits made by Simon and Gilbert Mendoza regarding this event. (Copies of the affidavits are on file with the papers of this meeting.)

Mr. Rodriguez asked that the Council get rid of police officers who use brutal methods.

73-52 The Clerk read the following Ordinance:

AN ORDINANCE 42,832

ACCEPTING THE LOW BIDS OF GRANDE FORD TRUCK SALES, INC., INTERNATIONAL HARVESTER CO., AND MISSION CHEVROLET, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN TYPE TRUCKS DURING THE 1974 MODEL YEAR.

* * * *

The Ordinance was explained by Mr. John Brooks, Director of Purchasing, who said that this is the annual contract bid for supply of light duty trucks for this fiscal year. Seven bids were received. The low bid was submitted by Jordan Ford who sent in a letter saying they had made a serious error in bid prices and asked to withdraw their bid.

The bid submitted by O. R. Mitchell Motors and North Central Ford were indicated as "all or none" basis but they failed to bid on all items. Mr. Brooks read the applicable instructions on the bid forms. As a result these two bids do not meet the bid conditions as specified and were disqualified. The bid submitted by International Harvester did not meet specifications. The low qualified bids were submitted by Grande Ford, International Harvester Co., and Mission Chevrolet Company. He recommended acceptance of the low qualified bids.

Mr. A. W. Worthy, representing O. R. Mitchell Motors, said that an error had been made in checking the "all or none" position on the bid form. However, typed on the bid was the statement that "bids to be awarded on a low item basis". He said that this was a condition of the bid, and his client understood it that way. He asked that the Council consider the bid of O. R. Mitchell Motors and award those items on which they were low.

City Attorney Crawford Reeder said that it is a policy question for the Council to decide. In the past, the Council has maintained a strict attitude on compliance with specifications. This bid did not comply.

Mr. Morton said that it appears there is some \$7,000 difference in question. It appeared to him that the printed conditions on the face of the bid form are in conflict and would be easily misunderstood.

Mr. R. S. Kane, President of Grande Ford Truck Sales, said that the Council should adhere strictly to the terms of the bid conditions. O. R. Mitchell Motors should have been responsible in completing the bid form.

After consideration, Mr. Morton made a motion that the City accept the bids on a low item basis. The motion was seconded by Mr. Mendoza. On the following roll call vote the motion was defeated: AYES: Black, Lacy, Morton, Mendoza; NAYS: Cockrell, San Martin, Becker; ABSENT: Beckmann, Padilla.

Mrs. Cockrell moved to approve the Ordinance as presented by the Director of Purchasing. The motion was seconded by Dr. San Martin, and on the following roll call vote the motion, carrying with it adoption of the Ordinance, was passed and approved: AYES: Cockrell, San Martin, Becker, Black, Lacy; NAYS: Morton, Mendoza; ABSENT: Beckmann, Padilla.

Mayor Becker made the following statement:

"John, if there is any way to improve these bid forms, I would appreciate it if some Councilman, or myself if need be, request that a special session be set up to go over these things with the City Attorney or whoever it should be to help guide us along to clarify any inequities or shortcomings or ambiguities or whatever that might exist in these bid forms. Is that....."

MR. JOHN BROOKS: That is perfectly clear, Mr. Mayor. We are working now with the City Manager in conjunction shortly with Mr. Morton at his request on this and we are prepared to meet at your convenience.

MR. CLIFFORD MORTON: If I may clarify. This is not something on this specific item that I am talking about. This was a result of this thing that we had on a \$30 per square foot trailer where it came back that the reason that it was high was "because we were dealing with the City." So, I asked the City Manager to come up with two sets of recommendations. One would be those things that can be done to make it easier and simpler to deal with the City within the Charter. And then, specifically, what changes need to be made in the Charter that would make it even more simple than that.

CITY MANAGER SAM GRANATA: We are in the process of getting that together, Mr. Morton.

* * * *

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley, spoke to the Council regarding flooding conditions around her home recently during which she suffered the loss of two automobiles. The conditions were brought on by construction of I. H. 37 by the Texas Highway Department. She asked that corrective action be taken.

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73-52 The following Ordinance was read by the Clerk and explained by Mr. Winston Martin, Director of the San Antonio Development Agency, and after consideration, on motion of Dr. San Martin, seconded by Mr. Morton, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Mendoza; NAYS: None; ABSENT: Beckmann, Padilla.

AN ORDINANCE 42,833

AUTHORIZING THE CITY MANAGER TO EXECUTE
A QUITCLAIM DEED OF PROPERTY VALUED AT
\$116,850.00 FROM THE CITY TO THE URBAN
RENEWAL AGENCY OF THE CITY OF SAN ANTONIO.

* * * *

73-52 The meeting recessed for lunch at 12:50 P. M., and reconvened at 2:00 P. M.

73-52 ZONING HEARINGS

A. CASE 4985 - to rezone Lot 38, Block 4, NCB 11861, 100 Block of Rockhill Drive, from "A" Single Family Residential District to "R-2" Two Family Residential District, located on the north side of Rockhill Drive, being 100' east of the intersection of Rockhill Drive and Nacogdoches Road; having 146.01' on Rockhill Drive and a depth of 160.55'.

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

Mayor Becker stated that, since his company is involved in this case, he is disqualified and would not participate in it. Thereupon, Mr. Tom Finlay, Assistant City Attorney, said that six affirmative votes would be necessary to overrule the recommendation of the Planning Commission.

Mr. William E. Schmidt, representing the applicant, spoke in favor of the proposed rezoning. He said that he is the trustee for Lots 32 and 38. He described the zoning of the area immediately surrounding the property under consideration. While he was asking for "R-2" Multiple Family Zoning it is possible that upon approval an application might be made to the Board of Adjustment for permission to construct a non-commercial employee parking lot to serve the Oak Village Community Center. He said that the property is much too expensive to be used for a single family residence and its best use would be multi-family. This would also serve as a buffer zone between the community center and the adjoining single family residences. He asked for favorable consideration.

Mr. Ralph Langley, representing residents in the area, spoke in opposition to the rezoning. He submitted a petition in opposition signed by persons in the general vicinity with 189 signatures. He also submitted a petition signed by those residents within the prescribed 200 foot radius. He said that the highest and best use for the property is for single family dwellings.

(At this point in the meeting, Mayor Becker was obliged to excuse himself from the meeting. Mayor Pro-Tem Lacy presided.)

Mr. Langley introduced Mrs. Ann Adams, 126 Rockhill, who had a slide presentation showing the homes in the area and their relationship to the property under consideration.

Other persons speaking in opposition were:

Mr. Garrett Meador
2331 Blanton

Mr. John Douglas
134 Rockhill

Mrs. Clare Golden
219 Rockhill

Mr. Gordon Hawn
202 Cave Lane

Opponents said that they wished to retain the neighborhood strictly for single family residences. A parking lot would be an encroachment, would increase traffic and drainage problems.

In closing, Mr. Langley called attention to approximately 50 persons in the Council Chamber who stood in opposition to the proposed rezoning.

Speaking in rebuttal, Mr. Schmidt said that he was entitled to consideration simply for "R-2" zoning and that it was not up to the Council to consider a possible parking lot use. He urged that the Council consider his request favorably.

After consideration, Dr. San Martin moved that the recommendation of the Planning Commission be upheld and the request for rezoning be denied. The motion was seconded by Mrs. Cockrell and was passed and approved by the following roll call vote: AYES: Cockrell, San Martin, Black, Lacy, Morton, Beckmann, Mendoza; NAYS: None; ABSENT: Becker, Padilla.

B. CASE 5171 - to rezone Lot Q, NCB 8596, 455 S. W. 34th Street, from "C" Apartment District to "B-2" Business District, located northwest of the intersection of Jewett Street and S. W. 34th Street; having 130.8' on Jewett Street and 50' on S. W. 34th Street.

The applicant in this case, Gregorio M. Cruz, asked that the hearing of the case be postponed in view of the absence of two Council members.

Mr. Manuel Arteaga said that even though the case were to be postponed he wished to make his statement in opposition. He said that it was proposed to put an ice house on the property under consideration and that it would have beer to go. He expressed complete opposition saying that there is no need for such a store and particularly for the serving of beer. He asked that the application be denied.

The case will be reset for hearing in the future.

C. CASE 5181 - to rezone Lots 12, 13, 14, 6, 7, the west 20' of Lot 5, and the east 40' of Lot 8, Block 1, NCB 9850, 3815 - 3837 S. W. Military Drive, from "B" Two Family Residential District to "B-2" Business District, located northeast of the intersection of Carmel Avenue and S. W. Military Drive; having total frontage of 310' on S. W. Military Drive and 136.13' on Carmel Avenue.

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

Mrs. James H. Godsey, 114 Fernleaf, spoke in opposition to the proposed rezoning. She said that there would be junk and that the owner would not keep the property clean.

Also speaking in opposition was Mrs. Irving Conlon, 111 Fernleaf. She opposed any business to sell beer and claimed that the property was not kept clean.

Mr. C. A. Kelly said that the two ladies who spoke in opposition simply were mistaken about the property in question. They had in mind property owned by another person. He said that he intended to use the property mainly for various types of office uses and there would not be any beer sold.

Mrs. Cockrell made a motion to grant "O-1" Office zoning rather than the "B-2" zoning requested. The motion was seconded by Rev. Black.

At this point, Mr. Kelly asked to be allowed to confer with the two ladies which was permitted. Subsequently, Mrs. Conlon and Mrs. Godsey announced that they had withdrawn their opposition in view of Mr. Kelly's promise not to open a business with sale of beer.

Mrs. Cockrell withdrew her motion and Rev. Black withdrew his second of the motion.

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

AN ORDINANCE 42,834

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOTS 12, 13, 14,
6, 7, THE WEST 20' OF LOT 5, AND THE
EAST 40' OF LOT 8, BLOCK 1, NCB 9850,
3815-3837 S. W. MILITARY DRIVE, FROM
"B" TWO FAMILY RESIDENTIAL DISTRICT TO
"B-2" BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED AND
THAT A SIX FOOT SOLID SCREEN FENCE BE
ERECTED ON THE NORTH PROPERTY LINE.

* * * *

D. CASE 5202 - to rezone Lots 1, 24, and West 70' of Lot 5, NCB 8711, 207 Deerwood Drive, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located on the north side of Deerwood Drive, being approximately 319' east of the intersection of Deerwood Drive and Rainbow Drive; having 205' on Deerwood Drive and a maximum depth of 290.3'.

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

No one spoke in opposition.

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

AN ORDINANCE 42,835

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 24, AND WEST 70' OF LOT 5, NCB 8711, 207 DEERWOOD DRIVE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

E. CASE 5199 - to rezone Lots 2 and 3, NCB 15589, 2650 Rockgate Drive, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located northwest of the intersection of Rockgate Drive and U. S. Highway 90 West; having 399.54' on Rockgate Drive and 162.00' on U. S. Highway 90 West.

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

No one spoke in opposition.

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

AN ORDINANCE 42,836

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2 AND 3, NCB 15589, 2650 ROCKGATE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

F. CASE 5203 - to rezone Lots A, 1, 2, and 3, NCB 10625, 400 Block of East Houston Street, from "A" Single Family Residential District to "B-3" Business District, located on the northwest corner of the intersection of East Houston Street and S. W. W. White Road; having 320' on East Houston Street, 140' on S. W. W. White Road and 120' on the cutback between East Houston Street and S. W. W. White Road.

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

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected adjacent to the single family residences. Mr. Beckmann seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Beckmann, Mendoza; NAYS: None; ABSENT: Becker, Morton, Padilla.

AN ORDINANCE 42,837

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS A, 1, 2, AND 3, NCB 10625, 400 BLOCK OF EAST HOUSTON, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ADJACENT TO THE SINGLE FAMILY RESIDENCES.

* * * *

G. CASE 5204 - to rezone Lots 112 and 183 through 185, NCB 15623; Lots 186 and 187, NCB 15624, 5500 Block of Gavilan, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

Lots 112 and 183 through 185, NCB 15623, are located east of Pearsall Road; having 120' on Hillburn Drive, 350' on Pearsall Road, and 310' on Gavilan Drive.

Lots 186 and 187, NCB 15624, are located on the southeast corner of the intersection of Pearsall Road and Gavilan; having 180' on Pearsall Road and 190' on Gavilan Drive.

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

No one spoke in opposition.

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

AN ORDINANCE 42,838

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 112 AND 183 THROUGH 185, NCB 15624, 5500 BLOCK OF GAVILAN DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

73-52 The following Ordinance was read by the Clerk and explained by City Attorney Crawford Reeder, and after consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Mendoza; NAYS: None; ABSENT: Becker, Morton, Beckmann, Padilla.

AN ORDINANCE 42,839

APPROPRIATING \$3,307.00 OUT OF PARK BONDS, 1964, FUND NO. 489-03, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF LILLIAN DAURA, A FEME SOLE, IN CONDEMNATION CAUSE NO. C-617 FOR THE ACQUISITION OF A 1.857 ACRE TRACT OF LAND; TOGETHER WITH DAMAGES TO DEFENDANT'S REMAINING TRACT OF LAND IN NEW CITY BLOCK 10,933, FOR MISSION PARKWAY PROJECT.

* * * *

73-52 Item 11 of the agenda being a proposed ordinance approving a budget for the Coordinated Day Care Project was withdrawn from consideration at the request of the City Manager.

73-52 Item 12 of the agenda being a proposed ordinance approving payment of \$9,696.95 to the Hilton Palacio del Rio Hotel was withdrawn from consideration at the request of the City Manager.

73-52 The Clerk read the following Ordinance:

AN ORDINANCE 42,840

CHANGING THE NAME OF HEIMER ROAD AT
THREE SPECIFIED LOCATIONS TO BROOK
HOLLOW BOULEVARD, TO HENDERSON PASS,
AND TO THOUSAND OAKS.

* * * *

The Ordinance was explained by Mr. George Vann, Director of Building and Planning Administration, who said that this will clarify the names of roads in this area. He used a projection on the screen to illustrate changes being made.

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

73-52 COMPREHENSIVE PLANNING PROBLEMS

Mr. Clifford Morton stated that he wanted to point out to the Council a problem in comprehensive planning. Shown in the previous Ordinance was the intersection of Thousand Oaks and Jones-Maltsberger Road. This intersection is offset about 200' from the intersection of Feathercrest and Jones-Maltsberger Road making a very poor intersection for a planned major thoroughfare. He also pointed out other discrepancies. Ultimately the City will have to acquire expensive right of way to straighten the problem out.

Mr. Morton said that he did not seek a solution today but did want to call to Council's attention the need for more comprehensive planning.

73-52 The following Ordinances were read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Morton, Mendoza; NAYS: None; ABSENT: Becker, Beckmann, Padilla.

AN ORDINANCE 42,841

AUTHORIZING EXECUTION OF A CHANGE ORDER
IN THE AMOUNT OF \$70,444.93 FOR ADDITIONAL
RETAINING WALLS IN CONNECTION WITH THE
CONTRACT FOR ACCESS ROADS FOR THE UNIVERSITY
OF TEXAS AT SAN ANTONIO.

* * * *

AN ORDINANCE 42,842

AUTHORIZING EXECUTION OF STANDARD CITY CONTRACTS WITH VARIOUS ENGINEERING AND ARCHITECTURAL FIRMS TO PREPARE PLANS AND SPECIFICATIONS FOR EIGHT (8) CONSTRUCTION PROJECTS; AUTHORIZING PAYMENT OF \$133,262.50 TO SAID FIRMS AND PROVIDING FOR A CONTINGENCY FUND OF \$7,650.00.

* * * *

<u>FIRM</u>	<u>Services</u>	<u>Project</u>	<u>Amount</u>
1. George G. Rangel & Associates	Engineering Services	Yucca Street Bridge	\$10,500.00 525.00
2. K. M. Ng & Associates, Inc.	Engineering Services	Valley Hi Drive, Loop 410 to Dwyer Road	\$10,937.50 1,350.00
3. Richard Moore & Robert Pizzini, Architects	Architectural Services	Y.W.C.A. Recreational Facility	\$38,750.00 2,000.00
4. Norcell Haywood, Architect	Architectural Services	Carver Auditorium Renovations	\$14,875.00 750.00
5. R. W. Opitz & Associates	Engineering Services	Wurzbach Road, Loop 410 to Fredericksburg	\$27,125.00 1,350.00
6. Lloyd Walker Jary & Associates, Inc.	Architectural Services	Airport Central Maintenance Facility	\$ 5,575.00 375.00
7. Paul Kinnison, Jr. Architect	Architectural Services	Reroofing of Convention Center, Reroofing of Convention Center Arena, and Reroofing of Municipal Auditorium.	\$12,000.00 600.00
8. Noonan, Krockner & Dockery, Architects & Engineers	Architectural Services	Freight Elevator in Convention Center	\$ 3,500.00 200.00
Total Payment to Architects and Engineers -			\$133,262.50
Total Contingency Fund			- \$ 7,650.00

* * * *

73-52 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Black, Lacy, Morton, Mendoza; NAYS: None; ABSENT: San Martin, Becker, Beckmann, Padilla.

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AN ORDINANCE 42,843

ACCEPTING THE LOW BID OF STEPHENS CONTRACTING COMPANY FOR CONSTRUCTION OF THE SAN ANTONIO RIVER OUTFALL SEWER MAIN PROJECT; AUTHORIZING EXECUTION OF A CONTRACT COVERING SAID WORK AND ALSO AUTHORIZING PAYMENT OF \$1,431,948.00 OUT OF FUND 788-08 PAYABLE TO SAID CONTRACTOR, \$71,597.40 TO BE USED AS A MISCELLANEOUS CONTINGENCY FUND AND \$34,254.40 PAYABLE TO SELIGMAN & PYLE CONSULTING ENGINEERS, INC., AS ADDITIONAL ENGINEERING FEES; ALSO APPROVING AN INCREASE IN THE PROJECT COST AND A TRANSFER OF FUNDS.

* * * *

AN ORDINANCE 42,844

ACCEPTING THE LOW BID OF WAGNER CONSTRUCTION COMPANY, INC., FOR CONSTRUCTION OF THE NEBRASKA STREET PARK PROJECT; AUTHORIZING EXECUTION OF A CONTRACT COVERING SUCH WORK; AND AUTHORIZING PAYMENT OF \$109,000.00 OUT OF FUND 751-22 PAYABLE TO SAID CONTRACTOR, \$5,500.00 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT.

* * * *

AN ORDINANCE 42,845

MAKING A ONE YEAR LEASE CONTRACT WITH THE SAN ANTONIO NEIGHBORHOOD YOUTH ORGANIZATION FOR A PORTION OF THE FORMER ST. JOHN BERCHMAN PROPERTY LOCATED IN NEW CITY BLOCK 6803 FOR USE AS ADMINISTRATIVE HEADQUARTERS AND VOCATIONAL TRAINING AND DECLARING AN EMERGENCY.

* * * *

AN ORDINANCE 42,846

AUTHORIZING ACQUISITION AND APPROPRIATING FUNDS FOR PAYMENT FOR RIGHTS OF WAY IN CONNECTION WITH THE WALTER-MOORE OVERPASS PROJECT, THE WALTER-MOORE STREET PROJECT, THE SIX MILE CREEK STORM DRAINAGE PROJECT, THE 27TH STREET IMPROVEMENT PROJECT, THE SALADO CREEK SEWER EXTENSION PROJECT, THE NORTH VALLEY SUBDIVISION UNIT 1 SANITARY SEWER PROJECT, AND THE TIMBER RIDGE AND PIPERS MEADOW UNIT 2 SANITARY SEWER PROJECT.

* * * *

73-52 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Morton, Mendoza; NAYS: None; ABSENT: Becker, Beckmann, Padilla.

AN ORDINANCE 42,847

ACCEPTING THE LOW BID OF BARBERA SPORTING GOODS COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN OUTBOARD MOTORS FOR A NET TOTAL OF \$2,004.00.

* * * *

AN ORDINANCE 42,848

ACCEPTING THE LOW BIDS OF ADVANCE DRUG & SURGICAL SUPPLY, GENTEC HOSPITAL SUPPLY, STANLEY SUPPLY CO., AND LAERDAL MEDICAL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN MEDICAL SUPPLIES AND EQUIPMENT FOR A NET TOTAL OF \$6,266.18.

* * * *

73-52 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Morton; NAYS: None; ABSENT: Becker, Beckmann, Padilla, Mendoza.

AN ORDINANCE 42,849

ACCEPTING THE LOW BID OF UNITED STATES SAFETY SERVICE CO., TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN SAFETY GLASSES ON AN ANNUAL CONTRACT BASIS.

* * * *

AN ORDINANCE 42,850

ACCEPTING THE LOW BIDS OF AMERICAN CENTER, INC., AND JORDAN FORD, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN AUTOMOBILES DURING THE 1974 MODEL YEAR.

* * * *

Mrs. Cockrell stated that she had talked with police officers who had commented that the Ambassador does not handle well in a high-speed chase.

Mr. Brooks stated that this complaint has not been brought to his attention. This car is the same wheel base and weight as other cars in its class. He said also that maintenance has been less on Ambassadors.

73-52 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Morton; NAYS: None; ABSENT: Becker, Beckmann, Padilla, Mendoza.

AN ORDINANCE 42,851

ACCEPTING THE PROPOSAL OF TOLEDO SCALE COMPANY TO MAINTAIN TOLEDO TRUCK SCALES FOR THE CITY OF SAN ANTONIO DURING THE 1973-1974 FISCAL YEAR.

* * * *

AN ORDINANCE 42,852

ACCEPTING THE PROPOSAL OF COPY-MATIC COMPANY TO FURNISH THE SAN ANTONIO PUBLIC LIBRARY SYSTEM WITH A COIN-OPERATED COPY SERVICE.

* * * *

73-52 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Black, Lacy, Morton, Mendoza; NAYS: None; ABSENT: Becker, Beckmann, Padilla.

AN ORDINANCE 42,853

ACCEPTING THE PROPOSAL OF OTIS ELEVATOR COMPANY FOR MAINTENANCE SERVICE OF THE ELEVATORS LOCATED AT THE POLICE HEADQUARTERS AND MUNICIPAL COURT BUILDING AT A COST OF \$265.55 MONTHLY, ADJUSTABLE ANNUALLY.

* * * *

AN ORDINANCE 42,854

AUTHORIZING PAYMENT OF \$3,397.00 TO TEZEL & COTTER FOR PAYMENT OF EMERGENCY REPAIRS TO THE AIR CONDITIONING SYSTEM AT THE INTERNATIONAL AIRPORT.

* * * *

73-52 The Clerk read the following Resolution:

A RESOLUTION
NO. 73-52-57

DIRECTING THE DIRECTOR OF AVIATION TO PROCEED WITH THE THIRD PHASE OF THE AIRPORT MASTER PLAN PROJECT.

* * * *

The Resolution was explained by Mr. Tom Raffety, Director of Aviation, who said that this simply directs the Director to proceed with the third phase of the Airport Master Plan Project. It does not commit the Council to do anything else.

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

73-52

TRANSIT SYSTEM REPORT

Dr. San Martin stated that the Council was supposed to receive the AACOG report on the Transit System on Friday, October 12, 1973. He asked that the report be heard on October 11, instead in order to save time. He said also that since Mayor Becker will be out of the country several weeks and the Chairman of the Transit System Board will be out of the country plus the fact that Transit System management will be involved in labor negotiations, he suggested that the Council take no further action other than receiving the AACOG report until after the first week in November.

Dr. San Martin's suggestion was adopted by other Council members.

73-52

RIVER LEVEL

Mrs. Cockrell called attention to a letter received from the Hilton Palacio Del Rio Hotel with reference to a problem in connection with a change in the level of the San Antonio River.

City Manager Granata stated that there had been a problem with one of the sluice gates which is being worked out.

73-52

EDGEWOOD SCHOOL DISTRICT

Mrs. Cockrell also called attention to a letter from Edgewood Independent School District regarding property which had been used in one of their programs under Model Cities which had not been funded.

Mr. Roy Montez, Director of Model Cities, stated that equipment bought by Model Cities was teaching equipment and remains at the school district. Federal regulations require some accountability of the equipment for up to three years. He had asked the District to simply maintain an inventory which would be available to the City to be sure the equipment is used and maintained per the original intent. The matter has been discussed with the Edgewood superintendent and he is now satisfied.

73-52

HOMESTEAD TAX EXEMPTIONS

Dr. San Martin asked if there is a final report on the number of applicants for homestead exemptions for persons over 65 years of age.

Mr. Carl White, Finance Director, stated that there were over 19,000 applications. An accurate count is not yet available as duplications and errors are being checked out.

Mrs. Cockrell asked if a widow living alone would qualify for the exemption.

City Attorney Crawford Reeder stated that he would have to check the state law to be sure and would do so.

73-52

REPORT ON CONGRESSMAN GONZALEZ

Dr. San Martin stated that he had asked City Manager Granata to evaluate the comments of Congressman Henry B. Gonzalez with respect to the federal budget for 1974 and what it might do to some of our revenue sharing.

City Manager Granata stated that the evaluation is being worked on, and he will have a report next week.

73-52

NATIONAL LEAGUE OF CITIES CONFERENCE

City Manager Granata stated that it is necessary for the Council to name a voting delegate and an alternate for the annual meeting of the National League of Cities in Puerto Rico. He said that he understood that Mayor Becker would be unable to attend the meeting.

After discussion, it was agreed that Mr. Cliff Morton, who will be Mayor Pro-Tem at that time, would be the official voting delegate. Councilwoman Lila Cockrell was designated as alternate.

Council members were asked to confirm their intent to attend the meeting with the City Clerk in order to facilitate reservations.

73-52

The Clerk read the following Ordinance:

AN ORDINANCE 42,855

ESTABLISHING A CHARTER REVISION COMMITTEE
AND APPOINTING TWENTY-SEVEN (27) MEMBERS
THERE TO.

* * * *

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

SECTION 1. There is hereby established a Charter Revision Committee, consisting of twenty-seven (27) members, for the purpose of studying the present Charter of the City of San Antonio and recommending, to the City Council, any changes and additions thereto.

The Committee shall elect a Chairman, Vice Chairman and Secretary from its membership.

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SECTION 2. The following twenty-seven (27) persons are hereby appointed as members of the Charter Revision Committee to serve for an indefinite period:

Mrs. John (Helen) Dutmer	Mrs. Louis (Dorothy) Doehne
Mrs. Herbert (Sue) Eastwood	Mr. Bob Williams
Mrs. Wm. V. (Margaret) Lecznar	Mr. Louis Terrazas
Mr. Ruben Munguia	Mr. Peter Torres, Jr.
Mr. George De La Garza	Mrs. Norma Reed
Ms. Virginia Gutierrez	Mr. Jim Dement
Mr. William J. Wallace, Jr.	Mr. Arthur Sanchez
Mr. Harry V. Burns	Mr. Jerry Henckel
Mr. Eugene Coleman	Mr. Ralph Langley
Mr. Seagal V. Wheatley	Mr. Lloyd Jary
Mr. John Kuntz, III	Mr. Robert L. Gragg
Mrs. Alfred (Nancy) Negley	Mr. James W. Saunders
Mr. Joe B. Machado	Dr. D. Ford Nielsen

Mrs. Robert C. (Janelle) McArthur

* * * *

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

After discussion, the City Clerk was designated and instructed to set up a meeting calling the Charter Revision Committee to order and giving them the charge of the Council. After they are organized they can proceed on their own.

Dr. San Martin suggested that the Council give consideration to naming a legal advisor to the Committee. He suggested that under the leadership of Mr. Crawford Reeder with the assistance of former City Attorneys Howard Walker and Carlos Cadena they be appointed in an advisory capacity to assist the Committee. He asked that Council action on his suggestion be taken next week.

Mrs. Cockrell asked that the incoming Committee be provided with copies of the final report of the previous Committee.

73-52

MRS. HELEN DUTMER'S DRAINAGE PROBLEM

Mr. Clifford Morton made reference to the earlier complaint of Mrs. Helen Dutmer regarding the drainage problem at her residence and asked for staff to comment.

City Manager Granata stated that this is really a problem for the Texas Highway Department and they will be informed.

73-52

PLANNED BUILDING GROUP ORDINANCE

Mr. Clifford Morton made the following statement:

"Under the Planned Building Group Ordinance, we have recently had quite a controversy in the southeastern part of town regarding certain provisions of that Ordinance which do not call for a public hearing and which allows a developer to go before the Planning Commission or the

Zoning Board at his choice; whereas, a citizen who might be opposing the plan has only one choice. He has to go to the Courthouse. I reviewed this with the City Attonrey as well as with our attorneys, and they question whether the Planned Building Group Ordinance as presently described is legally enforceable. I would like to request of you that you request the City Attorney for any modifications that he might make to make it more responsive to citizens as well as to insure that it is legally enforceable. I would request that those modifications be made to the Council in its packet next week."

* * * *

73-52

OLD URSULINE ACADEMY

The City Clerk was instruced to prepare a resolution to be acted on next week commending the Southwest Craft Center for their development of the Ursuline Academy property.

73-52

The Clerk read the following letter:

September 28, 1973

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

Gentlemen and Madam:

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

September 24, 1973 Petition of Mr. Abelardo Barrios, 212 Robert E. Lee, San Antonio, requesting permission to erect an eight (8) foot fence between the property at 208 and 212 Robert E. Lee.

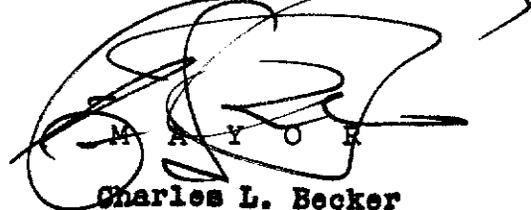
September 26, 1973 Petition of Mr. R. J. Fellows, Partner of Allied Development Company, requesting permission to retain a decorative fence over six (6) feet in height at Wind Rush Apartments, located at 2447 Lockhill-Selma Road.

* * * *

/s/ J. H. INSELMANN
City Clerk

There being no further business to come before the Council, the meeting adjourned at 5:05 P. M.

A P P R O V E D


M A Y O R
Charles L. Becker

ATTEST:


C i t y C l e r k

October 4, 1973
nsr

