

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, DECEMBER 14, 1972.

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The meeting was called to order at 9:30 A. M. by the presiding officer, Mayor John Gatti, with the following members present: HABERMAN, HILL, BECKER, HILLIARD, MENDOZA, NAYLOR, PADILLA, GATTI; Absent: NONE.

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72-55 The invocation was given by Father Jere Holmes, Catholic Chaplain for Bexar County Jail.

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72-55 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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72-55 The minutes of the meeting of December 7, 1972, were approved.

72-55 BICENTENNIAL COMMITTEE PROCLAMATION

Mayor Gatti welcomed members of the San Antonio Bicentennial Committee who were attending the Council meeting to promote the premiere of the movie, "1776" to be shown Wednesday, December 20, 1972. Proceeds from the premiere will help finance activities of the Committee.

The City Clerk read a Proclamation designating December 20, 1972, as "1776 DAY" in San Antonio.

Mayor Emeritus Walter McAllister, Honorary Chairman; Mr. B. J. "Red" McCombs, Chairman; and Mr. Al Rohde each spoke briefly to the Council regarding the plans being made for the Bicentennial Celebration and thanked the members for their valued support.

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72-55 Mayor Gatti: We will proceed with the regular order of business. The first item is a consideration of a resolution on policy related to private water and sewer systems in the newly annexed areas. The Clerk will read the caption:

The Clerk read the following Resolution:

A RESOLUTION  
NO. 72-55-58

CONSIDER A RESOLUTION ADOPTING POLICY  
RELATED TO PRIVATE WATER AND SEWER  
SYSTEMS IN NEWLY ANNEXED AREAS.

\* \* \* \*

WHEREAS, the City Council of the City of San Antonio will consider the final reading of an annexation ordinance on December 14, 1972, and

WHEREAS, the territory in the proposed annexation contains several privately owned water and sewer systems, and

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WHEREAS, the owners of these systems have expressed concern regarding the status of these systems upon annexation, and

WHEREAS, the Mayor appointed a special committee consisting of prominent citizens to study this problem, and

WHEREAS, this committee has made a recommendation on acquisition of the private water and sewer systems, NOW, THEREFORE:

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

SECTION 1. The City Council hereby adopts the following policy regarding private water and sewer systems in the newly annexed areas:

- (a) Until such time as such systems can be legally franchised or acquired, the City Council will permit the owners to continue operation and management of all private water and sewer systems.
- (b) The City Council will permit extension of the private sewer and private water systems in newly platted subdivisions adjacent to the existing systems until such time as the City can economically extend its facilities to serve these areas or the land owners request that the City extend its systems to serve these areas under existing City extension policies.
- (c) The City Council adopt the policy of the Mayor's Special Committee attached hereto as Exhibit "A".

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MAYOR GATTI: Before we do this, I'd like to call Mr. H. B. Zachry to the mike. I'd like to say while Mr. Zachry is coming up that he chaired a committee that I appointed to take an overview of the various policies that affect the City of San Antonio and the developers. In my opinion, he has done a great service in coming up with something that I think will keep the City of San Antonio growing and at the same time not inhibit the interest of the developers, nor the City Water Board. Mr. Zachry.

MR. H. B. ZACHRY: Mr. Mayor, Ladies and Gentlemen of the Council, you are familiar with the Greater San Antonio Builders Association's critical evaluation of the City's services. To meet, and hopefully resolve, the issues special committees, or task forces were appointed by the Mayor composed of builders, members of the City, CPSB, and the City Water Board, under whose direction the issues fell and public members. In other words, these committees were composed of all the folks that were interested or involved in the building of houses and the development of areas. The public members were asked to work with them to, in a measure, referee the differences. Some progress was made, but many issues failed and negative minority reports were filed against the majority findings.

The report of the task force was something like this when we brief and reduce it to a couple of paragraphs which is very difficult to do. The reports of the task force indicate that they were able to reach unanimous agreement on a course of action on all but six situations. The report of the task force discusses the issues and recommended course of action in technical and very specific terms. In general terms, the

substance of the complaint by the Builders' Association falls into three basic categories: First, the builders believe that the City's services are unresponsive to their needs and excessive amount of time and paper work is required by the developers in transacting their business with the City. Second, the builders are opposed to the restrictions contained in many City ordinances. They object not to the actual criteria, but to the arbitrariness with which these criteria were developed by the City departments or Utility Boards. Finally, there is a basic area of disagreement which involved the answer to the question, whose capital the City's or the developers' should be used for major utilities?

Because of the difficulties in getting a final answer from the task force as constituted and appointed by the Mayor, he appointed a second special committee to try to resolve the differences between the majority and minority reports resulting from the considerations taken up by the task forces themselves. The names of this committee were, Glenn Briggs, Richard Calvert, Alfred Flores, Sr., Tom Frost, Jr., Dr. Earl Lewis, Red McCombs, and H. B. Zachry. At this organizational meeting, this special committee set certain guidelines.

A: It would receive briefs from both sides to the controversy on items previously submitted to the task forces and rule on them, if possible. It would undertake no research on its own account. It would debate no legal issue, per se. It resolved them as they arose on the basis that whatever is morally or economically correct a legal way to do it should be found. It would not consider annexation except in the light of an accomplished fact. In other words, this committee was not going to take any part involved on whether it should be annexed or not. All questions would be resolved on the City's best interest basically. In other words, it was our measuring stick to measure everything that was to come to us. That in the long run, the City's and the citizens' best interests were synonymous. In pursuing this assignment, it soon became evident, that the acquisition by the City of the private water and sewer systems in the to be annexed areas was as important an issue as all the others. As a result of the committee's December 5, meeting we wrote the Mayor as follows:

Dear Mr. Mayor:

Your special committee met yesterday. We want to submit its first report, acquisition of private water and sewer systems in the proposed annexation areas prior to the December 14 date meeting of the Council. Our reasons, first, the City should acquire and should pay for these properties on some equitable basis. Previous declarations of the City Water Boards and contemplated policy issues on same by City Council are not complete enough to justify builders, developers, to continue building operations involving water and sewers in the to be annexed or even in the presently unannexed areas. Such confidence is vital to continued City growth. In other words, we must keep our developers moving to enhance and make justifiable the increase of population that is coming into San Antonio. I repeat, such confidence is vital to continued City growth, continued construction materials sales to a very sizable volume, and the very sizable employment of construction workers in this field. Second, in this acquisition procedure no money obligation, no bonded indebtedness, no additional management or employee obligation accrues to the City.

Your committee very firmly requests that some such ordinance be passed at the December 14 City Council meeting. Final draft of our plan will reach your desk, Monday, December 11.

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You have before you the final draft of that plan and the accompanying letter:

December 11, 1972

Dear Mayor:

Supplementing my December 6 letter to you with first Draft on Private Water Systems, I herewith enclose letters from some other committee members, my answers, and our "Final Draft."

Again, on behalf of the Committee, I bespeak the inclusion of this policy declaration with passage of the Annexation Ordinance.

Respectfully submitted,

MAYOR'S SPECIAL COMMITTEE

by,  
H. B. ZACHRY, CHAIRMAN

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Now, this recommendation is that:

The City acquire Private Water Systems and Private Sewer Systems at present appraised value. This policy to apply within the extraterritorial jurisdiction as it exists prior to the proposed annexation effective December 26, 1972, as well as future extensions of its extraterritorial jurisdiction. These are to be paid for out of the earnings from each separate water system ownership, managed by its present owner in accordance with prescribed guidelines and accounting principles. The net earnings would constitute payment by City to owner; receipt by City of an equal equity interest. Thus, no tax accrues; a fee equivalent to normal interest could be paid on investment equity and would be taxable. A limited period for amortization should be made 10-15 or more years and no time extension therefrom permitted; each unit thus becoming property of City Water Board at expiration date regardless of amount earned or paid. A new unit or extension of same system could be created to serve additional adjacent acreage owned by Developer.

For evaluation select approved firms of San Antonio Engineers--criteria previously established--approved firms listed, no new additions until next evaluation period two years hence--and guidelines jointly established before proceeding. (A three-appraiser appointment, developer, City, their selection of the third could be chosen.)

City to select San Antonio based, nationally known auditing firm for two-year period and set guidelines--excess overhead and maintenance costs to be deducted from capital account or a "maintenance reserve" set-up with initial valuation.

This procedure requires no expenditure of City Water Board or City funds; on the contrary it will add assets without cost or obligation other than to make available supplemental surface water when needed. No management problem or need for additional City Water Board employees will exist.

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New private water systems, including City Water Board wholesaling water to them can be thus approved when economics so dictates.

I say, again, our principal attitude towards this is to recognize that the City should pay for whatever it acquires on some equitable basis. Second, that we must not do anything that materially disturbs the future development and building of homes in San Antonio that might handicap its future. Mr. Mayor, that is respectfully submitted to you and your members of the Council.

MAYOR GATTI: Mr. Zachry, I want to thank you and your committee very much for what, I think, is a very, very statesmanlike proposal and, although it doesn't include everything I would like and maybe the home-builders would like or everybody in town would like, I think it's a solution to what has been a very, very serious problem; and I, for one, am just delighted to have received your report and thank you again very much for your concern and your interest.

MR. ZACHRY: Thank you, Mr. Mayor, we varied somewhat from our original concept that we would initiate no new studies or new programs ourselves, but it was our very definite hope that an issue as important and vital as this would have been briefed and presented to us by the developers in the area that were so vitally concerned but none were actually submitted. So, in lieu of that, and in somewhat haste, we figured that it was vital to the continuing serenity of building in our own City for us to offer something in general that in turn would set the position of City Council on the basis of properly paying as we would consider the cost, at least, of what was involved in building these private systems.

MAYOR GATTI: Thank you, sir. Anyone on the Council have any questions? Okay, do you want to read that caption?

CLERK: I've read the caption.

MAYOR GATTI: Read the caption? All right. We have a motion?

MR. ED HILL: Yes, so move.

MR. CHARLES BECKER: Second.

MAYOR GATTI: Call the roll.

HABERMAN: Aye.

HILL: Aye.

BECKER: Aye.

HILLIARD: Aye.

MENDOZA: Aye.

NAYLOR: Aye.

PADILLA: Aye.

GATTI: Aye.

MR. HILL: Mr. Mayor, along with what has been stated, I think we have all been concerned about the progress and the acceptance of plats whenever an area is annexed by the City in order that developers will not be held up in the processing of these plats by the City Water Board. I would like to submit to the City Council the following: The City Code authorizes the Water Works Board of Trustees to approve the plans,

specifications, and utility lay-outs of water supply and distribution system for all subdivisions within the City and extraterritorial jurisdiction in conformity with criteria relating to design, materials, and construction of such systems. The Board of Trustees should be requested to exercise its subdivision plat approvals strictly within the purview of the City Code. And I so move.

MR. BECKER: Second.

MAYOR GATTI: Call the roll.

HABERMAN: Aye.

HILL: Aye.

BECKER: Aye.

HILLIARD: Aye.

MENDOZA: Aye.

NAYLOR: Aye.

PADILLA: Aye.

GATTI: Aye.

MAYOR GATTI: We have one other resolution that is very vitally concerned with the annexation and its relation to zoning which I would like to have read.

MR. BECKER: May I make a comment on something before that is read, please.

MAYOR GATTI: Sure.

MR. BECKER: We talk about development. We talk about home builders, and as Mr. Zachry pointed out rather briefly, the construction industry in this City is a tremendous force in the City from the standpoint of employment of people. Not only is it a tremendous force in that respect, it also is a constructive force in that it is placing things upon the tax rolls. In a City such as this, where the military is all exempt; the churches, of course are all exempt; and the school systems are all exempt, it leaves a very small tax base to maintain and operate the City. So, I just wanted to point out that when we talk about developers and homebuilders, we're not talking about a group of people that are strictly operating out of self-interest and self-motivation. We're talking about a constructive force in this community without which we would have no community as a progressive growing basis. Thank you.

MRS. HABERMAN: I agree. The balance here is most crucial and important to the City, but I'm very hopeful that this report will certainly be happily received by all parties knowing that it is not the full solution for either the City or the developers.

MAYOR GATTI: Okay, read this caption.

CLERK: A RESOLUTION  
No. 72-55-59

REQUESTING THE PLANNING COMMISSION  
OF THE CITY OF SAN ANTONIO TO HOLD  
A PUBLIC HEARING AND MAKE ITS

RECOMMENDATION IN RELATION TO THE  
ADOPTION OF AN AMENDMENT TO THE  
ZONING CODE TO PROVIDE FOR CERTAIN  
NON-CONFORMING RIGHTS IN NEWLY  
ANNEXED TERRITORIES.

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MR. HILL: I so move.

MR. BECKER: Second.

MAYOR GATTI: Call the roll.

AYES: Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti, Haberman.

NAYS: None.

ABSENT: None.

MAYOR GATTI: Okay, we'll proceed with the second and final reading of the 17 ordinances that pertain to annexation.

The Clerk read the following Ordinance for the second and final time in full:

AN ORDINANCE 41,419

PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,  
TEXAS, AND THE ANNEXATION OF CERTAIN  
TERRITORY CONSISTING OF 2,759 ACRES OF  
LAND, WHICH SAID TERRITORY LIES ADJACENT  
TO AND ADJOINS THE PRESENT BOUNDARY LIMITS  
OF THE CITY OF SAN ANTONIO. (AREA IA)

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After consideration, on motion of Mr. Hill, seconded by Mrs. Haberman, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

MR. BECKER: Mr. Mayor, I'd like to make a statement, if I may, with respect to my vote on the various parcels of property that we've been considering for annexation. Everyone knows that heretofore I've been voting negative on some and affirmative on others. I'm changing my vote this morning. I'd like to explain my position on it. I'm changing it in view of the two resolutions that this City Council adopted this morning plus the one that Mr. Hill required, requested, and that has to do with the refund and so forth and the method of purchase of these water systems. It also has to do with this platting situation that Mr. Hill brought up. I'm assuming, that in changing my vote, by changing my vote, I should say, I'm assuming that these conditions are going to be acceptable to the Water Board. Its been my reasoning that I voted against these various parcels, the ones I voted against because I didn't think that it was fair for the City to impose this type of acquisition or confiscation, in my opinion, if you please, on private ownership, whether it be Water Boards, or any other type of private property for that matter. But, in that connection, since I see this action of Mr.

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Zachry's committee, and so forth, and so on, I'm wavering in the hope that in giving this annexation a chance then we will be able to see further down the road as to the effect of these various resolutions. So, I just want to go on record as that because many people probably wondered, you know, well he's for something one day and against it the next and all this vacillating back and forth, and I don't like to be mixed up in that in any way, shape, fashion or form.

MAYOR GATTI: Mr. Becker, I want to second what you just said. I, as I mentioned earlier, my firm and irrevocable conviction is that annexation is absolutely necessary for the growth of the City. The policies that we have had in the past have led to a lot of the problems that we are now facing. This should have been faced up to ten years ago. It wasn't. We are biting the bullet right now, and as far as I'm concerned I'm buying Mr. Zachry's proposal categorically and unalterably. And, I can assume here from what I hear that the Council is also going along with this, and I think it's time now that we, you know, we regroup and move on doing some of the things that we set out to do. I think this day will, despite some people's conviction to the contrary, is going to go down as the day of the greatest growth and act that's ever been done by any City Council in San Antonio.

DR. HILLIARD: Mr. Mayor, I want to add to this that it is going to be incumbent on this Council to see that these provisions are observed by the Water Board. I think it is going to take the leadership of the Council to do everything in our power to see that the recommendations of the task force as presented to us are also acceptable to the Water Board and the Water Board will accept this and make it their policy.

MR. MENDOZA: Very briefly, I would like to add that I, too, had reservations about somethings, but I have great confidence in the work that Mr. Zachry's committee has done and presented to the Council and for that reason I feel that my vote is in the best interest of the whole City of San Antonio and that's why I'm voting in the affirmative.

MR. NAYLOR: Mr. Mayor, I had qualified my vote on annexation, and I'm going to vote with the affirmative this morning on the basis that you have told us and the Council has agreed that this resolution from the very fine committee you have appointed is only a resolution but to implement it and put into effect the good positive extension policies and plans and also the acquisition of these water systems will be followed through and that you will see that this is done from either this Council or the following Council. On that basis that we can satisfy as many of the majority as possible for the good of the City, I am going to vote positive.

MAYOR GATTI: We will have the shoot-out at the OK Corral next week.

MR. BECKER: May I elaborate one step further. Now that we have gone into this situation as we have here this morning that we extend it to other City agencies and, in fact, City Hall itself, wherever there is unreasonableness, wherever there is an attitude of some type of intransigence that is without merit and without justification and wherever we see something that is impeding the progress of this City and the good and the welfare of the citizens as a whole of the City of San Antonio that we move to eradicate it just as you would a cancer or a tumorous growth from human or beast.

MAYOR GATTI: Charles, we have, as you know, all of the things that Mr. Zachry mentioned. I think there were six, Mr. Zachry, that weren't resolved on these various task forces. We will get on those as a recommendation from Mr. Zachry that we appoint an in-house committee to get in there and solve this.

Now, one other thing that I want to make mention here. I received a letter from Mr. Manupelli, of Ray Ellison Industries, concerning the garbage collection in the areas that are going to be annexed. As the citizens know, the garbage service is provided through a dollar and a half a month service charge. There was some concern, on the part of the Ellison Industries, that we would not be able to take care of this. Since it is a garbage charge, and I want to make clear we have no responsibility to provide any service for three years, but we are going to provide them just as quickly as we can. The garbage collection will be started in those areas on the same basis as it is in San Antonio effective January 2. We have the facilities to handle it, and so I just wanted to go on record as saying that he says we know of no solution to the garbage collection problem. Well, we have a solution, and it will be taken care of on January 2. And, you'll proceed, Mr. Hunt, with all the necessary logistics. Okay, proceed.

72-55 Mayor Gatti and Mayor Pro-Tem Haberman were obliged to leave the meeting, and Councilman Hill presided as Acting Mayor.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,420

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 2,358 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA IB)

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After consideration, on motion of Dr. Hilliard, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Hill, Becker, Hilliard, Mendoza, Naylor, Padilla; NAYS: None; ABSENT: Haberman, Gatti.

72-55 MR. HILL: Next item, it's No. 3.

The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,421

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 125 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA II)

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Mayor Gatti returned to the meeting and presided.

After consideration, on motion of Mr. Hill, seconded by Mr. Padilla, the Ordinance was passed and approved by the following vote:  
 AYES: Hill, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None;  
 ABSENT: Haberman, Becker.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,422

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 3,781 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA IIIA)

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MAYOR GATTI: Before we vote here we have two citizens that care to be heard on Section III-A. We will hold to the same five minutes per person. Mr. Homer Ziegler and Mr. Howard Atwell.

MR. HOMER ZIEGLER: Your Honor, Mayor Gatti, Mrs. Haberman, and Council members, my name is Homer Ziegler. I reside at 1823 West Cloud in Westwood Village. I am here, again, to speak in opposition to the proposed annexation. First of all, after hearing the City Clerk reading the description of Area III, I failed to hear him read where they corrected the boundaries in the field notes that were published the 11th of November which was past the legal date for any changes on that area; therefore, in my opinion, this area would not be a valid annexation at this time. Further, I was hoping after seeing the presentation by the Bicentennial Committee for the celebration in 1976, all you Council Members would continue to wear those little hats that were presented to you and act accordingly in accordance with conditions under which this country was founded and give the citizens in the areas to be annexed a break. But, I see this has failed. I would like to point out that I feel that the committee that was, task force committee, by Mr. Zachry which it has been stated has made such a tremendous report was a biased committee inasmuch as it was hand picked and certain other large developers were not included on that committee. I would like to point out that this Council that you have been inconsiderate of the citizens in all the areas to be annexed inasmuch as on several occasions you were invited to be in attendance at the meeting to answer questions that was bugging or concerning the citizenry. On the 24th of November, the 27th of February, I am sorry, the total Council was invited to a meeting at John Jay with a letter to the Mayor, and it was signed for and received. Nobody showed. On the 19th of October, there were letters sent registered to every member of the Council. They were all returned to the sender unclaimed. On two occasions members of the City Council and the Mayor were invited to sit on television shows to discuss the situation and nobody showed. The last one was for one of the local TV stations on a 30 minute program, and the Council was notified or sent invitations ten days in advance. Consequently, they found other previous arrangements.

Now, I think that in order to plan for an orderly growth of the City of San Antonio, I think that all the citizens would be concerned and be 100 percent in favor of any proposed annexation provided

they would first remedy the now existing bedroom cities within the City limits of San Antonio. I think it is so unfair, unjust and discriminatory that you should go out and take additional residents, additional taxpayers to offset the expenses of those now bedroom cities in using the same argument that you people had used to us, that they're using your facilities without any revenue from their entity to offset the expenses. They are using your streets, all your entertainment facilities. I'm going to have to pay for this. It is unfair. Thank you.

MAYOR GATTI: Mr. Atwell.

MR. HOWARD ATWELL: Mr. Mayor, Ladies and Gentlemen of the Council, my name is Howard L. Atwell; I live at 7407 Buckboard. I am unable to speak to you in person today because my employer, the San Antonio Light, believes in denying free citizens of the United States their constitutional right to self-determination. They do this by encouraging nine persons to forceably annex citizens without a vote and thus to usurp governmental authority over them. But now, the San Antonio Light opts also to stifle the voice of freedom. My right to free speech and to express my ideas before this Council. They do this by refusal to let my working hours be arranged in order that I might appear before this Council to speak my piece. Now, we may be assured that any attempt to stifle the freedom of the press would surely rein down the cry of tyranny from the San Antonio Light. Oh, if your light be darkness, how great is that darkness. Also, of notable interest is a recent TV program which was to be carried by the proponents of annexation representing the City of San Antonio and the opponents of this annexation was designed to inform the public on both sides of this vital issue. This program was to be aired on December 10 at 6:00 p.m., as a public service of Channel 5 TV. It was pre-empted by a program sponsored by Southwestern Bell Telephone. Gentlemen, does this mean that my telephone bill will also be increased as well as my taxes?

The third bone of contention involves the river corridor study report or the River Corridor Committee Study Report, whoever they are. This, according to the other half of the San Antonio free press puts retired military persons and illegal aliens in the same category and in the same press blames them equally with the low-annual income for San Antonio. Now, we of the suburbs have been called leeches and parasites, and now it seems that the retired military portion of these people are to be called labor scabs. The committee recommends alleviation of this problem by prevailing upon Uncle Sam to fan out the military retirees to other parts of the nation. Gentlemen, I have a much better plan. Since the military retirees choose San Antonio for the military facilities which are available to them here, I suggest that Uncle Sam be prevailed upon to remove from San Antonio Wilford Hall Medical Center, Brooke Army Medical Center, Brooks Air Force Base, Kelly Air Force Base, Randolph Air Force Base and Fort Sam Houston. This, gentlemen, will cause the military retirees to follow them wherever they go to other parts of the nation. This should leave San Antonio with a tamale factory and at least some mission of the banks of an open sewer called the San Antonio River.

MAYOR GATTI: We have a motion and a second?

MR. PADILLA: So move.

MRS. HABERMAN: Second.

On roll call the Ordinance passed by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

72-55 Mayor Gatti was obliged to leave the meeting and Mayor Pro-Tem Haberman presided.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,423

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 1,394 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA IIIB)

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After consideration, on motion of Mr. Hill, seconded by Mr. Mendoza, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Naylor, Padilla; NAYS: None; ABSENT: Hilliard, Gatti.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,424

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 782 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA IV)

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After consideration, on motion of Mr. Padilla, seconded by Mr. Hill, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla; NAYS: None; ABSENT: Gatti.

72-55 Mayor Gatti returned to the meeting and presided.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,425

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 1,526 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA V)

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MR. GUNTER KRELLWITZ: Ladies and gentlemen of the San Antonio City Council, my name is Gunter Krellwitz, 5518 Chancellor, Bexar County, Texas. I represent the Glen Oaks-Oak Hills Terrace area, also known as Area V. Proof of that is in my hand in the form of signatures.

The hour of decision on annexation is near. Today you will decide the destiny of 70,000 people. To the people I represent - to me and other Americans - the argument was, is now and always will be that you, an outside government, make decisions affecting people's lives without a vote or any other democratic procedures. On May 20, On October 25, as well as on November 9, and now you set public hearings on the issue without a single sound out of you. You sat through a total of eight hours without a single answer to the people's questions. Only your Mayor said, "Thank you, next speaker." You hesitated to face the people at an informal question and answer program paid for on Channel 5 but preempted. You also evaded the people at a meeting of residents involved at John Jay High School. The Mayor made only a few evasive remarks to some reporters sympathetic to him and the Council. This is not a democratic procedure. It is a put on. Your reasoning is, of course, evident. If you say nothing you don't engage into a controversy. Keep the people in the dark long enough and they will get blind. Then when they are defenseless take them for what they are worth. I have witnessed a government like that before and, believe me, I am very concerned about the vote you are taking. You are always looking at the suburbs with envy. Why? People want to live in the suburbs because their government is closer to them, more responsive and efficient. Governments lose their identity with people the larger they become. Citizens become helpless subjects who are only there to pay the bills you create while special interest groups dictate your actions. You know very well that you can't and will not provide the claimed services to the areas concerned because you are unable to provide the services that you now control. Hills and Dales on the north side is just one example. Those people are only receiving a very small fraction of what they should have and for what they are paying. In short, your deeds do not match your claims. You are claiming on page 11 that the total 53.5 square miles of the annexation area will be served by police patrol - one patrol car per square mile. Now, I ask for just one of you to tell me how many additional policemen you will hire to provide the services according to the booklet, and how much that will cost. Mrs. Haberman or Mr. Padilla can answer that question. Furthermore, I still would like an answer to my question on how much money you will have to provide claimed services per this annexation booklet.

We, the individuals, are also waiting to hear from you where you think the additional money is going to come from to pay the increased tax load. You will find that the police service alone will amount to \$2.3 million per year and that you will have to outlay \$3.5 million before you can collect one red cent from the whole area. It seems to me that you better look into the situation before you put your final stamp of approval on this annexation before you go broke. This annexation is ill prepared. It is incorrectly presented, and it is dictatorially enacted. It is not wanted by the people who should have the right of self-determination in the true American way and as advocated all around this world. Thank you.

MRS. ILSE KRELLWITZ: I would like to ask the City Council to answer some of the questions, my husband just asked.

ASSOCIATE CITY MANAGER SAM GRANATA: I can't speak fully for the Police Chief, but I understand that immediately upon annexation police service will be available to all annexed areas as it is now in the San Antonio area. I'm not quite sure that we have in the San

Antonio area-one per square mile. This does not mean that we necessarily need one per square mile. That's just a national average. Rest assured that the Council has instructed the staff, as I understand it, to proceed in furnishing police service immediately upon annexation.

MRS. HABERMAN: Would you kindly get them the information on the other questions that they have asked.

MR. GRANATA: Yes. If they will file that with the Clerk, we'll get the appropriate department to get the answers to you.

MR. GUNTER KRELLWITZ: Excuse me, but is the Council unable to answer some of the questions? In other words you are making a decision without really knowing the full answers to some of these.

MRS. KRELLWITZ: I'm speaking for my husband.

MR. PADILLA: I would like to speak to one point because the question has been raised many, many times and I consider it one of the important questions. The charge has been made many times that this action is dictatorial. It is dictatorial. It is without representation, and it is in many ways bad in that respect. The fact of the matter is that the people in the State of Texas, everyone of the citizens, are represented through their legislature which has provided them means and the vehicle for this sort of action to be taken. We are citizens as you are and we have to act in accordance with state law in every case. This is the only way that we can do it because the laws are prescribed by the legislature of the State of Texas and we all do have representation at that level. I would like to assure you that this is the only way it can be done.

MRS. KRELLWITZ: We would like to know where the additional money that you have to provide to service this area is going to come from?

MR. KRELLWITZ: The last time when we were here we presented a budget and at that time I asked a question of where the additional money is coming from. Can I have an answer from the Council?

MAYOR GATTI: Well, we didn't have your budget audited, Mr. Krellwitz, so we couldn't take it as being a fact. I don't think that's germane to the question of annexations. I don't think there is an answer that can be made by this Council on your personal finances. That is something that is sacred with you and you would be the first one to object if we tried to interfere with your personal life insofar as your budget is concerned. Thank you. We appreciate your coming.

After consideration, on motion of Mr. Becker, seconded by Mr. Padilla, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla; NAYS: None; ABSTAIN: Gatti; ABSENT: None.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,426

PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,  
TEXAS, AND THE ANNEXATION OF CERTAIN  
TERRITORY CONSISTING OF 7,344 ACRES OF

LAND, WHICH SAID TERRITORY LIES ADJACENT  
TO AND ADJOINS THE PRESENT BOUNDARY LIMITS  
OF THE CITY OF SAN ANTONIO. (AREA VI)

\* \* \* \*

After consideration, on motion of Mr. Hill, seconded by Mrs. Haberman, the Ordinance was passed and approved by the following vote:  
AYES: Haberman, Hill, Hilliard, Mendoza, Naylor, Padilla, Gatti;  
NAYS: None; ABSENT: Becker.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,427

PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,  
TEXAS, AND THE ANNEXATION OF CERTAIN  
TERRITORY CONSISTING OF 525 ACRES OF LAND,  
WHICH SAID TERRITORY LIES ADJACENT TO AND  
ADJOINS THE PRESENT BOUNDARY LIMITS OF THE  
CITY OF SAN ANTONIO. (AREA VII)

\* \* \* \*

After consideration, on motion of Mrs. Haberman, seconded by Mr. Padilla, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Mendoza, Padilla, Gatti;  
NAYS: None; ABSENT: Becker, Naylor.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,428

PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,  
TEXAS, AND THE ANNEXATION OF CERTAIN  
TERRITORY CONSISTING OF 4,216 ACRES OF  
LAND, WHICH SAID TERRITORY LIES ADJACENT  
TO AND ADJOINS THE PRESENT BOUNDARY LIMITS  
OF THE CITY OF SAN ANTONIO. (AREA VIII)

\* \* \* \*

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote:  
AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,429

PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,  
TEXAS, AND THE ANNEXATION OF CERTAIN

TERRITORY CONSISTING OF 2,393 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA IX)

\* \* \* \*

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote:  
 AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Padilla, Gatti;  
 NAYS: None; ABSENT: Naylor.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,430

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 4,472 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA X)

\* \* \* \*

After consideration, on motion of Mrs. Haberman, seconded by Dr. Hilliard, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Padilla, Gatti;  
 NAYS: None; ABSENT: Naylor.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,431

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 2,179 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA XI)

\* \* \* \*

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote:  
 AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti;  
 NAYS: None; ABSENT: None.

72-55 Mayor Gatti was obliged to leave the meeting and Mayor Pro-Tem Haberman presided.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,432

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 69.11 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA XII)

\* \* \* \*

After consideration, on motion of Mr. Padilla, seconded by Dr. Hilliard, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Naylor, Padilla; NAYS: None; ABSENT: Becker, Mendoza, Gatti.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,433

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 7.672 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA XIII)

\* \* \* \*

After consideration, on motion of Mr. Becker, seconded by Mr. Padilla, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Padilla; NAYS: None; ABSENT: Mendoza, Gatti.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,434

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 144.90 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA XIV)

\* \* \* \*

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Padilla; NAYS: None; ABSENT: Mendoza, Gatti.

72-55 The Clerk read the following Ordinance in full for the second and final time:

AN ORDINANCE 41,435

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 6.632 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (AREA XV)

\* \* \* \*

After consideration, on motion of Mr. Becker, seconded by Mr. Hill, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Padilla; NAYS: None; ABSENT: Mendoza, Gatti.

72-55 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Mr. Becker, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Padilla; NAYS: None; ABSENT: Mendoza, Gatti.

AN ORDINANCE 41,571

ACCEPTING THE LOW BIDS OF ANDERSON MACHINERY CO., GIRARD MACHINERY & SUPPLY CO., INGRAM MFG. CO., THE TORGERSON CO., TO FURNISH THE CITY WITH CERTAIN HEAVY EQUIPMENT FOR A TOTAL OF \$534,170.00; ALSO AUTHORIZING A TRANSFER OF \$54,000.00 FROM CONTINGENCY ACCOUNT 70-01-01 TO PUBLIC WORKS ACCOUNT 09-16-02.

\* \* \* \*

72-55 Mayor Gatti returned to the meeting and presided.

72-55 The Clerk read the following Ordinance:

AN ORDINANCE 41,572

AUTHORIZING CONTRACTS WITH ENGINEERS AND ARCHITECTS TO FURNISH PROFESSIONAL SERVICES PERTAINING TO VARIOUS CITY PROJECTS; APPROPRIATING A TOTAL OF \$261,544.00 IN PAYMENT FOR SAID SERVICES AND \$35,000.00 TO BE USED AS CONTINGENCY ACCOUNTS.

\* \* \* \*

The Ordinance was explained by Mr. Mel Sueltenfuss, Assistant Director of Public Works, who stated that this authorizes the City Manager to enter into various engineering contracts for projects covered by the 1970 Bond election.

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote:  
AYES: Haberman, Hill, Becker, Hilliard, Naylor, Padilla, Gatti;  
NAYS: None; ABSENT: Mendoza.

72-55 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Assistant Director of Public Works, and after consideration, on motion of Mr. Naylor, seconded by Mr. Becker, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 41,573

AUTHORIZING A CONTRACT WITH R. MARVIN SHIPMAN, CONSULTING ENGINEERS, TO FURNISH PROFESSIONAL SERVICES PERTAINING TO DONORE PLACE SUBDIVISION OFF-SITE SANITARY SEWER MAIN; APPROPRIATING \$5,738.00 OUT OF FUND 820-03 PAYABLE TO SAID ENGINEERS AND \$600.00 TO BE USED AS A CONTINGENCY ACCOUNT.

\* \* \* \*

72-55 The following Ordinance was read by the Clerk and explained by Mr. W. S. Clark, Land Division Chief, and after consideration, on motion of Mr. Hill, seconded by Dr. Hilliard, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

AN ORDINANCE 41,574

CLOSING AND ABANDONING A PORTION OF WYOMING STREET LYING BETWEEN I. H. 37 AND HOEFGEN AVENUE, ADJACENT TO NEW CITY BLOCKS 613 AND 14081, AND AUTHORIZING A QUITCLAIM DEED TO ALAMO IRON WORKS FOR THE CONSIDERATION OF \$2,750.00.

\* \* \* \*

72-55 The Clerk read the following Ordinance:

AN ORDINANCE 41,575

CLOSING AND ABANDONING A PORTION OF ROGERS STREET BETWEEN NEW CITY BLOCKS 1256 AND 1257 AND AUTHORIZING A QUITCLAIM DEED TO NATIONAL BANK OF FORT SAM HOUSTON FOR THE CONSIDERATION OF \$5,472.00.

\* \* \* \*

The Ordinance was explained by Mr. W. S. Clark, Land Division Chief, who stated that the proposed closing had been circulated through various agencies and City departments. All agreed to the closing. Certain easements are being retained.

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In answer to Mr. Naylor's question, Mr. Clark stated that a base value is established and then decrease that value according to easements retained and size and shape of the ground. The base value is comparable to other values in the immediate area.

After consideration, on motion of Mr. Becker, seconded by Mrs. Haberman, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

72-55 The following Ordinance was read by the Clerk and explained by Mr. W. S. Clark, Land Division Chief, and after consideration, on motion of Mr. Becker, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

AN ORDINANCE 41,576

AUTHORIZING A QUITCLAIM DEED TO JAMES E. OLSON AND WIFE, BEVERLY JOAN OLSON, OF A PORTION OF A UTILITY EASEMENT IN LOT 64, BLOCK 2, NEW CITY BLOCK 13999 FOR A CONSIDERATION OF \$150.00.

\* \* \* \*

72-55 The following Ordinance was read by the Clerk and explained by Mr. Robert Frazer, Director of Parks and Recreation, and after consideration, on motion of Mr. Becker, seconded by Dr. Hilliard, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Gatti; NAYS: None; ABSENT: Mendoza, Padilla.

AN ORDINANCE 41,577

MANIFESTING AN AGREEMENT TO EXTEND THE TERMS OF CONTRACTS WITH JACK CARNEY, WILLIAM BOUBLE, FRANK WARD, AND GRANVILLE HUMPHRIES TO MANAGE CITY-OWNED GOLF COURSES FOR AN ADDITIONAL TWO-YEAR PERIOD UPON THE SAME TERMS AND CONDITIONS.

\* \* \* \*

72-55 The Clerk read the following Ordinance:

AN ORDINANCE 41,578

CREATING A NEW POSITION OF ASSISTANT MUNICIPAL ENTERPRISE MANAGER, PAY RANGE 26, AND DELETING A CLERK III POSITION AT LA VILLITA, ALSO AMENDING THE CURRENT BUDGET AND PAY PLAN ACCORDINGLY.

\* \* \* \*

The Ordinance was explained by Mr. Robert Frazer, Director of Parks and Recreation, who stated that this new position simply gives the manager of La Villita an assistant. Often it is necessary

to remain open until 2:00 A. M., and it is felt that someone with authority should be there. This is also promoting a Clerk III and eliminating that position.

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Gatti; NAYS: None; ABSENT: Mendoza, Padilla.

72-55 The following Ordinance was read by the Clerk and explained by Mr. Stewart Fischer, Director of Traffic and Transportation, and after consideration, on motion of Mr. Becker, seconded by Mrs. Haberman, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Gatti; NAYS: None; ABSENT: Mendoza, Padilla.

AN ORDINANCE 41,579

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE: SETTING FORTH LOCATIONS AT WHICH ELECTRIC TRAFFIC CONTROL SIGNALS ARE IN FULL SIGNAL OPERATION: DESIGNATING ONE-WAY STREETS: DESIGNATING STOP SIGN LOCATIONS: DESIGNATING YIELD RIGHT-OF-WAY SIGN LOCATIONS: SETTING MAXIMUM SPEED LIMITS ON CERTAIN STREETS: ESTABLISHING PARKING METER ZONES: PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS: PROHIBITING STOPPING, STANDING OR PARKING DURING CERTAIN HOURS ON CERTAIN STREETS: AND PROVIDING THAT VIOLATION HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

\* \* \* \*

72-55 The following Ordinance was read by the Clerk and explained by Mr. George Vann, Director of Housing and Inspections, and after consideration, on motion of Mr. Becker, seconded by Mr. Naylor, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Gatti; NAYS: None; ABSENT: Mendoza, Padilla.

AN ORDINANCE 41,580

AMENDING SECTION 18A-6 OF THE CITY CODE BY PROVIDING THAT THE FEE REQUIRED FOR A HOME IMPROVEMENT SALESMAN'S OR CONTRACTORS' LICENSE SHALL BE PAID AT THE TIME OF ISSUANCE OF LICENSE; AMENDING PARAGRAPH 3 OF SECTION 18A-8 OF THE CITY CODE BY PROVIDING FOR PAYMENT OF SAID FEE UPON ISSUANCE OF LICENSE; AND PROVIDING A PENALTY FOR ANY VIOLATION BY FINE NOT TO EXCEED \$200.00.

\* \* \* \*

72-55 Mayor Gatti inquired if the unsightly building on Commerce Street in the 800 block is yet being demolished.

Mr. George Vann stated that he did get the authorization and that part of the building has been demolished. There is a common wall with the adjoining building so the demolition has been delayed some.

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72-55 The Clerk read the following Ordinance:

AN ORDINANCE 41,581

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR LEASE OF 169 SQUARE FEET OF SPACE IN THE BUILDING AT 140 MAIN PLAZA AND AUTHORIZING TRANSFER OF FUNDS AND PAYMENT OF RENTAL.

\* \* \* \*

City Attorney Howard Walker informed the Council that the City is now receiving 40 - 50 damage claims per month. Recently the Council authorized the employment of an investigator. The base of this space will provide office space near the trial lawyers' offices.

After consideration, on motion of Mrs. Haberman, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Naylor, Gatti; NAYS: None; ABSENT: Mendoza, Padilla.

72-55 The following Ordinance was read by the Clerk and explained by Mr. George W. Bichsel, Associate City Manager for Public Safety, and after consideration, on motion of Mr. Hill, seconded by Mr. Naylor, was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Naylor, Gatti; NAYS: None; ABSENT: Becker, Mendoza, Padilla.

AN ORDINANCE 41,582

ACCEPTING A \$26,625.00 CRIMINAL JUSTICE COUNCIL GRANT FOR THE PROJECT ENTITLED ENGINEERING SERVICES FOR THE POLICE CENTRALIZED COMMUNICATIONS SYSTEM, APPROVING A BUDGET FOR SAID PROJECT AND APPROPRIATING FUNDS FOR EXPENDITURE ACCORDING WITH SAID BUDGET, ESTABLISHING A FUND FOR SAID PROJECT AND AUTHORIZING CONTRIBUTION TO THE PROJECT OF CITY FUNDS.

\* \* \* \*

72-55 Item 13 of the agenda being a proposed ordinance establishing an office of Employee Relations was withdrawn from consideration at the request of the City Manager.

72-55 The following Ordinance was read by the Clerk and explained by Mr. Tom Raffety, Director of Aviation, and after consideration, on motion of Mrs. Haberman, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Haberman, Hill, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSTAIN: Becker; ABSENT: Padilla.

AN ORDINANCE 41,583

APPROPRIATING THE SUM OF \$5,000.00 OUT OF UNAPPROPRIATED SURPLUS, FUND 801, TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT IN CONNECTION

WITH THE TRACON - FAA ADDITION  
AT INTERNATIONAL AIRPORT.

\* \* \* \*

72-55 The following Resolution was read by the Clerk, and after consideration, on motion of Mr. Hill, seconded by Mr. Becker, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

A RESOLUTION  
NO. 72-55-60

POSTPONING THE REGULARLY SCHEDULED  
MEETING OF THE CITY COUNCIL FROM  
DECEMBER 28, 1972 TO THURSDAY,  
JANUARY 4, 1973.

\* \* \* \*

72-55 The following Ordinance was read by the Clerk, and after consideration, on motion of Mr. Becker, seconded by Dr. Hilliard, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

AN ORDINANCE 41,584

APPOINTING TOM VICKERS AS A MEMBER OF  
THE REGULAR COMMITTEE PERTAINING TO  
THE BICENTENNIAL CELEBRATION OF THE  
UNITED STATES FOR A TERM EXPIRING JULY  
31, 1973.

\* \* \* \*

72-55

CITY MANAGER REPORTS

City Manager Loyd Hunt reported to the Council that on December 11 and 12, he along with Associate Manager Cipriano Guerra, Bob MacDonald, Ed Davis and Howard Muir attended a Joint Development Strategy Seminar in New Orleans. It was sponsored by the City of New Orleans, Urban Studies Institute of L.S.U., and Xavier University. He stated that San Antonio was invited to the conference because of the national recognition we are receiving as a leader in the joint development effort in Central City.

Mr. Hunt stated that he has long been disappointed with our efforts to assist Vietnam veterans returning to civilian life. He stated that he is working with some other organizations to get something started. This would include a "Hot Line" service where a veteran can call in for a referral or counseling. This is being discussed jointly with other City-County-Federal agencies.

A. CASE 4800 - to rezone the north 370' of Arbitrary Tract F, NCB 13951, 6300 Block of Old Highway 90 West, from Temporary "R-1" Single Family Residential District to "B-3" Business District; the south 910.97' of Arbitrary Tract F, NCB 13951, 6300 Block of Old Highway 90 West, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District; Arbitrary Tract B, NCB 14268, 6200 Block of Castroville Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District.

The "B-3" and "I-1" zoning being located between Old Highway 90 West and U. S. Highway 90 West, being 2138.5' northeast and 1692.07' east of the cutback between Old Highway 90 West and U. S. Highway 90 West; having 746' on Highway 90 West, 737.67' on U. S. Highway 90 West and 1280.97' between these two highways. The "B-3" being the north 370' of Arbitrary Tract F and the "I-1" on the remaining portion of subject property.

Arbitrary Tract B, NCB 14268 is located between U. S. Highway 90 West and Castroville Road, approximately 350' east of the intersection of U. S. Highway 90 West and Castroville Road; having 738.74' on U. S. Highway 90 West, 528.7' on Castroville Road and a maximum distance of approximately 400' between these two roads.

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. Becker made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Naylor seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

AN ORDINANCE 41,585

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 370' OF ARBITRARY TRACT F, NCB 13951, 6300 BLOCK OF OLD HIGHWAY 90 WEST, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; THE SOUTH 910.97' OF ARBITRARY TRACT F, NCB 13951, 6300 BLOCK OF OLD HIGHWAY 90 WEST, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; AND ARBITRARY TRACT B, NCB 14268, 6200 BLOCK OF CASTROVILLE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

B. CASE 4804 - to rezone Lots 1, 2 and 3, NCB 1850, 1142 West Woodlawn Avenue, from "D" Apartment District to "B-1" Business District, located southeast of the intersection of West Woodlawn Avenue and Capitol Avenue; having 75' on West Woodlawn Avenue and 130' on Capitol Avenue.

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. Naylor 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: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Gatti; NAYS: None; ABSENT: Padilla.

AN ORDINANCE 41,586

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, 2, AND 3, NCB 1850, 1142 WEST WOODLAWN AVENUE, FROM "D" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

72-55 Mr. Frank Hill, on behalf of the Free Clinic, stated he wished to thank the Council for its action in rezoning the property in case No. 4804. He also thanked the Council for its past support and for the excellent reception given to the Executive Director of the Free Clinic, Sandra Nylander.

72-55 The Clerk read the following Ordinance:

AN ORDINANCE 41,587

AUTHORIZING THE ISSUANCE OF \$35,000,000 SAN ANTONIO ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, SERIES 1973, PAYABLE ONLY OUT OF REVENUES OF THE CITY ELECTRIC SYSTEM AND GAS SYSTEM PROPERTIES FOR THE PURPOSE OF EXTENDING AND IMPROVING THE ELECTRIC AND GAS SYSTEMS OF THE CITY, PROVIDING FOR A SEVENTH SUPPLEMENTAL INDENTURE COVERING AND MORTGAGING THE ELECTRIC SYSTEM AND GAS SYSTEM PROPERTIES OF THE CITY AND THE REVENUES THEREFROM TO SECURE SAID IMPROVEMENT BONDS ON A PARITY WITH THE PRESENTLY OUTSTANDING IMPROVEMENT BONDS AND IMPROVEMENT BONDS WHICH MAY BE

HEREAFTER ISSUED, ALL IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS AND PROVISIONS OF ARTICLE VIII OF THE TRUST INDENTURE DATED FEBRUARY 1, 1951, BETWEEN THE CITY AND HARRIS TRUST AND SAVINGS BANK AND F. O. MANN, TRUSTEES, AS AMENDED.

\* \* \* \*

Mr. Jack Locke, Chairman of the City Public Service Board, appeared before the Council and asked that the Ordinance be approved. He stated also that he wished to reiterate the Board's policy of complete cooperation with the City Council.

Mr. Padilla

Mr. Locke was questioned by Dr. Hilliard, Mr. Becker, and Mr. Mendoza concerning racial discrimination in the hiring practices of the Board.

Mr. Locke stated that he did not feel that there is discrimination that Board positions as well as other positions are filled on the basis of ability.

Mr. John Newman, a Board member, reviewed the activities of the Board in negotiating a new contract for gas service with Coastal States Pipeline Co. He also discussed the advance plans for uses of other fuels in an emergency.

(A complete transcript of this entire conversation is included with the papers of this meeting.)

After consideration, on motion of Mr. Hill, seconded by Mr. Mendoza, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

72-55 The Clerk read the following Ordinance:

AN ORDINANCE 41,588

PROVIDING FOR A NOTICE OF SALE AND THE TERMS AND CONDITIONS OF SALE OF \$35,000,000 CITY OF SAN ANTONIO ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, SERIES 1973.

\* \* \* \*

After consideration, on motion of Mr. Hill, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

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Mayor Gatti read a letter from Mr. T. O. Gravitt, Vice President of Southwestern Bell Telephone Company, requesting that a public hearing be held on December 21, 1972 to consider the company's request for a rate increase.

Mayor Gatti stated that if such a hearing were held it would not be an action meeting. It would be purely an informational meeting to give everyone who has an interest an opportunity to input their ideas both pro and con to the City Council.

After discussion, Mr. Naylor moved that a public hearing be held at the regular Council meeting of December 21, 1972. The motion was seconded by Mr. Mendoza, and carried by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

72-55 Mayor Gatti was obliged to leave the meeting and Mayor Pro-Tem Haberman presided.

72-55 CITIZENS TO BE HEARD

Mrs. Joanne Gutierrez, 1015 Chihuahua, took exception to a newspaper item which quoted Councilmen Becker and Padilla as being opposed to having a Mexican-American woman on the Council.

Mr. Padilla stated that the newspaper report was in error, and the reporter had admitted the error.

Mrs. Maria Dominguez, 250 Freiling, spoke to the Council and requested that a higher minimum wage be enacted so that increased utility rates and higher taxes can be paid.

72-55 Mayor Gatti returned to the meeting and presided.

72-55 APPOINTMENT OF MR. MANUEL H. CALDERON

Mayor Gatti stated that it was his pleasure to announce that he had been in contact with Mr. Manuel Calderon. Mr. Calderon had said that if the Council desired he would be very honored to fill the vacancy on the Council.

MR. PADILLA: Mr. Mayor, I would like to move at this time that this Council appoint Mr. Manuel Calderon as a replacement for our beloved and departed Gilbert Garza. Does the Clerk have an ordinance? I would like to make a motion in any case.

The motion was seconded by Mrs. Haberman, and on the following roll call vote the following Ordinance was passed and approved: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 41,589

APPOINTING MANUEL H. CALDERON A MEMBER  
OF THE CITY COUNCIL, PLACE NO. 6,  
EFFECTIVE DECEMBER 14, 1972.

\* \* \* \*

72-55 Mrs. Helen Dutmer, 739 McKinley, made reference to the five criteria required for approval of a variance by the Board of Adjustment. She stated she would like an interpretation of what is meant by "welfare and convenience of citizens."

City Attorney Howard Walker advised Mrs. Dutmer that the Board of Adjustment must make a finding of fact. If she does not agree with the Board's findings, then the courts will interpret the law.

There being no further business to come before the Council, the meeting adjourned at 12:50 P. M.

A P P R O V E D

  
M A Y O R

ATTEST:

  
C i t y C l e r k

CITY COUNCIL MEETING  
December 14, 1972

\* \* \* \*

Transcript of the conversation regarding Council approval of the request of the City Public Service Board for permission to issue \$35 million Revenue Bonds.

72-55 The Clerk read the following ordinance:

AN ORDINANCE #41,587

AUTHORIZING THE ISSUANCE OF \$35,000,000 SAN ANTONIO ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, SERIES 1973, PAYABLE ONLY OUT OF REVENUES OF THE CITY ELECTRIC SYSTEM AND GAS SYSTEM PROPERTIES FOR THE PURPOSE OF EXTENDING AND IMPROVING THE ELECTRIC AND GAS SYSTEMS OF THE CITY, PROVIDING FOR A SEVENTH SUPPLEMENTAL INDENTURE COVERING AND MORTGAGING THE ELECTIC SYSTEM AND GAS SYSTEM PROPERTIES OF THE CITY AND THE REVENUE THEREFROM TO SECURE SAID IMPROVEMENT BONDS ON A PARITY WITH THE PRESENTLY OUTSTANDING IMPROVEMENT BONDS AND IMPROVEMENT BONDS WHICH MAY BE HEREAFTER ISSUED, ALL IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS AND PROVISIONS OF ARTICLE VIII OF THE TRUST INDENTURE DATED FEBRUARY 1, 1951, BETWEEN THE CITY AND HARRIS TRUST AND SAVINGS BANK AND F.O. MANN, TRUSTEES, AS AMENDED.

MR. JACK LOCKE: Mr. Mayor and members of the Council, I am Jack Locke, Chairman of the City Public Service Board.

The matter of these bonds has been presented to you here before, and you have received all of the statistics and information concerning them. I'll not go into the statistics unless someone should have some questions to ask about them, but I would like to just make a few remarks.

First, from reading the newspapers and possibly other sources, the impression might be that the City Public Service Board was operating sort of at cross purposes with the City Council. I want to assure you that such is not the case. The City Public Service Board was established about 30 years ago when the City bought the utility system, and it was thought advantageous at that time to have the utilities operated by a separate and independent board so that the operation could be entirely free of any political influence. Utilities have been operated that way ever since; and I assure you that, to the best of my knowledge, they have always been operated without any political influence entering into it whatever. The members of the board are citizens of San Antonio like you gentlemen. I assure you that we on the board are as interested in the City of San Antonio in general as any person on this Council.

We would not be asking you, in fact, we have no incentive to issue bonds unless they are necessary; and we would not be asking you to authorize them unless they were. Now, actually, these bonds are nothing but the routine financing of the operations of the system-principally the construction operations. They are issued in the same way that all other utilities finance their operations and in the same way that your utilities has financed its operations ever since it was organized.

Our statistical department and accounting department has made the projections that show that it is absolutely necessary that these bonds be issued, that without the money from these bonds we would not be able to meet our commitments over the next two years. We have confidence in our, those people in our organization, and we agree with them that it is absolutely necessary that the bonds be issued. It's not discretionary matter, it's a necessity.

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Now, some question has been raised as to whether or not it's necessary to issue them at this time. Our projections show that it is necessary that we will not be able to go through the next fiscal year and meet our obligations in the absence of the money from these bonds. Now, those projections during the nearly nine years I've been on the board have always been substantially correct, and we think they're correct now. But, if by chance, they were in error and, if by chance and good luck we should succeed in going through next year without needing to use the money from the bonds, I still say that it would be no mistake to issue them now. When the bonds are issued and the money is collected, we put the money in the bank at interest. In every other bond issue that we have had, when we put the money in the bank, the bank always paid us a better rate of interest on the deposit than we had to pay on the bonds. So, as an actual fact, in every instance we have made money on the bond money that we carried in the banks. So, we feel that it's certainly much better to be safe than sorry, and we can see no reason why this very august body would hesitate to approve the bonds. Now, if there's any question that anyone has, I'd be glad to try to answer them.

DOCTOR HILLIARD: Thank you, Mr. Locke. I've been a little concerned on the Council about this particular Board being unresponsive. One thing that concerns me is that it is a self-perpetuating Board. It is the only utility Board that appoints its own members. The Council appoints the Water Board members, the Transit Board members. The CPSB appoints its own replacement which has the effect of keeping it as a closed clique which I am opposed to. You say you have been in existence for 30 years, yet in only four out of the 30 years have you had a Mexican-American on the Board. You are the only major Board in the City that has never had a Black on it. I have been concerned whether this Board actually represents the citizens of San Antonio. I think it should be changed so the Council appoints this Board if it is a City-owned utility.

MR. LOCKE: Doctor Hilliard, all I can say to that is this. That the Board only has four appointed members. The business is a very important one, a very technical one, involving many aspects. It has always been, I might say, that the members of the Board are not interested in anything except in furnishing the best gas and electrical service to the citizens of the City in the most economical manner. What we have always tried to do is to elect the most competent people we can find to the Board, and we never have felt that there was any racial issue involved in the matter at all. It's a business organization. Actually, we are trying to run an efficient business and we merely try to select the most competent people in the City that we can get to serve on the Board, and that's the way it's set up and that's the way it's been. We haven't endeavored to appoint them on a racial basis because there is not room to do very much with four Board members. We try just to appoint the best people we can find. That's the way it's set up.

MR. MENDOZA: Mr. Mayor. The only point I'd like to make, Mr. Locke, is the fact that, of course, the Texas law does delegate the rate making, of course, of the public utilities to the City Council. Now, I think it's very important that we mention that fact. You know, I realize that it is a autonomous Board, but I think it's very important to recognize the fact that the City Council has the responsibility of adjusting, increasing, or what have you, the rate increase.

MR. LOCKE: That's correct. The Council must approve all the rates, all the rate changes.

MR. PADILLA: Mr. Locke, it is true that for many years we didn't have a Mexican-American and it is also true that in the last two or three years we do have a Mexican-American member of the Board. I think you'll agree with me he's been entirely competent and that the Public Service Board hasn't been hurt in any way. However, there are jobs at the Public Service Board even today where all the people of this community cannot compete on an equal basis. I'll point one out for you for as an example. I'm sure you'll agree that it wouldn't hurt efficiency of the Public Service Board at all to have a Mexican-American lineman or Black lineman. And, for whatever your reasons, you haven't been able to get that done yet.

MR. LOCKE: I think we have some helpers who perhaps will qualify.

MR. PADILLA: I'm well aware that you have a lot of helpers, Mr. Locke.

MR. LOCKE: I can only say again, there, that it's a highly technical business and we endeavor to not discriminate in any way. I might say one more thing in reference to what Doctor Hilliard said. Of course, the purpose of making the Board self-perpetuating was strictly for the purpose of keeping it out of politics. In other words, if you have members appointed by the Council, when the Council administration changes, they have a different outlook and they put different people on. The people on the Board are bound to be effected by the political situation. They are appointees of one particular Council. The effort in creating the Board was to put people on there that would not be influenced politically in any way but would only attend to the business of the utility.

DOCTOR HILLIARD: I still say that you should be affected by it because we are elected by the people. We are elected by the citizens to run the business of the City. We have the confidence of the electorate to do this. Therefore, we have the mandate from the people to (inaudible). You should be responsive. You should be appointed for about six years or so, so they won't be changed every two years--every time a Council goes off. I think they should have a longer term but not just change from year to year. I think you should be responsive because we must be responsive to the people.

MR. LOCKE: Well, Doctor, in any case, that's the way it's set up now. Nothing we can do about it right now.

MRS. HABERMAN: Mr. Mayor, I appreciate all of the comments made here, but may I go back to the merits or demerits of the proposed issuance of the bonds. As we understand it from the citizenry, that we have either one alternative or another; either the issuance of the bonds or rate increase. Is this your public statement?

MR. LOCKE: That's correct. Yes, Ma'am. We have to have the money and there are only two ways to raise it.

MR. BECKER: Mr. Locke, I appreciate your position here today. I don't exactly envy you being before the Council here with many people having many statements to make and myself included. As you know, I've been a certain amount of opposition since I've been on the City Council. My main concern has been in two areas or three.

One--the gas contract. The renewal of it, the guarantee of a supply of gas for the City of San Antonio. As I stated at the very outset of any discussions I've ever had with regard to this matter, that it didn't make any difference to me whether it was Humble, Texas, Tenneco, Gulf, Texas Eastern, Lone Star, whoever it was, the only thing I was concerned with was the consumation of a gas contract for as long a period of time as is possible, for as equitable terms and rates and conditions as possible, everything being in the interest of the City. I have to assume that the negotiations with the present suppliers are proceeding at a, in a forth-right manner, and we will be able to look forward, hopefully, to the conclusion of those negotiations with an assured supply of gas for the City.

Now, I appreciate the fact about the nuclear power plant. I appreciate the fact that the City Public Service Board has a responsibility and they are charged with the responsibility of seeing that this community, this city of ours has adequate source of energy. Now, whether it be nuclear, solar, hydrogen, or anything else, the only questions I've ever asked is that we not become so mesmerized by the usage of the word nuclear that we become blinded by its promises and possibilities and not proceed with the business at hand which is, in my opinion, the execution of some contract with some gas supplier because we know there are many advantages in the usage of gas over nuclear. Now, the Secretary of the Interior, Mr. Morton Rogers, was on television the other morning on Chanel 4 on the TODAY program; and, during an interview in Washington, he happened to state that

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this country was largely, if not almost solely, dependent upon the usage of fossil fuels, gas, coal, and oil. Often, too, and going beyond the year 2000, that there would be intermittent formulation of nuclear power plants, perhaps throughout the United States that would attempt to augment the tremendous demands that we have. Hopefully, he said, that solar would be included or any other type of a process in order for this nation to be supplied with energy. That is one thing that I am extremely concerned with.

Two. You and Mr. Newman I see sitting back there and what other staff there is here from Public Service. I don't know if Mr. Deeley, yes, there's Mr. Deely, have noticed today that all of our business here, every Thursday, for the magnanimous sum of \$20 a week, we're undressed and denuded publicly every Thursday here on the matter of bidding on all the items that the City purchases, on the conduct of affairs within the City, on various appointments, or whatever. Now, I don't say that everything that the City does is transacted here every Thursday because I don't think we could spend enough time here to oversee, personally, everything that occurs, but the willingness and the very idea that's embodied in doing it here with an audience out there is one of the things that I am also desirous to see happen not only at Public Service but the Water Board or the Transit System or any other agency that in my very limited opinion of the matter, perhaps, determines or says that these agencies actually, in fact, do belong to the people, the citizens, the taxpayers, and so forth.

So, consideration of those various points would perhaps not only please me greatly but I think the citizenry as a whole in the City of San Antonio. The willingness to conduct the affairs on a public basis. There are no secrets. There is nothing to hide. Then why not do it out in the open where everybody can witness the current of events just as this audience does here every Thursday. I think it would be most helpful, I think it would be most wholesome, and I think it would show an evidence of good faith on the part of any agency or even indeed this own City Council down here, you know, so with the preamble I just have to state it, I don't get a chance to see you very often and particularly under these circumstances. You're fortunate enough not to appear over here every Thursday, so when you are here I must confess that I seize upon the opportunity. I hope I've done it in a gentlemanly fashion, however, I attempt to do that at all times.

MR. LOCKE: Mr. Becker, as far as the gas contract is concerned, I assure you that we've been in constant negotiations with Coastal States which is our only supplier, and the proceedings have gone far enough to where they have actually tentative contracts have been drawn but not yet agreed upon, still worked on, and to where we believe that some character of contract is going to be worked out. As far as the assurance of getting a supply of gas is concerned, I don't think we can promise that because we just don't know whether it's going to be available or not, but in time we expect to get a contract in which the supplier contracts to supply it to us and that's just as far as we can go on that. Now, how soon we get it, I don't know, but there's been a lot of progress made and it looks like we will finally come up with one.

Now, on that other matter, of course, we have just one meeting a week. That meeting is open to the public and anyone is welcome to come. Most of the things we do are routine because we don't have quite the broad spread of activities as the Council does, but the transactions that we take for the company are taken at that meeting. That's the only time that we approve anything and everyone is welcome to come.

MR. BECKER: We appreciate that.

MR. HILL: Mr. Mayor, I move passage of the ordinance.

MR. PADILLA: I second the motion.

MAYOR GATTI: Call the roll.

AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Naylor, Padilla, Gatti;  
NAYS: None; ABSENT: None.

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MR. BECKER: Did John Newman have something to say with regard to the gas contract?

MR. LOCKE: I would like to thank the Council very much, and I assure you that the Board wishes at all times to cooperate with the Council in every way and any problems you have we would like to hear about them. You realize, as I said, that we are just as interested in the good of the City of San Antonio as anyone on this Council.

MR. BECKER: Mr. Locke, may I make mention of one thing before you leave. There are several other things that this Council, I think, is interested in greatly. One is developing some semblance of cooperation between the various agencies as well as the City. A planned commonality of computer usage. It would possibly save the taxpayers two or three million dollars a year. I don't know. What I'm trying to say is that the Water Board, the City, the Transit Authority, and the City Public Service Board all ultimately and hopefully, not after I'm dead and buried or the rest of us here, would be on one common computer and effect these savings for the taxpayers and the citizens of the City. Another thing is a willingness to work in the areas of fringe benefits for health insurance, hospitalization insurance, various things amongst all of the various agencies hopefully in an attempt to bring about a reduction in cost of those policies per individual. A pooling of purchasing departments--not for the steam turbines or the highly technical equipment over there, but such common things as the nuts, bolts, and screws of everyday usage, stationary, and stuff like that. It goes on and on and on. I think the sooner we work toward this end in all sincerity, I think the benefits that are going to accrue to every citizen and to the City as a whole will be realized and will be most worthwhile. In other words, instead of pulling apart that we try to work together and that's the only thing any of us have an interest in, I hope.

MR. LOCKE: I understand that we've had a committee on the computer business which has been meeting--the last time I heard about nine times on it and I think everyone agrees that it is a matter that will take a long time to work out, but they do have that in mind. On all other things, we wish, whenever there is any chance of arriving at any economy in operations, we are going to be for just what you say.

MRS. HABERMAN: Mr. Newman, did you wish to say something?

MR. JOHN NEWMAN: I just want to address myself for a minute to the situation regarding our gas supply here in San Antonio. First of all, we are trying and have been working renegotiating a contract--amending our contract--with Coastal States Gas, but I want to call your attention to this fact. We use 10% of the gas that Coastal States sells. In order for us to assure our supply down the line, we cannot just unilaterally raise our price and have the other 90% stay at the same base.

Our thought was when we started into this quite some time ago to work with the City of Austin. We are working with them real closely and Southern Union Gas and Lower Colorado River Authority. The whole idea is that after we arrive at what we find will be a satisfactory agreement and satisfactory to Coastal--and, believe me, for it to be an agreement that is worthwhile it must be fair to both. There is no question in my mind about that. We must then go before the Railroad Commission. Now we have been in front of the Railroad Commission and we have told them exactly what we are telling you folks here today. We want them then to exercise the jurisdiction that they are supposed to exercise over the public utility which indeed is a monopoly.

Please believe me when I say there is no place else to go. We are going to be served by Coastal States or we are not going to be served at all. There is no other transmission company in the business that has the gas with which they can serve us.

The next thing, looking down the line, we are going to have to supplement the present gas with oil. Presently, we are spot buying oil.

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We can't continue that for certain. Now I do want to say with great pride that your Board of Trustees at City Public Service Board moved in July when it was pretty warm to fill up our storage. Here is where we are today. We are the only city in the State of Texas to have a sufficient supply of oil to where we could run for a total of nine days on oil alone. Compare where we are with where Austin is. They have 1.4 days. Let's take the Lower Colorado River Authority; they have but one day. Dallas and Houston are in a like predicament.

Of course, Houston is being furnished by Houston Light and Power and Houston Natural Gas. Both of those companies have a far better deliverability factor than does Coastal States. This is the reason we have had four curtailments since November 7th this year.

Looking down the line and speaking, Charles, of nuclear. Believe me when I say that we don't think that nuclear power is the panacea. We think it is something that must be looked at. We also think, for example, if we are going to have to look real carefully at coal. In this regard, we have got the best company in the business in John Boyd and Associates from Pittsburgh working on a coal study for us that will be completed by the middle of January. I am not joking when I say that we will eventually end up burning coal, oil, gas, possibly nuclear--but there are many things in the nuclear area that remain to be answered. For example, let's take right now. They are building a breather reactor in the TVA. It is my understanding on darn good authority that they are going to have to have a major break through before they can complete it. In other words, they don't really have a blueprint of exactly how it is all going to be, even though they are starting it. But, if we were to start a nuclear plant tomorrow--say we had the go ahead--from the date of construction, eight to nine years. There is an enormous gap between now and then, so we believe we might as well prepare for the eventuality of coal here long before that.

I want to just say that as far as my personal experience is concerned in working with this Board, and I'm not exaggerating it when I say that I believe it has taken not less than 40 to 50 percent of my time since I got on it just addressing my attention to the fuel part. I have never dealt with a group of people more cooperative. I've never worked with management that I had higher regard for. It's been in this respect a most pleasurable experience. One thing that I'm most anxious that we do is that we have an opportunity to get together--not in a meeting like this--but to get together and I asked Jack Locke with his permission I would like to have a luncheon in January where all of us could meet, say--you know Charles over in the St. Anthony--Jack with your approval, of course. We can just sit down and have a visit and tell you what it is we are doing and how we feel. You know, we are not fat cats sitting in a back room cutting up a hog.

MAYOR GATTI: John, I really want to thank you for this presentation. You know we've talked about this for a long while. Someone mentioned about an autonomous board. When the vacancy came on the Board, I was most interested in getting John Newman to serve on the Board, and the Board agreed. I think it's one of the greatest contributions that has ever been made. I know John has been working more than 40% of his time on this. He is knowledgeable and I think that the citizens of San Antonio are going to benefit from the tremendous job that he has done; and, I want to thank you personally, John.

MR. NEWMAN: Well, I'll tell you. We are working together. It's not just me. I am real proud of one thing and that is that we foresaw the short fall this winter. Believe me, when I say that we did not believe it would come in November. We thought January. It really surprised us when we looked up on November 7th, but thank goodness we were ready. Incidentally, we are presently constructing two additional tanks that will have in excess of 225,000 barrels each. We will be tripling our storage supply and this will be the first tank will be completed in February. This is being done on a crash program so we can fill them this summer. At any rate we're getting with it. Thank you all very much.

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