

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 25, 1976.

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The meeting was called to order at 9:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: PYNDUS, BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN, COCKRELL; Absent: NONE.

76-14 The invocation was given by The Reverend Claude W. Black.

76-14 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

76-14 The minutes of the meeting of March 18, 1976 were approved.

76-14 GOVERNMENT CLASS FROM CENTRAL CATHOLIC

Mayor Cockrell recognized and welcomed a government class from Central Catholic High School who were visiting the Council meeting.

76-14 JUNIOR AMERICAN CITIZENS CLUB WEEK PROCLAMATION

Mayor Cockrell read a Proclamation designating the week of April 1 - 8, 1976 to be "Junior American Citizens Club Week" in San Antonio. She then presented the Proclamation to Master David Ellis, Randolph Elementary School; Miss Belinda Ann Arevalo, Travis Elementary School; Miss Becky Stanfield, Randolph Elementary School; Mrs. Don Dixon, San Antonio de Bejar D.A.R. Junior American Citizens Club Chairman; and Mrs. Paul Stanfield, Alamo Chapter D.A.R. Junior American Citizens Club Chairman.

Each of the children then personally thanked the Mayor and City Council for the Proclamation and gave each Council Member a pin making them Honorary Junior American Citizen Club members.

The Council members expressed their appreciation and commended the Junior American Citizen Clubs for their efforts.

76-14 SETTING OF 1975-76 TAX RATE

The Clerk read the following Ordinance:

AN ORDINANCE 46,430

LEVYING AN AD VALOREM TAX FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF SAN ANTONIO; LEVYING A TAX TO PAY THE INTEREST ON THE FUNDED DEBT OF SAID CITY; AND TO CREATE A SINKING FUND THEREFOR; AND FIXING THE TAX RATE AT \$1.65 PER \$100.00 OF VALUATION, ALL SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JUNE 1, 1975 AND ENDING MAY 31, 1976.

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CITY MANAGER SAM GRANATA: Mayor and Council, I have a prepared statement to make on this item. If I may please, the tax roll for the tax year June 1, 1975 through May 31, 1976 has been prepared and certified by the Tax Assessor and Board of Equalization. This tax roll totals \$2,235,265,060. Additionally, a supplemental tax roll consisting of 3,406 parcels is currently being processed by the Board of Equalization and will be certified when the work is completed. This supplemental roll is estimated to total \$168,163,950 for a combined tax roll of \$2,403,429,010. As a result of the Tax Reappraisal Program and normal growth, the market value of real property has increased from \$2.6 billion to \$4.8 billion. Since the goal of the reappraisal project was to equalize taxes and not to increase revenues, we are recommending a reduction of the tax rate from \$1.89 per \$100 assessed valuation to \$1.65 and a reduction of the assessed ratio from 60% of market value to 45%. Based on the certified tax roll and the supplemental roll to be issued, collections for the general fund are estimated to be \$35,690,061. Compared to the current budget of \$35,456,105, which is based on the recommended tax rate, collections should be \$234,000 over the budget.

Prior to recommending a tax rate each year we prepare a detailed analysis of each revenue source and departmental operating cost elements in order to reassess our financial position. This analysis is based upon six months actual history and a projection of revenues and expenditures for the remaining six months of the current fiscal year. This analysis is attached for your review.

Based on the recommended tax rate and our analysis of other revenue sources, we expect the general fund to end the year with a fund balance of \$2,200,000 compared to the budgeted fund balance of \$1,500,000. We expect revenues of \$102,875,092 and expenditures of \$102,942,892. In summary, the major changes in the general fund revenue position are as follows:

Property taxes up \$234,000 over the budget
 Sales Taxes are up \$1,159,709
 Recovery of prior years expenditures are up
 \$2,255,874 (This is unexpected revenue from the
 state for street lighting reimbursements and a
 return of some of the Transit subsidy).
 Revenue from CPS is down by \$1.0 million

Over the year, we experienced inflation and other unforeseen increases to total \$1.8 million. These increases were for the following items:

Gas and electric	\$490,000
Data processing	\$421,000
Maintenance of Equipment	\$218,000
Chilled water charges	\$191,000
Jail fees	\$175,000
Fuel	\$160,000
Street and building materials	\$127,000
Medical supplies (EMS)	\$ 15,000
Miscellaneous	\$ 41,644

This increase in cost was partially offset by departmental savings of \$1.2 million from economy measures that we have taken throughout the fiscal year. These economy measures include placing a hiring freeze on employee positions that have become vacant through attrition during the year, freezing merit pay increases, holding of capital outlay items that were approved in the budget, reducing overtime to a minimum, and other cost savings or cost avoidance measures implemented in the various departmental operations. It should be noted that we have taken positive action to reduce departmental operating costs to the absolute limit without affecting the level of services rendered.

As directed by the Council, we have held capital outlay purchases thus far. The general fund budget includes \$988,215 for such purchases, and it is now my intention to release some items. We assure the Council that discretion will be used in determining which items shall be released during the balance of the year. Included in the expenditure estimates for the balance of the year is the entire \$988,215 for capital outlay and any amount not expended would increase the estimated \$2,200,000 ending balance.

Should there be any questions from the City Council regarding the City's financial position, Mr. Carl White will be glad to answer them.

Exhibit #1

GENERAL FUND
REVENUE

	FISCAL YEAR	FISCAL YEAR 1975-76		TOTAL
	1974-75	1ST 6 MONTHS	2ND 6 MONTHS	
	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ESTIMATED</u>	
<u>AVAILABLE FUNDS</u>				
Beginning Balance	\$ 3,251,554			\$ 2,279,747
<u>Revenue</u>				
City Sales Tax	18,102,997	\$ 7,555,056	\$ 10,754,618	18,309,674
Liquor by the Drink Tax	373,364	208,970	241,030	450,000
Current Property Taxes	26,223,638	-0-	28,641,423	28,641,423
Delinquent Property Taxes	1,759,714	1,957,468	518,973	2,476,441
Penalty and Interest on				
Delinquent Taxes	260,826	204,334	95,666	300,000
Judgements	16,720	5,206	16,754	21,960
Business and Franchise Taxes	1,046,036	26,832	1,707,365	1,734,197
Licenses and Permits	1,202,816	697,861	938,002	1,635,863
City Public Service Board	27,369,663	14,983,415	15,733,585	30,717,000
City Water Board	380,876	224,700	205,300	430,000
Other Agencies - Bexar				
County	281,440	120,871	171,207	292,078
Charges for Current Services				
Hemisfair Plaza	787,195	385,145	521,810	906,955
Convention Facilities	847,896	417,177	627,923	1,045,100
Municipal Enterprises	109,356	55,711	79,855	135,566
Other Charges for Current				
Services	5,958,124	3,059,159	3,152,613	6,211,772
Fines	2,056,422	1,172,028	1,017,062	2,189,090
Use of Money and Property	417,533	128,159	192,406	320,565
Other Revenue				
Sale of Property	229,489	102,082	118,063	220,145
Recovery of Expenditures	671,225	1,370,456	1,130,118	2,500,574
Contributions from other				
Agencies	68,207	17,916	35,084	53,000
Miscellaneous	9,317	8,780	16,220	25,000
<u>Total Revenue</u>	\$ 88,172,854	\$32,701,326	\$ 65,915,077	\$ 98,616,403
Transfers from other Funds	2,531,679	1,594,066	2,664,623	4,258,689
<u>Total Revenue and Transfers</u>	\$ 90,704,533	\$34,295,392	\$ 68,579,700	\$102,875,092
<u>TOTAL AVAILABLE FUNDS</u>	<u>\$ 93,956,087</u>			<u>\$105,154,839</u>

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Exhibit #2

GENERAL FUND
APPROPRIATIONS

	FISCAL YEAR	FISCAL YEAR 1975-76		TOTAL
	1974-75 ACTUAL	1ST 6 MONTHS ACTUAL	2ND 6 MONTHS ESTIMATED	
<u>APPROPRIATIONS</u>				
<u>Departmental Appropriations</u>				
Mayor and Council	\$ 77,740	\$ 69,996	\$ 44,579	\$ 114,575
City Clerk	257,621	95,784	76,276	172,060
Library	2,005,527	1,165,072	1,035,928	2,201,000
City Manager	152,627	74,263	84,157	158,420
Legal	619,227	310,008	352,262	662,270
Finance	3,135,749	2,088,800	2,006,000	4,094,800
Personnel	1,088,400	451,131	476,269	927,400
Purchasing	168,514	85,129	94,471	179,600
Police	20,807,528	11,810,404	12,479,996	24,290,400
Fire	12,353,338	7,988,667	8,964,853	16,953,520
Public Works	18,157,506	9,683,137	9,822,128	19,505,265
Parks and Recreation	6,402,343	3,387,700	3,894,185	7,281,885
Bldg. and Planning Admin.	1,446,284	719,423	765,082	1,484,505
Traffic and Transportation	1,513,645	801,359	866,601	1,667,960
Health-SAMHD	4,264,680	2,347,466	2,474,549	4,822,015
Human Resources	845,626	466,533	524,507	991,040
Civil Defense	128,396	60,341	69,034	129,375
Convention Facilities	1,526,783	869,726	897,224	1,766,950
Hemisfair Plaza	1,184,108	646,601	612,449	1,259,050
R.O.W. Acquisition and Land	137,700	73,893	81,907	155,800
Planning and Community Development	434,595	197,570	214,175	411,745
Market and Parking	146,384	96,456	123,679	220,135
Equal Employment Opportunity	152,263	79,358	81,442	160,800
<u>Total Departmental Appropriations</u>	<u>\$ 77,006,584</u>	<u>\$43,568,817</u>	<u>\$46,041,753</u>	<u>\$ 89,610,570</u>
<u>Other Appropriations</u>				
Special Projects	\$ 4,118,741			\$ 900,088
Non Departmental Contributions to other Agencies	5,213,566			5,965,888
Transfers to Other Funds	2,227,150			3,775,750
	3,110,299			2,690,596
<u>Total Other Appropriations</u>	<u>\$ 14,669,756</u>			<u>\$ 13,332,322</u>
<u>Total Operating Appropriations</u>	<u>\$ 91,676,340</u>			<u>\$102,942,892</u>
<u>OPENING BALANCE</u>	<u>\$ 2,279,747</u>			<u>\$ 2,211,947</u>

MAYOR LILA COCKRELL: Mr. White, I would like for you to comment generally. We are operating this year with a different total appraisal value. We are operating with a different ratio of assessment and we are operating with a proposed tax rate that is different from what we have had before. Overall, on an average, would you comment on what the total income from this package of the appraisal, the assessment and the tax rate is compared to what would have been anticipated due to the normal growth under the old tax rate. What I am getting at is, does this level of tax rate and assessment rate, in effect, make a tax increase or is it holding the line at about the same level that we have had in the past on an average?

MR. CARL WHITE: Madam Mayor, to answer that question, we did not include any increase in the budget, normal increase, over and above what we would normally expect from just the growth of the City and, well, that's all it would be, just normal growth. So there is no increase in here from property tax. Now, what I would like to do if the Council so desires, I have put in front of you an updated study. The reason this was late, we had to wait for the certified tax roll. Now what this does and let me go through this with you because I think this will be interesting. It will show the effect that the reappraisal program has on all properties in San Antonio, all classes of property.

So, with that, the first few pages are a narrative description of the study. On page 8, let me walk you through the study and we will go back to anything you like to discuss further. On page 8, this is the conversion table that indicates the amount of the assessed value, the amount of increase in assessed value that a person would have to have before a tax increase or before any additional money is paid by that particular taxpayer. What this shows is the assessed valuation would have to increase 53 percent before there would be one penny of additional tax paid to the City. His assessments would have to increase 53 percent

MAYOR COCKRELL: Assessments or appraisals? Either appraisals or the assessed valuations.

MR. WHITE: Assessed valuations. Assessed valuations would have to increase 53 percent before there would be a penny and it goes right on through the list. All right, the next section gets into this co-efficient which measures the ability to pay of the various property owners in San Antonio in the various census tracts. Now, I won't take your time to go through each census tract but if you will look at pages 12 through - there are about 20 pages here on each census tracts. It shows the variation in each census tract. The coefficient out there, the ability to pay, if that is 1.00, that means the taxpayer is not paying any additional amounts to the City as.....

MAYOR COCKRELL: Excuse me, going back to your last statement though, I still think there is a difference. On that page 8 up at the top it says the percentage change in tax to percent change in market value. Isn't it the market value not the assessed value?

MR. WHITE: No madam. That's right, that is the market value. His valuation would have to go up 53 percent before there would be any increase in taxes.

MAYOR COCKRELL: And the market value is the appraised value?

MR. WHITE: No, that is 100 percent.

(SOMEONE SPEAKING)

MR. PHIL PYNDUS: Give me an example, with a \$50,000 market value house. Give me an example.

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MR. WHITE: All right, if it was \$50,000 under the old tax roll or the tax roll last year it would have to be approximately, a little over \$75,000 now for there to be any increase in taxes.

MAYOR COCKRELL: On the assessed list or on the appraised list?

MR. WHITE: On the value.

MAYOR COCKRELL: Okay. Mr. Billa.

MR. BOB BILLA: People's valuations have been raised, that would in fact reduce the assessed valuation and decrease the tax rate. Well that would amount to nearly 50 percent. Mayor, I would like to say this if I may, we are always getting wound up in these long discussions. I think this City ought to go on a simplified valuation basis. Have 100 percent market value be the assessed value of that property and have a tax rate of a realistic tax rate of 62 or 64 cents. I know we can't do it this year, the notices have gone out but I wish this Council would give consideration and have 100 percent market value so that people will know what they are paying in taxes and not put all these mathematical computations in there to confuse people. Then telling them we have, you know, a low tax rate.

MAYOR COCKRELL: Mr. White. What is your feeling about the 100 percent assessment assessed valuation and the lower tax rate?

MR. WHITE: Well, before I answer that, let me relate a little history here that Councilman Billa is not familiar with because this

MR. BILLA: Well, I am because the State requires it. It's part of the State tax, so I think we did have a lower tax rate

MR. WHITE: Well, well, I think that did have an affect but the Taxpayers League went before the previous City Council and made an appeal or made a request that the assessment ratio be lowered. Their feeling, I think, if I can paraphrase what they said, they felt that if we didn't lower the assessment ratio that they apparently didn't have faith in future City Councils maintaining a low tax rate. It would be too much, it would be too easy to increase taxes. That was their argument.

(SEVERAL PEOPLE SPEAKING)

MR. WHITE: Now strictly from a financial viewpoint, and this is the question I want to address, because from strictly a financial analysis viewpoint, the City of San Antonio would be better off with a 100 percent assessments based on a 100 percent and a low tax rate because the rating agencies look at the City's capability. It would increase the legal debt margin. The City would have the ability to issue many, many more bonds than we could even hope to pay for them

CITY MANAGER GRANATA: We could go to \$2.50 tax rate.

MR. WHITE: And you would have a lower tax rate. So you would have a lot of flexibility there. So from the rating agencies' viewpoint, it would benefit the City to do that.

MAYOR COCKRELL: All right, yes, Dr. Nielsen.

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DR. NIELSEN: Except that finally, you know, there is only so much water in the trough and you have got to, in terms of bonds and the capital, you have got to have maintenance and operation costs over years and years and years to in fact keep up maintaining many of the capital improvements projects. Not all of them necessarily, but many of them do have M & O and unless you have got the revenues continually increasing, you know, there is a point when it does not work.

CITY MANAGER GRANATA: And also, Carl, as you pass more bonds, your debt services go up, you would have to raise your tax rate again.

MAYOR COCKRELL: All right, then are there questions, Mr. Pyndus.

MR. PYNDUS: Yes, I feel like the biggest rubber stamp in town asking to approve the tax rate and Carl, what I am trying to consolidate in my mind regardless of the reduction in assessment valuation, regardless of the reduction of the percentages that we are trying to charge and tax rate itself, what is the revenue that we received from the tax picture this year and what was the revenue last year?

MR. WHITE: All right. You asked this question earlier and I have gone back five years. Let me tell you what the increases have been in the total taxes. In '71-'72 the total tax roll or collections were \$24,595,000. In '72-'73 there were \$26,811,000. That's an increase of....

MAYOR COCKRELL: What was that, excuse me

MR. WHITE: \$26,800,000. An increase of \$2.2 million that one year. The next year it went from \$26.8 to \$30.4 million, that was \$3.6 million increase. The next year it went from \$30.4 to \$32.4 or \$2.1 million.

MR. PYNDUS: This is '74-'75?

MR. WHITE: That is '73-'74 to '74-'75. '74-'75 to '75-'76 went to \$32.4 to \$35.6 or \$3.2.

MR. PYNDUS: What is it now?

MR. WHITE: Well it has gone from, it went from \$2.2, \$3.6, \$2.1, \$3.2.

MR. PYNDUS: What we actually see here, that we are taking in more tax than we did last year.

MR. WHITE: Well, certainly we are. Because the City grows. We got new homes, new buildings, we got

MR. PYNDUS: If we stayed within the budget of \$32.4 million, we could reduce taxes and revenues taken in of \$3 million.

MR. WHITE: No sir. We are staying within the budget now. It takes \$35.4 million to stay within our budget right now, to meet our budget today. Now, there has been some confusion I think. We are really talking about the current year budget. We are not talking about next year's budget.

CITY MANAGER GRANATA: That's right.

MR. WHITE: We have already gone through seven months this year.

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CITY MANAGER GRANATA: The previous Council directed

MR. PYNDUS: When we projected the budget last year and approved it, what was the estimated revenue that we had counted on in that budget of \$120 some odd million.

MR. WHITE: \$35.4 million.

MR. PYNDUS: And it came out exactly?

MR. WHITE: No sir, it came out \$234,000 over.

MAYOR COCKRELL: Mr. Hartman.

MR. GLEN HARTMAN: In addition to growth, what we are dealing with is the old inflation factor which affects everything. In other words, in terms of, we still have the same factor involved here that we do throughout the economy. Isn't that right Carl? We show percentage-wise how does the inflation rate, you know, within our tax spectrum relate to or compare to the national inflation index. Any difference really? In other words, percentage-wise.

MR. WHITE: This is about a 5 percent increase in taxes.

MR. HARTMAN: And national inflation rate is about seven so we are actually 2 point under that.

MAYOR COCKRELL: Mr. Rohde.

MR. AL ROHDE: Carl, the question I'm interested in is to the individual taxpayer. This is not in any way a tax increase from this year to the next year, is it?

MR. WHITE: It is not. Look at page 30.

MR. ROHDE: I'm taking your word for it.

MAYOR COCKRELL: I think we should clarify the fact that in the re-appraisal program there were some properties which had been judged to have been under-assessed or under-appraised in the past which were raised. So in individual cases, there may be increases but over the average, right.

MR. WHITE: Shift between classes and if you look at page 30, you'll see the effect.

MR. ROHDE: Right. I just wanted to make sure that

MR. WHITE: There is a shift between business properties and the residential properties are picking up some of the shift

MR. ROHDE: Do they give up a little surplus in this?

MAYOR COCKRELL: All right. Mr. Pyndus, I believe was next

MR. PYNDUS: The point that I was trying to make was that we have other revenues on our overall budget - this just represents \$35 million. I'm wondering if the revenues from the other sources have increased too. I'm trying to capitalize the entire budget and stabilize it and here we have increased funds coming in and I'm wondering if we have increased funds on the other revenue such as the sales tax, such as City Public Service

MR. WHITE: Yes sir, and they were in the Manager's letter

CITY MANAGER GRANATA: Look at the attachment - look at the attachment of my statement.

MR. WHITE: Letter attached to the Manager's report that he just read to you is a recapitulation of the financial picture - the general fund - the financial picture of the general fund, the revenues and expenditures. They're attached to your report there and we've got actual revenues for six months. We've estimated the balance of the remaining six months and if you will look at the schedule there, it will show you the increases - where the increases are and so forth. But what we're saying here is, yes, we have had some increases. The sales tax for example is up about a million dollars over what we budgeted.

MAYOR COCKRELL: On the other hand, we've had a decrease of a million dollars in the projected income of CPS.

MR. WHITE: That's correct.

CITY MANAGER GRANATA: And inflation went up \$1.8 million.

MR. WHITE: So we've just had those increases. Those are increases of revenue, we've had increases in expenditures. When we prepare a budget we just simply cannot foresee these things.

MR. PYNDUS: My final point is, Carl, that we have been unable to control the rising utility bills that everyone is being charged with and so to counter that or to work on the surplus in the City's till to reduce the bill through City action, my thought was that we could control the City budget a little bit more tighter as the Mayor suggested and tighten our belts so as to reduce the City budget and use some of these funds to apply against the high utilities. This is my concern and I just feel that to receive this in a five minute period. I know we've been under stress because of the reappraisal program but it's very difficult to, you know, there's nothing (inaudible) to go with it.

MR. WHITE: The only thing I can say there is we apologize for the lateness of this thing but let me tell you this. The certified tax roll was not run until last night. That's how late we were getting this thing done. The Board of Equalization hearings lasted through Friday, we worked Saturday, we worked Monday, Monday night, Tuesday night

MR. PYNDUS: I want to congratulate you. I know that

MR. WHITE: To get the thing done. So that's the kind of schedule we had to live with

MR. PYNDUS: Thank you. I realize that.

MAYOR COCKRELL: I believe Reverend Black was next.

REVEREND BLACK: I suppose the only thing I know about taxes is paying them. I don't understand a whole lot about taxes so I'd like for you to turn to page 15 because I've checked off some matters here that concerns me. You will check off that census tract 1302, 1304, 1305, 1306, 1307, any study would show that the higher - it has a very high level of unemployment in that particular area. Now the interesting thing that I find that I can't quite understand is that the percentage of change, if I understand it right, like in 1302 is 36 percent, with the median income of the people in that area of some \$4,800, this is the median income.

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The tax burden is 1.72, you see. Now what I cannot understand in this highly unemployed - in this area with high unemployment, with rate deterioration, with tremendous low median income is now finding itself with a greater burden of tax responsibility and on what basis do we have like 36 percent change, 38 percent change in those particular areas? It seems to me that - I don't know who comes up with this kind of figures but they don't jive with what I see in the community. I don't understand because you see, if you're going on this and if you relate the burden to the median income, many of these people are going to have their property on that list you got out there in the hall and those persons have struggled for years to try to maintain those homes because you see the burden increase on it.

CITY MANAGER GRANATA: Well, that was the purpose of dropping the tax rate from \$1.89 to \$1.69.

MR. WHITE: Well, the only thing I can say there is this - this report is just designed to do one thing and that's to show the results. We did not - this was the reappraisal program and I don't know whether it's equitable or not

CITY MANAGER GRANATA: It doesn't equate income

REVEREND BLACK: I'm not charging - you gave me a chance to make this matter public and so that somebody will start looking at it.

MR. WHITE: On page 33 if you look at the map there, I think you will see this map is on page 33 here. Yeah, that's the tax in relation to the income. That's their ability to pay.

DR. CISNEROS: In other words, the total tax as a percentage.

MR. WHITE: As a percentage of their income, yes.

REVEREND BLACK: Which means that some of them are pretty high.

MR. WHITE: This map is north with the binders up here, this is north, you're looking north with this and you'll notice the black areas is the areas where we see the highest percentage of increase - the larger increase. You'll see the 410 properties there blacker than the other properties. This is a different picture than what we showed you back last July when we first ran this report. Now we're showing you the changes that were made not only by the City Board of Equalization but the County Board of Equalization to the CCS program. We think we have a better tax roll now and more fair and equal and I think this report will bear that out.

REVEREND BLACK: Well, that's the problem I have with this whether or not there is equity in this. I'm not challenging your report other than the fact that I just wondered whether or not there is equity as I look at it and try to understand the report, this is the thing that concerns me.

DR. CISNEROS: Madam Mayor, I questioned - I had a lot of questions early this summer on this same matter as we first began to talk about approximate total valuation and the approximate rates and etc. to be utilized and what I discovered in that investigation wasn't a pretty discovery. It wasn't something that pleased me but what I discovered was that because it had been so long since some of the older areas of the City had been appraised in some instances, going back 20 years.

MR. WHITE: 1953.

DR. CISNEROS: And newer areas that were just being built, say a house built ten years ago was appraised at the value of it ten years ago whereas the older house hadn't been appraised for 20 years so that when the new appraisal came through and began to look at values and the implications were that some of the older neighborhoods which happened to be also some of the poorer neighborhoods in San Antonio were hit worse by the increases. I think, however, there is some telling things that is useful to us as a policymaking nature here and that is that the property tax in the final analysis is not a progressive tax, it has many characteristics of being a regressive tax. So when we want to think about making policy sometimes and tilting to one source of revenue or another, I think we would do well to recognize that property tax has that attribute that it is a regressive tax.

MR. HARTMAN: Just a thought, my point is that the options with regard to regressive versus progressive taxes are pretty slim, that's the only option we have are regressive taxes insofar as sources. But, well, in revenue sharing that's regressive against Uncle Sam versus the City of San Antonio. But I'd like to make one point with regard, just to ask a question, Carl, I think maybe the answer you were about to give may tie in with this. There has been quite a bit of discussion about the Loop 410 so-called versus inner city imbalance. Now some of the examples that were cited were extremely extreme to say the least. I just have a general question of where are we now with regard to coming this way, I mean what is the general, you know, figure that general comparison if you will of the land value assessment Loop 410 versus central city

MR. WHITE: Well, I think it will take the Board of Equalization one more year. They have made a giant step in that direction to equalize taxes. They have brought properties up - you know, they were selling for 3 and 4 times what they were on the tax rolls out on 410 and around the Loop and so forth in other areas of the City. Whereas the downtown properties were on the tax rolls at greater than the value. So what the Board has done has made at least a step in this direction. They have lowered some of the downtown property and increased some of the properties on the fringes that sales and everything indicate the values out there are in line with what they had them on the tax rolls then.

MR. HARTMAN: Carl, are you telling me then that within a year there should be equity

CITY MANAGER GRANATA: Full equity. Closer equity.

MR. HARTMAN: Closer equity. I don't know the exact words. Legal counsel always puts in that - qualifier you're saying within reasonable equity let's use that word, by next year between the Loop 410 and downtown.

MR. WHITE: Yes sir.

CITY MANAGER GRANATA: That was one purpose for asking you to recon-
tinue this BOE so that it could follow up, yes sir.

MAYOR COCKRELL: Yes, I think Dr. Nielsen and then Mr. Rohde.

DR. NIELSEN: Well, looking relatively at your chart on page 8 in terms of percent change and market value, almost all of these are over 50 percent and yet in looking at some of these other columns, I can't find a correlation between your chart on page 8 that 50 percent is the point at which you would then start paying more taxes because here on page 14 on census tract 1211, percent change and market value, 69 percent and yet it amounted to 11 percent change, I don't know where 53 and 69 equal 11. I just can't figure it out.

MR. WHITE: That's not the percents, that's in dollars. On page 11 you're talking about?

DR. NIELSEN: No, I just picked page 14, I don't care what page we're on.

MR. WHITE: I think we're getting dollars and percentages maybe

DR. NIELSEN: The first one, 1211.

MR. WHITE: 1211 yes, the percent change 11 percent, the average change in tax in that census tract is \$22.34.

MR. HARTMAN: Well, but the change of market value is 69 percent, isn't that what you were talking about?

DR. NIELSEN: Yes, I just don't understand what that has to do with your basic statement at 53 percent of increased market value then begins to pay more. For instance on 1213

CITY MANAGER GRANATA: You're paying 16 percent.

DR. NIELSEN: I don't know anything about that one. That one is less and they're paying less.

DR. CISNEROS: Ford, if I may, the very one you picked out, I think, on page 14 the census tract 1211. If you will look at it, it says percent change in market value 69 percent and then percent change in total tax 11 percent. If you refer back to page 8 and look up on the right hand column of 69 the number that is adjacent to it on the other side is 11.

DR. NIELSEN: Oh, well, thank you, is that the way this chart works then?

MAYOR COCKRELL: Are there any other questions?

DR. CISNEROS: I have a question.

MAYOR COCKRELL: Yes, Dr. Cisneros.

DR. CISNEROS: Page 30 if you would, Carl. This is just a question looking at the percent change in taxes which would be the third column from the left on page 30. Every group is increased. Residence is increased, apartments increased, offices increased, local retail increased, commercial, manufacture, except for business district. Can you explain what dynamic is at work there that would result in lower for that one particular group?

MR. WHITE: The business district?

DR. CISNEROS: Yes.

MR. WHITE: Yes, sir. This is primarily the downtown, this is the business district of downtown.

DR. CISNEROS: This is the result of this other arrangement between the CBD and the north

MR. WHITE: Yes sir.

MAYOR COCKRELL: Are there any other questions?

MR. PYNDUS: Mayor Cockrell.

MAYOR COCKRELL: All right, Mr. Pyndus.

MR. PYNDUS: I haven't had a chance to digest the report, Carl, but I was wondering what the personal property taxes brought in revenue wise.

MR. WHITE: Well, this is total taxes, this is real and personal now. I do not have a break down between real and personal but this is the total tax roll including personal.

MR. PYNDUS: You don't have a breakdown. It's in the main total.

MR. WHITE: Yes sir, it's in the coast.

MAYOR COCKRELL: I'd like to ask a question of the City Manager or ask him to do something. I notice in the items for which we have had expenditures in excess of what we originally anticipated that one of the items is data processing and I would like to ask the Manager to confer with the General Manager of the City Public Service and get the joint conference scheduled on an evaluation of the data processing alternatives and this is something that the Council had expressed interest in. I had brought this up at City Public Service Board, but we've not gotten that joint meeting scheduled. I think we need to have a presentation. The Council was not entirely satisfied with the decisions on that matter, and I think in view that this is an area where we are experiencing increased costs we need to take another look at that.

CITY MANAGER GRANATA: Carl, are you not chairman of that committee?

MR. WHITE: Well, the Mayor's Committee but this, I think, would be a different committee.

MAYOR COCKRELL: I think what we're talking about is the fact that the Council had expressed some dissatisfaction with the decision that was made by the City Public Service not to join in the joint program that had been recommended by the consultant. They have a position, they have reasons why they did that, however, I think the Council is due a full briefing and the opportunity to see the pros and cons and what their reasoning was, and let the Council evaluate that decision.

MR. WHITE: I might say that I agree with you one hundred percent. One of the reasons our data processing charges have increased is that we have just recently installed a bigger and larger computer over in our shop so we excess capacity, they have excess capacity.....

MAYOR COCKRELL: This is an area where the costs are continuing to escalate. We've paid a lot of money for our consultant's report. The Consultant's report has not been adopted by all the agencies involved, and I think the Council is due a briefing and an explanation and a right to ask questions on this.

MR. HARTMAN: Yes, as a matter of fact, there have been - I guess I have received two or three letters from different viewpoints with regard to the matter of consolidation versus non-consolidation citing the pros and cons either way, I feel a certain way with regard to normally the consolidation helps. There's been some pretty valid reasons raised apparently that there is, but I think mainly the Council needs to have a real good understanding or not necessarily understanding but at least an opportunity to see what those advantages and disadvantages are.

MAYOR COCKRELL: Yes, Mr. Black.

REVEREND BLACK: I'd just like to make a general statement that I think relates to what we're doing and certainly in a moment we will be asked to accept the tax structure. The thing that concerns me is the fact that we are concerned about whether or not we're going to get revenue sharing, we are concerned about the recurring funding of human services. While I look at this report, I see an increased burden upon people with low incomes to assume tax responsibility and then I look on a page like page 40 and I see the major tax payers of this City getting some kind and I'm not saying it's not inequitable. It could be very proper but the thing that concerns me is that I would not like to see this City subsidize out of human suffering. You see, this kind of pattern I think you're seeing a pattern that disregards human suffering

and we're talking about cutting back on recurring funding of human services. This is a false economy as far as I'm concerned because the City ultimately pays that price in terms of the breakdown in the community life in the total needs of the community. I think this City is going to have to face the fact that if it does not get revenue sharing that somehow it's going to have to deal with that in terms of its tax base regardless to how unpopular that is as a person running for election. I don't think you can continue to simply think in terms of tax advantages at the cost of human suffering. If revenue sharing does not come in, I think you're going to have to begin thinking about how do we absorb these needs with reference to the relationship that we have to our tax requirements. Now, that is to me a realistic approach. Now because ultimately it is going to cost us it's not a matter of whether or not, it's how you're going to pay it because people are not going to lay down and die. They're going to be here and they're going to cost you something in some way. So while I would go on record supporting this approach I certainly would like to just simply address as I look at this report that those persons certainly that are in less position to pay are finding themselves facing some difficulties while somehow those persons in a better position to pay are finding themselves with some advantages in this report.

MAYOR COCKRELL: Mr. Pyndus.

MR. PYNDUS: Mayor Cockrell, I feel that it should be pointed out particularly from a businessman's standpoint that there is an inequity with regards to our tax system in reverse to what you have mentioned. A businessman with inventory in this town is taxed his personal property, he's taxed by school districts on his inventory, he's taxed by the City, he's taxed by the hospital, he's taxed by the college and this tax is inequitable because only the business people suffer this tax. No one goes into your home as an individual and takes the count of your personal value and taxes it. This burden may not show here but it's most inequitable, and I think if we are to correct any of our tax direction with regards to personal taxation of property, personal property tax I think that area should be looked into. It's not as one sided as it might appear to you.

REVEREND BLACK: Well, I certainly appreciate the guidelines that you've given but I'm talking about the end product. I'm talking about where people suffer. I could care less about your explanation. What is the end product? How does the man come out? Where is he when life faces him when he's faced with a problem of living, of meeting the responsibility of living? What I'm saying is that we need to address that. I don't want to be inequitable toward the businessman, I'm simply saying that the way in which I see this report it is going to deal with some human suffering and we're going to subsidize the City's activity base and this is without regard for this human suffering.

MAYOR COCKRELL: All right, in other words, you are not stating that you're asking for any change in the basic approach to taxation. Aren't you saying that you want the City to address these other problems and not overlook the fact that

REVEREND BLACK: That's right and to recognize that it's soon going to have to bite the bullet in terms of the kind of tax rate that it sets up in order to subsidize those responsibilities. Otherwise it subsidizes the City out of human suffering.

MAYOR COCKRELL: I think the City Manager was next.

CITY MANAGER GRANATA: Madam Mayor and Council, if I read Reverend Black correctly I think just to be specific, for example, the nutritional programs will be phased if revenue sharing is phased they'll be phased out in December of '76. What I think he's saying is that these are the types of problems that he thinks then we're going to have to continue to begin to have funds to provide this type of service and the only way you can address it is through tax increase.

DR. NIELSEN: Out of the General Budget.

CITY MANAGER GRANATA: To address Phil, I think with Phil on the personal property, I think that that's by Constitution and statutory and I'll let legal talk about that.

MR. PYNDUS: Now I've like to reply to that please. If it's constitutional and statutory, it's not being done equally and equitably.

CITY ATTORNEY PARKER: Well, the thing is, Mr. Pyndus, that certain property within the household is by the Constitution excluded from taxation, so therefore, we couldn't tax them. But the other is not excluded, so then the Constitution says all other property shall be placed on the tax rolls which means that and none of it is based on any ability to pay. It's the ownership of the property that dictates the fact it is put on the

MAYOR COCKRELL: All right. Dr. Nielsen.

DR. NIELSEN: Madam Mayor, I understand and appreciate and concur in Claude's concern because, in fact, historic cities have not placed high priority on direct human services. It's just increasingly a problem. San Antonio has perhaps a bit of a unique problem that maybe some other cities don't have. One of the solid answers is what we spent an hour and a half on this morning. That's the whole question of economic development, sound planned balanced growth where as near as possible everybody gets a slice of the increased job opportunities, housing, industrial development, everything else. That may sound a little utopian, but I don't know of any other basic goal we can operate out of to offset the problem we have at the moment and how to resolve it.

MAYOR COCKRELL: All right, is there any other discussion on what is needed as a motion to approve?

DR. NIELSEN: I so move.

MR. ROHDE: I second it.

CITY MANAGER GRANATA: If I may, Mayor, if it makes you feel better and it's not so much rubber stamp, the previous Council was the one that instructed staff to base the current budget on 165 and 45 percent, and this is what we have tried to do. Now you will have all the input on the next budget on which we're working.

MAYOR COCKRELL: All right, there's a motion and a second for approval of the ordinance. Is there any further discussion? Mr. Pyndus.

MR. PYNDUS: I would like to commend the City staff on the work it has done.

DR. NIELSEN: Likewise.

MR. PYNDUS: I know that we had a lot of pressure. We had a lot of problems with our other re-appraisal program and I think they've worked under hardship and they put in some hours, and it should be recognized.

MAYOR COCKRELL: That comment is very appropriate. This has been one of the most difficult years, I'm sure, in that department.

DR. NIELSEN: Could we get some formal, in the next several weeks, thanks here in the Council to the Board of Equalization. I don't know whether they ever did it before or not, but to have them here and say thanks if nothing else.

MR. HARTMAN: I think that would be real appropriate.

MAYOR COCKRELL: Mr. Hartman.

MR. HARTMAN: Yes, I would certainly second Dr. Nielsen's recommendation on that because I think

CITY MANAGER GRANATA: As soon as we get out the supplemental roll.

MAYOR COCKRELL: All right, the Council could, if it desires, pass a resolution or have some formal recognition.

MR. PYNDUS: I'd like to see how many suits are being filed first.

MAYOR COCKRELL: All right, fine. It appears to be consensus. Now we have a motion and a second on the adoption of the ordinance.

On roll call the ordinance was adopted by the following vote:

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

76-14 The following Ordinance was read by the Clerk and explained by Mr. Carl White, Director of Finance, and after consideration, on motion of Dr. Cisneros, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde, Teniente.

AN ORDINANCE 46,431

REVISING CERTAIN LICENSE AND PERMIT FEES,
CHARGED BY THE CITY HEALTH DEPARTMENT.

* * * *

76-14 The following Ordinances were read by the Clerk and explained by Mr. Carl White, Director of Finance, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Hartman, Teniente.

AN ORDINANCE 46,432

AUTHORIZING WRITE-OFFS OF ACCOUNTS RECEIVABLE
TOTALING \$6,064.50 FOR SERVICES RENDERED BY
THE CITY EMERGENCY MEDICAL SERVICES DIVISION,
FIRE DEPARTMENT, IN ACCORDANCE WITH RECOMMEN-
DATIONS OF THE AMBULANCE REVIEW COMMITTEE.

* * * *

AN ORDINANCE 46,433

ADOPTING THE RECOMMENDATIONS OF THE TAX ERROR
BOARD OF REVIEW CONCERNING ERRORS ON THE TAX
ROLLS OF THE CITY OF SAN ANTONIO; AUTHORIZING
THE TAX ASSESSOR TO MAKE CORRECTIONS OF THESE
ERRORS, AND FURTHER AUTHORIZING THE CITY TREASURER
TO AMEND THE TAX ROLLS TO REFLECT THESE CORRECTIONS.

* * * *

76-14 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Teniente presided.

76-14 The Clerk read the following Ordinance:

AN ORDINANCE 46,434

ACCEPTING THE PROPOSAL OF HOWARD SCHULTZ &
ASSOCIATES, INC., TO PERFORM AN EXAMINATION
OF PAID INVOICES AND RELATED DOCUMENTS TO
IDENTIFY OVERPAYMENT TO VENDORS, IF ANY, FOR
A FEE BASED UPON 50% OF RECOVERIES.

* * * *

Mr. Carl White, Director of Finance, explained the proposed ordinance and recommended its approval.

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

Mr. Pyndus stated this was an excellent ordinance and asked that a copy of the ordinance, together with the Letter of Intent from Howard Schultz and Associates, Inc. be sent to the City Water Board, City Public Service Board, and the San Antonio Transit Board.

76-14 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. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Hartman, Cockrell.

AN ORDINANCE 46,435

ACCEPTING AWARD BY THE GOVERNOR'S OFFICE OF TRAFFIC SAFETY OF AN ADDITIONAL AMOUNT OF \$4,000.00 IN THE GRANT TO THE CITY TO SUPPORT ATTENDANCE BY TWO POLICE OFFICERS AT A NINE-MONTH COURSE IN TRAFFIC POLICE ADMINISTRATION AT NORTHWESTERN UNIVERSITY BEGINNING SEPTEMBER 11, 1975 AND AUTHORIZING REVISING THE PROJECT BUDGET FOR SAID AMOUNT.

* * * *

76-14 Mayor Cockrell returned to the meeting and presided.

76-14 The Clerk read the following Ordinance:

AN ORDINANCE 46,436

AUTHORIZING CONTINUATION OF THE TRAFFIC SAFETY PROGRAM ENTITLED SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) FOR THE PERIOD FROM FEBRUARY 1, 1976 TO JULY 31, 1976 AND APPROVING A COST OF \$67,185.03 THEREFOR; ACCEPTING A GRANT FROM THE GOVERNOR'S OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF \$33,592.52 FOR THE PROJECT, AUTHORIZING A CONTRIBUTION OF \$33,592.51 FROM THE GENERAL FUND; AND ESTABLISHING A FUND AND A BUDGET FOR THE PROJECT.

* * * *

Mr. Stewart Fischer, Director of Traffic and Transportation, explained that this ordinance is the approval of the continuation of six months funding from the Governor's Office of Traffic Safety. The City Council authorized the application in November of 1975. This program is administered through the Police Department.

To a question by Councilman Rohde, Mr. Fischer stated that his department is involved because the Office of the Traffic Safety Coordinator is under his department and it is through the Traffic Safety Coordinator that the grant applications are prepared. He said that the program is intended to go to those areas which show an unduly high accident area.

To a question by Mr. Pyndus, Mr. Fischer stated that the enforcement of the STEP program is entirely a City function but the State does help on some engineering aspects. He stated that this program is an effective part of the overall traffic safety effort.

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

76-14 The Clerk read the following Ordinance:

AN ORDINANCE 46,437

AUTHORIZING EXECUTION OF A CONTRACT WITH ROBERT C. MAXHAM FOR PROFESSIONAL SERVICES IN UPDATING AND PRODUCING AUDIO-VISUAL PRESENTATIONS PERTAINING TO TODAY'S ENERGY PROBLEMS, APPROPRIATING \$11,000.00 AND AUTHORIZING PAYMENT.

* * * *

Mr. Stewart Fischer, Director of Traffic and Transportation, explained that this proposed ordinance would serve to update an audio-visual presentation about carpooling under the Energy Conservation Program. Also a 17 minute audio-visual presentation would be prepared aimed and designed for the High School Drivers Education Audience. Bumper stickers would also be prepared. He recommended approval of this ordinance.

Mr. Pyndus stated that the City does not have an established approach to the energy conservation problem and asked that a review be made of the funds that are available and the direction the City would take with these funds so that there can be a concentrated publicized effort by the City for energy conservation, and asked that this item be withdrawn from consideration at this time.

Mr. Fischer stated that they would like to be ready with this film so it can be included in this September's school schedule. If not, they'll lose another school year.

Other Council members agreed that a need exists for a deeper study on all levels of energy conservation and asked Mr. Fischer to pursue this.

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

76-14 The following Ordinances were read by the Clerk and explained by Mr. Stewart Fischer, Director of Traffic and Transportation, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Black, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Rohde, Teniente.

AN ORDINANCE 46,438

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION SETTING THE RESPECTIVE RESPONSIBILITIES OF THE CITY AND THE STATE WITH REFERENCE TO CONSTRUCTION OF A LANDSCAPED PARKING AREA UNDER U. S. 90 NEAR HARRIMAN PLACE.

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AN ORDINANCE 46,439

CLOSING COUNTRY SQUARE STREET AT HASKINS
DRIVE TO TRAFFIC.

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AN ORDINANCE 46,440

AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONSTRUCTION AND MAINTENANCE AGREEMENT WITH
THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC
TRANSPORTATION COVERING THE WORK ON ZARZAMORA
STREET.

* * * *

AN ORDINANCE 46,441

AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONSTRUCTION AND MAINTENANCE AGREEMENT WITH
THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC
TRANSPORTATION COVERING THE WORK ON SAN
PEDRO AVENUE.

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76-14 The following Ordinances were read by the Clerk and explained
by Mr. Ron Darner, Director of Parks and Recreation, and after considera-
tion, on motion made and duly seconded, were each passed and approved
by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde,
Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 46,442

ACCEPTING THE LOW QUALIFIED BID OF VERTEX
CORPORATION IN THE AMOUNT OF \$94,313.00 FOR
CONSTRUCTION OF THE VIRGIL T. BLOSSOM PARK
PHASE I; AUTHORIZING THE CITY MANAGER TO
EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUC-
TION CONTRACT COVERING SAID CONSTRUCTION;
APPROPRIATING THE SUM OF \$101,434.00 IN FUND
41-010, PROJECT NO. 010049; AND AUTHORIZING
PAYMENT AS HEREIN PROVIDED.

* * * *

AN ORDINANCE 46,443

ACCEPTING THE BID OF MARTINEZ BROTHERS IN THE
AMOUNT OF \$70,940.00 FOR DEVELOPMENT OF THE
SPANISH GOVERNOR'S PALACE PARK SITE, AUTHORIZING
EXECUTION OF A PUBLIC WORKS CONSTRUCTION CONTRACT,
AUTHORIZING BUDGET REVISIONS, AUTHORIZING PAYMENT
AND PROVIDING FOR A MISCELLANEOUS CONTINGENCY
ACCOUNT AND PAYMENT OF ADDITIONAL ARCHITECTURAL
FEES.

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76-14 The following Ordinance was read by the Clerk and explained by Mr. Ron Darner, Director of Parks and Recreation, and after consideration, on motion of Mr. Rohde, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,444

ACCEPTING THE LOW BID OF FORGY CONSTRUCTION COMPANY IN THE AMOUNT OF \$54,521.00 FOR CONSTRUCTION OF THE BANDSTAND FOR THE DEL ALAMO DOWNTOWN MALL, AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT, APPROPRIATING FUNDS, AUTHORIZING PAYMENT, AND PROVIDING A CONTINGENCY ACCOUNT.

* * * *

76-14

KUDOS TO RON DARNER

Councilman Rohde commended Mr. Darner on the tree planting program. He also said that a tree had been planted yesterday in memory of the late City Clerk Mr. Jake Inselmann at the Northside Stadium. Mrs. Inselmann and her son, Jack were present.

76-14 The following Ordinance was read by the Clerk and explained by Mr. Edward Garcia, Veterans Coordinator, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,445

AUTHORIZING SUBMISSION TO THE U. S. DEPARTMENT OF LABOR OF MODIFICATION NO. 6 TO THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT, TITLE VI, EMERGENCY JOBS PROGRAM.

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76-14 The following Ordinances were read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,446

AUTHORIZING THE PAYMENT OF \$58,600.00 TO THE SAN ANTONIO RIVER AUTHORITY AS LOCAL INTEREST COST FOR UNIT 5-3 ON THE APACHE CREEK PROJECT.

* * * *

AN ORDINANCE 46,447

AUTHORIZING TERMINATION OF THE PROFESSIONAL SERVICES CONTRACT WITH JESSE R. ARIAS, JR., & ASSOCIATES FOR ENGINEERING SERVICES ON THE PINE STREET DRAINAGE PROJECT 15-A UPON COMPLETION OF THE PRELIMINARY PHASE; AND AUTHORIZING ASSIGNMENT OF THE BALANCE (DESIGN AND CONSTRUCTION PHASES) OF SAID CONTRACT TO HOWARD W. GADDIS, P.E., CONSULTING ENGINEER; AND FURTHER AUTHORIZING PAYMENT OF THE UNEXPENDED BALANCE APPROPRIATED IN ORDINANCE #44601, DATED NOVEMBER 14, 1974 AS HEREIN PROVIDED.

* * * *

76-14

REVIEW OF WOODS OF SHAVANO, UNIT 6 SUBDIVISION

Mr. Mel Sueltenfuss, Director of Public Works, stated that this is a review of the Woods of Shavano, Unit 6, plat. The City Council has been furnished with the pertinent data as well as with a master plan. All the provisions of the Texas Water Quality Board have been met.

The Council took note of the proposed replat.

76-14 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Dr. Nielsen, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,448

ASSURING THE SAN ANTONIO RIVER AUTHORITY THAT THE CITY OF SAN ANTONIO WILL FUND THE LOCAL INTEREST PORTION FOR THE CONSTRUCTION OF UNIT 6-1, EAST FORK MARTINEZ CREEK, SAN ANTONIO CHANNEL IMPROVEMENT PROJECT, TO BE CONSTRUCTED BY THE CORPS OF ENGINEERS.

* * * *

76-14BRUSH PICK-UP

Councilman Pyndus asked Mr. Mel Sueltenfuss if reprogrammed funds could be used to purchase vehicles in combination with the manpower available through CETA funds to provide better brush pick-up.

Mr. Sueltenfuss said that CETA funds cannot be used for anything except labor, and that no grabber was included in the budget. There are recommendations to alleviate the problem of brush pick-up.

Mayor Cockrell asked that this be evaluated.

City Manager Granata said that brush pick-up has always been a problem and from the beginning brush pick-up has gotten worse and worse. He suggested that eventually fees may have to be charged for this type of service.

76-14 The following Ordinance was read by the Clerk and explained by Mr. W. S. Clark, Director of Land Acquisition and Right-of-Way, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,449

REPEALING SECTION 2, SUB-SECTION "A" OF ORDINANCE NUMBER 46273 OF JANUARY 29, 1976, AND ACCEPTING A REFUND FROM FIRST AMERICAN TITLE COMPANY IN THE AMOUNT OF \$6,750.00.

* * * *

The Clerk read the following Ordinance:

AN ORDINANCE 46,450

APPROPRIATING THE SUM OF \$21,521.00 OUT OF VARIOUS FUNDS, FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS OVER CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

* * * *

Mr. W. S. Clark, Director of Land Acquisition and Right-of-Way, explained this ordinance which appropriates the funds and authorizes the purchase of the various parcels needed in all of the City's Right-of-Way programs. They are all either at appraisal or by dedication.

Mr. Pyndus asked if the appraised value could be included in the ordinance.

Mr. Clark said that if a large purchase comes up, he'll make a special notation in the ordinance.

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

76-14 The following ordinances were read by the Clerk and explained by Mr. W. S. Clark, Director of Land Acquisition and Right-of-Way, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,451

CLOSING AND ABANDONING PORTIONS OF COMAL, LEAL & SALADO STREETS AND AN ALLEY, AND AUTHORIZING A QUITCLAIM DEED TO SAN ANTONIO DEVELOPMENT AGENCY FOR THE CONSIDERATION OF \$1.00.

* * * *

AN ORDINANCE 46,452

CLOSING AND ABANDONING AN ALLEY BETWEEN NOGALITOS AND GRAEBNER STREETS, AND AUTHORIZING A QUITCLAIM DEED TO HEATH ENTERPRISES, INC. FOR THE CONSIDERATION OF \$900.00.

* * * *

76-14 The following Ordinance was read by the Clerk and explained by City Attorney Jim Parker, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,453

APPROPRIATING THE SUM OF FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS AND AUTHORIZING THE PAYMENT OF ALL COURT COSTS OUT OF

FUND NO. 62-009, INDEX CODE 430504, IN FULL"
AND FINAL SETTLEMENT OF PLAINTIFF'S CLAIMS
IN DAMAGE SUIT CAUSE NO. 74CI-406, IN THE
57TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY,
TEXAS, STYLED DAVID E. GEORGE VS. CITY OF
SAN ANTONIO.

* * * *

76-14 The following Resolution was read by the Clerk and explained by City Attorney Jim Parker, and after consideration, on motion of Dr. Nielsen, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

A RESOLUTION
NO. 76-14-19

REQUESTING THE STATE HIGHWAY AND PUBLIC
TRANSPORTATION COMMISSION TO DECLARE
CERTAIN PORTIONS OF AN EXISTING DRAINAGE
CHANNEL EASEMENT APPURTENANT TO FARM TO
MARKET ROAD 2696 IN THE CITY OF SAN
ANTONIO SURPLUS TO THE NEEDS OF THE STATE
AND TO EFFECT THE RELEASE OF SAID PORTIONS
TO THE OWNER OF THE FEE IN THE LAND.

* * * *

76-14 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Teniente presided.

76-14 The following Ordinance was read by the Clerk and explained by Police Chief Emil Peters, and after consideration, on motion of Mr. Rohde, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 46,454

AUTHORIZING SUBMISSION OF AN APPLICATION
TO THE CRIMINAL JUSTICE DIVISION OF THE
GOVERNOR'S OFFICE FOR A GRANT IN THE AMOUNT
OF \$108,000.00 FOR PURCHASE OF THE FINAL
PHASE OF THE POLICE COMMUNICATIONS CLOSED
CIRCUIT TELEVISION SYSTEM.

* * * *

76-14 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 46,455

ACCEPTING THE LOW QUALIFIED BID OF BUTE
COLORIZER PAINT DIST. INC. TO FURNISH THE
CITY WITH SWIMMING POOL PAINT FOR A NET
TOTAL OF \$3,882.40.

* * * *

AN ORDINANCE 46,456

ACCEPTING THE LOW QUALIFIED BID OF TEXAS SCENIC CO., INC. TO FURNISH THE CITY WITH STAGE CURTAINS FOR A TOTAL OF \$12,447.00, LESS 1% - 10 DAYS.

* * * *

AN ORDINANCE 46,457

AUTHORIZING THE PAYMENT OF \$5,128.00 TO BURGESS POWER EQUIPMENT FOR PARTS FOR THE BAGGAGE CONVEYOR SYSTEM AT SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

76-14 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 46,458

AUTHORIZING THE PURCHASE OF A 1976 EDITION OF DUN'S MARKET IDENTIFIERS FOR THE SAN ANTONIO PUBLIC LIBRARY FOR \$3,322.60.

* * * *

AN ORDINANCE 46,459

AUTHORIZING THE PURCHASE OF 16MM FILMS, FROM VARIOUS SUPPLIERS, FOR THE SAN ANTONIO PUBLIC LIBRARY, DISTRICT 10, FOR A TOTAL OF \$62,304.48.

* * * *

AN ORDINANCE 46,460

ACCEPTING THE LOW QUALIFIED BID OF ACTION COMMUNICATION SYSTEMS, INC. TO FURNISH THE CITY WITH A SYSTEM MONITOR FOR A NET TOTAL OF \$23,945.00.

* * * *

76-14 The meeting recessed for lunch at 12:00 Noon and reconvened at 1:40 P. M.

76-14 CITIZENS TO BE HEARD
FORUM FOR HOMOSEXUALS

The following persons appeared in opposition to the use of tax money and federal funds in the form of a grant by the American Issues Forum to the Forward Foundation for a seminar to be held in San Antonio on April 30 - May 1, 1976 titled "Gay in San Antonio, a Sense of Belonging":

Mrs. Mary Hicks representing the W's and Eagle Forum
Mrs. Janie Koenig, 815 Afterglow Street
Mrs. Susie Crowley representing the Council of Catholic Women

Mrs. F. M. Bravo representing Women for Constitutional Government
 Mr. R. E. Kingston, 5405 Prue Road
 Mrs. Hattie Pool representing Citizens for Decency
 Mrs. Joyce Hendrix, Past President of Northwest Republican Women's Club, District 26, Director of Texas Federation of Republican Women

They objected also to the use of the Bicentennial insignia on the conference program and asked that both local and national Bicentennial Boards be advised so that permission for its use will be withdrawn.

They also requested the City Council to prepare a resolution opposing the use of tax money to sponsor this seminar, and a letter be sent to President Ford expressing this opposition.

Mayor Cockrell stated that the usual procedure would be followed, and the Council will take the matter under advisement and give consideration to their request.

MR. BROCK HUFFMAN

Mr. Brock Huffman, attorney for the San Antonio Wrecker Service, appeared before the Council. He said that he wanted to defend his client against allegations made at a "B" session on March 4, 1976.

Mayor Pro-Tem Teniente stated that the subcommittee has not finished with the full discussion of the towing service and he asked Mr. Huffman to come back and discuss this matter with more time at a subcommittee meeting.

Mr. John Brooks, Director of Purchasing, stated that the matter of freedom of choice was discussed during a "B" session. The present contract with the San Antonio Wrecker Service was extended another 90 days, and the City is now ready to start taking bids. Mr. Brooks also recommended that another subcommittee meeting be held.

After discussion, it was agreed that Mr. Huffman would meet with the subcommittee at its next meeting.

AIRPORT PROPERTY OWNERS

The following persons spoke regarding the freeze imposed on their property around the airport. They asked that the City advise them about the future plans for this area.

Mrs. Billie Armstrong Shaw, 11226 Coker Loop
 Mr. Curtis Klein, Garden Road
 Mr. Ewell New, 11206 Coker Loop

Mayor Cockrell asked the City Manager and his staff to prepare a reply for next week's meeting.

MR. STEPHAN HARVESTY

Mr. Stephan Harvesty read a prepared statement demanding the dismissal of the entire City Public Service Board. He said that Mayor Cockrell has joined in with the other CPS Board members. He criticized the recent Energy Symposium sponsored by the City Public Service Board as being rigged by Mayor Cockrell and the CPS Board.

Mr. Harvesty asked that a People's Conference on Energy be held in the same assembly hall at no charge. (A copy of Mr. Harvesty's prepared statement is filed with the papers of this meeting.)

DR. HERMAN LEVINE

Dr. Herman Levine stated that the recent Energy Symposium that was held was an insult to the citizens of San Antonio. He said that it was a one-sided pro-nuclear view. Dr. Levine also mentioned that nuclear reactors are unsafe and will present an economic hardship to the people of San Antonio.

DR. ARTHUR TAMPLIN

Dr. Arthur Tamplin read from a prepared statement. Dr. Tamplin stated that in his opinion nuclear power does not represent an alternative but something that should be a last resort. He also said that the technology of nuclear plants are untested and dangerous. He said that the major source of energy lies in energy conservation. Also, the development of solar energy is not way out in the future.

To a question by Councilman Billa, Dr. Tamplin stated that in his opinion the City Council is making a mistake if it goes with nuclear power. He said that the Council should take a serious look at other means of energy. (A copy of Dr. Tamplin's statement is included with the papers of this meeting.)

76-14 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Teniente presided.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley Avenue, stated that she has been having trouble with a leak in the water meter. It has been determined that the leak is not in her side of the property and has been trying to get the Water Board to do something about it. Mrs. Dutmer stated that she has already paid a plumbing bill of \$53.00. She has been trying to contact Mr. Robert Van Dyke, General Manager of the City Water Board, with no success.

Mayor Pro-Tem Teniente asked that Mr. Joe Madison of the City Manager's office call Mr. Van Dyke and bring it to his attention.

MR. KENT MILLER

Mr. Kent Miller, San Antonio Urban Council, stated that the San Antonio Urban Council runs a day-care center at Victoria Courts. It was discovered that the City Code for nursery school and day care centers requires 50 square feet per child. The State Department of Welfare and H.E.W. guidelines require only 35 square feet per child. He stated that he would like to re-introduce the item of amending the minimum space requirements. He gave the Council copies of a proposed ordinance and asked that this ordinance be favorably considered.

Mr. George Vann, Director of Building and Planning Administration, stated that staff work has been done on this matter and can present a report at any time to the Council.

Mr. Hartman asked that this matter be referred back to staff for further review and report back to Council.

City Manager Granata stated that this matter will be placed as a "B" session item in two weeks for discussion by the Council.

MRS. RUTH WOODWARD

Mrs. Ruth Woodward stated that they still have received no definite reply to their inquiries about bus service from the San Antonio Transit System.

Rev. Black asked that a representative of the Transit System be present at the next session of the City Council and give some explanation as to why these people who are facing such hardships cannot have transportation in their area.

City Manager Granata stated that he would contact the Transit System and invite a representative to be present.

76-14 Mayor Cockrell returned to the meeting and presided.

MR. TOM FANCHER

Mr. Tom Fancher stated that he has been involved for about a year and a half in an effort to do something dramatic and effective in downtown San Antonio by using a public right-of-way. He had plans for a downtown mall and would like to present architectural drawings to the Council in the near future.

Mayor Cockrell asked that a written proposal outlining the scope of his plans and what permission he needs from the City be submitted through the staff. The staff will then review it and report to the Council.

MR. BOB BRISCHETTO

Mr. Bob Brischetto, Chairperson of the local chapter of the American Civil Liberties Union, stated they had received a complaint from an individual applying for a City position. This individual was asked to sign a blanket release authorization form. This form gives the City unlimited access to information not at all related to job qualifications. (A copy of Mr. Brischetto's statement is included with the papers of this meeting.)

Mr. Brischetto stated that the Board of Directors of the San Antonio A.C.L.U. is concerned that possible abuses might occur from such an all-inclusive release authorization form. They are also concerned that this form may violate privacy rights.

Mr. Brischetto asked that City Council remove the blanket information waiver or at least replace it with one which specifically identifies the source from which the information is to be sought and the nature of the information that is to be gathered.

Mayor Cockrell asked for staff review as well as a legal opinion about the validity of the procedure and the Personnel Director's point of view.

MR. GERALD W. FLANAGAN

Mr. Gerald W. Flanagan related his experience with the contract wrecker service which the City has. Mr. Flanagan stated that the City has inadvertently set up a monopoly whose fees are not competitive. He said that a citizen has a right to make a decision as to what service he wants to use.

Mayor Pro-Tem Teniente said that a subcommittee has been meeting on this matter and are working on a possible revision of the wrecker contract which would then allow citizens to call the wrecker of their choice; otherwise, the contract wrecker with the City would be called.

MR. LANNY SINKIN

Mr. Lanny Sinkin, Aquifer Protection Association, asked that the City Council pass a resolution requesting the Board of Trustees of the Northside Independent School District to delay the construction of a new high school for one year until the new aquifer study and master planning option study are completed. He asked that this resolution be placed on next week's agenda.

Mayor Cockrell stated the usual procedure will be used. She asked Mr. Sinkin to leave the suggestion in writing with each Council member so that they can review it.

MR. TREY ELLISON

Mr. Trey Ellison, student at U.T.S.A., stated that the City Council should begin to think about solar energy from an economic standpoint and warned of the dangers of nuclear plants.

76-14 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 46,461

ACCEPTING THE LOW QUALIFIED BID OF WEST TEXAS STONE COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH DRYDEN STONE FOR A NET TOTAL OF \$26,040.00.

* * * *

AN ORDINANCE 46,462

AUTHORIZING A ONE YEAR EXTENSION OF THE CONTRACT FOR THE SALE OF SEWAGE SLUDGE WITH MARK B. GRIMM.

* * * *

76-14 The Clerk read a proposed ordinance accepting the low qualified bid of Universal Video, Inc. to furnish the City of San Antonio with a large screen closed circuit television system for a total of \$122,240.00, less 1% - 10 days.

Mr. John Brooks, Director of Purchasing, explained that there were two bids received for this item. One bid was submitted by Midwest Tele-Communications in the amount of \$97,781.00. One bid was received from Universal Video in the amount of \$122,240.00. He pointed out that the low bid received from Midwest Tele-Communications was reviewed by the Purchasing staff and the Legal staff as to whether it met the bid conditions. It was determined that the bid conditions were not met by the low bidder in two areas. First, they did not submit certain technical data, and second, they signed only one copy of the bid. The Police Department also reviewed the bids from the technical standpoint and the low bidder did not submit the detailed information as required in the bid. Accordingly, the low bid was declared disqualified. They recommended acceptance of the bid submitted by Universal Video.

Mr. Terry S. Muncey, President of Midwest Tele-Communications Corporation, spoke to the Council regarding this matter. He said that he had voiced his objections to the bid to the Police Department and also by telephone to the Purchasing Department. He reviewed in some detail his reasons for objecting to the disqualification of his bid.

After some discussion, Mayor Cockrell said that she could see that this was going to be a rather complicated and lengthy discussion and it would be her recommendation that a subcommittee be appointed to confer with the bidders as well as with representatives of the Police Department and Purchasing Department and make their recommendations to the City Council.

Mr. Pyndus moved that the Mayor's recommendation that a subcommittee be appointed be approved. The motion was seconded by Mr. Hartman.

Mayor Cockrell said that she would announce the appointment of a subcommittee soon.

Item 44 was withdrawn from consideration at this time.

76-14 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 46,463

REAPPOINTING MS. BARBARA BANKER, MR. ROBERT L. DUNN, AND MR. WESLEY REED; AND APPOINTING MRS. BEVERLY BLOUNT AND JAMES W. SAUNDERS TO THE URBAN RENEWAL AGENCY FOR A TWO YEAR TERM EXPIRING MARCH 19, 1978.

* * * *

Mr. Saunders is replacing Mr. Lloyd Jary.
Mrs. Blount is replacing Mrs. Virginia McCall.

* * * *

AN ORDINANCE 46,464

PERMITTING ALAMO FIREWORKS INC. TO CONDUCT A FIREWORKS DISPLAY ADJACENT TO THE McCRELESS CENTER PARKING LOT, ON APRIL 1, 1976.

* * * *

76-14 The Council recessed at 3:55 P. M. and reconvened at 5:20 P. M.

76-14 RESTRUCTURING OF PLANNING AND ZONING COMMISSION AND REGROUPING OF CITY DEPARTMENTS

The following discussion took place:

CITY ATTORNEY JAMES PARKER: These were the series of the 28 through 34 which are more or less all interconnected. In this area, if the Council recalls, the Manager made certain suggestions as to the restaffing and regrouping of certain City departments and in conjunction with that there was the consensus of the Council to divide the Planning and Zoning Commission into two separate commissions. This is resulted in bringing to you today the series of six ordinances that are all inter-related in that area.

The ordinance that is scheduled as ordinance number 28 is the one which changes the duties of the Planning and Zoning Commission to only the Planning Commission and sets up the functions of the Zoning Commission.

Number 29, that's the one that changes the name of the present Zoning Commission to the Planning Commission and designates that the Planning Commission will perform all the duties that are set out in Sections 117 through 123 of the Charter as well as those that are delegated to it by State statute and such other duties that may be assigned by ordinance. The effective date of all these ordinances is set tentatively for 1st of May which will allow for a transitional period to appoint the new members of the Zoning Commission and at the same time then follow out the orderly presentation of zoning cases because of the requirement that you have to give 15 days notice on the zoning cases, and it has to be that zoning commission that would give those notices.

The ordinance that is proposed for item 29 as a result amends the Zoning Chapter of the Code which is Chapter 42. It sets out the duties of the Commission, that where the word commission is mentioned in Chapter 42 will now be designated as the Zoning Commission not the Planning Commission as has previously been set out. It also sets up the composition of the Zoning Commission to be nine members provides for appointment of the membership for periods of certain number for one year and the other members for two years by the Council. That requirement is by statute because it says under 1011 F "That the governing body should do it", so that takes it out of the Manager appointment category. It also provides compensation for the Board in the amount of \$20.00 not to exceed \$1,040.00 per year. It also provides for the Commission hearing to be on Tuesday at two o'clock which then allows for the Chairman of the Zoning Commission to attend the Planning Commission functions on the following day, Wednesday, since the Chairman of the Zoning Commission is an ex-officio member of the Planning Commission by Charter provision.

Then we go to ordinance number 30 which is the one that amends Section 2.2 of the Code which primarily sets out some of the duties and responsibility of the Planning Commission which also sets out in there the meeting times for the Planning and Zoning Commission we have to clean the language up in that particular Code section.

Then we go to Ordinance 31, that pertained to the department which used to be the Department of Building and Planning Administration. We changed the name of that to the Department of Building and Zoning, we installed the name of zoning there or I did, for the express reason to direct the people's attention that that would be the zoning support function. It also sets up the two separate divisions within that department. One division will handle the zoning or furnish zoning assistance; another division will furnish the platting assistance and all of it will still be in the immediate vicinity where they can assist each other. The plats will have to continue to go to the Planning Commission for their approval and that division within what is presently George Vann's department will continue to furnish the same assistance to the Planning Commission in that regard and furnish assistance to the group contemplating that would be the Director of Planning within the proposed change in the Planning Department.

The next ordinance is number 32. That changes the name of the present Department of Planning and Community Development to the Department of Planning. It sets out in the Charter the office of the Director of Planning is to be within that department and that person is also to be the head of that Department of Planning. It further then clarifies and directs attention to the duties that the Planning Commission is to follow as well as to the assistance that the Planning Commission is to receive from this department in their master planning duties that are required of them under the Charter. This department would then be solely furnishing those duties.

The next ordinance number 33, I believe it is, then we remove from the Planning Department the division of the Community Development and thereby we create a new department set up for that function which really takes it out of that Planning, which really doesn't have any business over there anyhow, and that way you'll have that Planning Department to devote their full attention to assisting the Planning Commission in their comprehensive and long-range planning. As a result that department that is being created in number 33, which is the Department of Community Development will have to establish two new positions, one of the director and one as a secretary. The other positions within that department will be actually transferred out of the Planning Department by virtue of the wording in there which are grant fund employees so you are not creating any new positions of any nature in there. The ordinance also sets out a budget for that department; we'll probably end up in an almost washed position because you're creating two jobs but the personnel are already on board that I think the Manager is going to appoint or put into those offices in the interim while they're trying to select other personnel, those positions will remain probably unfilled for some period of time. So, they will probably not be, there probably be a wash out of maybe four or five thousand dollars action that would be anticipated.

Ordinance number 34 then designates the Manager in the manner in which the Manager is to appoint persons to represent him when he is absent from the City or disabled and then it requires for him to do it in writing, and if he is unable to do it in writing or he fails to do it in writing in any either of one of those eventualities then it sets up a order of succession of the people that are to be in charge in those events which would be the Director of Aviation, the Director of Public Works and the Director of Finance.

MAYOR LILA COCKRELL: All right, we have one citizen that has registered to be heard on that issue and I'd like to call on him right now. Mr. Chuck Jones, is he still here?

MR. CHUCK JONES: My name is Chuck Jones, and I'm just a humble student at the University of Texas in San Antonio. I think this issue why, I think the issue here why we do actually split this Planning Department from the actual Zoning Department over here? All these things, I think, there's something we have to remember and all these things lie actually in the definition of Planning and Zoning. Well, what's really zoning, zoning is nothing more than implementation and what's planning, planning is a consortium of ideas, putting them together, making them work. I think we have to remember that planning needs to act before zoning; planning needs to act before the actual implementation. But what we've had here in the past few years, we've had actually zoning occurring before the actual planning. The primary example, of course, is the Aquifer issue. We can't forget that.

Now, then, the Planning Commission at this time right now is overloaded with zoning cases and from the people that I've talked to at the actual Planning Department they feel how can they actually spend the time that is needed for planning when they have to spend a lot of their time working on the zoning cases.

The last thing is that the City is really totally committed to a master plan and wants to meet with that schedule. We need to make sure that the Planning Department whose function is to be working with the actual master plan is free to deal with this, if not where do we go from there. Thank you for your time.

MAYOR COCKRELL: We have had, we continue to have other citizens send their names up to speak. I think we're having a problem because

we're running out of time and some of the Council members have to leave before too long, for example, I have to leave in 15 minutes, and if we don't get to vote on these items, I will have to leave. Since, the citizens did not register earlier, I think we better rule to go ahead and may we read the caption on item 28.

The Clerk read the following Ordinance:

AN ORDINANCE 46,465

CHANGING THE PRESENT PLANNING AND ZONING
COMMISSION TO THE PLANNING COMMISSION,
AND DESIGNATING ITS FUNCTIONS.

* * * *

MAYOR COCKRELL: Mr. Hartman.

MR. HARTMAN: Madam Mayor, this first, the series of six ordinances, the first of which we're voting or has been called for action, at this time culminates a fairly lengthy process beginning with a study that was performed at no cost to the City which was reported to the Council the 12th of February which delineates the need or delineated the actions or essentially being encompassed in the ordinances today. The City of San Antonio through its Mayor is committed to developing a master plan. The work on the present master plan or the master plan to be accomplished by the 1st of January, 1977 is already afoot. The essence of this ordinance is to establish a separate Planning Commission and another ordinance which provides for the establishment of the Zoning Commission for the simple purpose of providing the degree of concentration that needs to be placed on this very, very important issue, very, very important function. I think that it would be recognized by most that the Planning and Zoning Commission is very, very busy with functions that are predominantly zoning. I know as a City Councilman, of course, we see some 40 or so cases per month which would indicate at least some 12 cases per week. In order to accomplish planning in the true sense, in order to succeed in this objective that, Madam Mayor, that you have set forward in regard to developing a master plan there has to be a Planning Commission who can indeed devote its full time to the realm of planning. The ordinances that are delineated here the first of which, the caption has just been read can begin to accomplish this. It can set the framework from which this work must be done. So, I, therefore, move for adoption of the ordinance which would change the present Planning and Zoning Commission to the Planning Commission.

MR. PYNDUS: I second the motion.

MAYOR COCKRELL: It's been moved and seconded. Any further discussion?

MR. BILLA: Mayor, I'd like to say something. Of course, I was absent when some of this was resolved, but I've been in the opinion up for a long time. There are those that come in and, of course, due to the fact that they might want dramatic or drastic changes in something, that doesn't seem to be occurring and they introduced evidence that maybe the City is operating contrary to what the charge of the Charter is. Now, I've never had any conflict with the Planning and Zoning Commission operating as one unit because I think that planning and zoning are very closely intertwined and related and one must know what the other is doing and particularly as it pertains to platting too. I would have no objection, it seems to me, to have a planning committee that would work in full concert with the Compre-

hensive Development to develop a master plan, and we talk about citizen input, you'd have maybe nine members that would be able to give this input and also to evaluate based on what the professionals give them to sort of temper on what these professionals want and you always need that certain input and when they have developed a plan or something, will present to the Planning and Zoning Commission, and certainly that one commission again would be another citizens' group that would temper those recommendations again. But, I'm somewhat reluctant to think that all this is necessary. There was no question about, we did have a Planning Director, I think, everyone is assured that that is necessary to develop the master plan, but I don't think that separating the Planning and Zoning Commission is going to be as effective and it won't be as dramatic and as drastic, I guess, the effects of it won't be, so that's why I'm opposed to it.

MAYOR COCKRELL: All right, fine, thank you. Clerk will call the roll.

The motion carried on the following roll call vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: Billa; ABSENT: Teniente.

CITY CLERK: Motion carried.

MAYOR COCKRELL: All right, caption of 29.

DR. D. FORD NIELSEN: Excuse me, Madam Mayor, Bob wasn't there when we got into this at the "B" Session. It was pretty fair. I think the Mayor concurred in the event that it works out and we get this master plan done does seem realistic that combining the Planning and Zoning Commission we can consider that at that particular time, but I think right now we can move on much more quickly and much more effectively with, I hope, the present plan.

MAYOR COCKRELL: Thank you. Number 29.

The Clerk read the following Ordinance:

AN ORDINANCE 46,466

AMENDING CHAPTER 42 (ZONING) OF THE CITY CODE SO AS TO PROVIDE FOR A ZONING COMMISSION, ESTABLISHING ITS MEMBERSHIP, FUNCTIONS, AND DUTIES, AND DISTINGUISHING PLANNING COMMISSION FUNCTIONS FROM ZONING COMMISSION FUNCTIONS IN CONNECTION WITH PLANNED UNIT DEVELOPMENT APPROVALS.

* * * *

MR. PYNDUS: I move for adoption.

MR. CISNEROS: I second.

MAYOR COCKRELL: It's been moved and seconded. Those in favor say aye, any opposed no. Motion is carried.

AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell.

NAYS: None.

ABSENT: None.

The Clerk read the following Ordinance:

AN ORDINANCE 46,467

AMENDING SECTION 2-2 OF THE CITY CODE
(RULES AND REGULATIONS OF THE PLANNING
COMMISSION) SO AS TO DELETE RULES AND
PROCEDURES THEREIN PERTAINING TO ZONING
APPLICATIONS AND ZONING HEARINGS.

* * * *

MR. HARTMAN: I move for adoption.

MR. PYNDUS: I second.

MAYOR COCKRELL: It's been seconded, any discussion? Those in favor
say aye, any opposed no, motion is carried.

AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen,
Cockrell.

NAYS: None.

ABSENT: None.

The Clerk read the following Ordinance:

AN ORDINANCE 46,468

AMENDING SECTION 10-1 AND SECTION 10-2
OF THE CITY CODE BY CHANGING THE NAME
OF THE DEPARTMENT OF BUILDING AND PLANNING
ADMINISTRATION TO THE DEPARTMENT OF BUILDING
AND ZONING; AND ESTABLISHING THE DIVISIONS
WITHIN THE DEPARTMENT AND THEIR DUTIES AND
FUNCTIONS; AND PROVIDING FOR AN EFFECTIVE
DATE OF THE CHANGE.

* * * *

MR. CISNEROS: I so move.

MR. PYNDUS: Second.

MAYOR COCKRELL: It's been moved and seconded. Any discussion?
Those in favor say aye, any opposed no, motion is carried.

AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente,
Nielsen, Cockrell.

NAYS: None.

ABSENT: None.

The Clerk read the following Ordinance:

AN ORDINANCE 46,469

CHANGING THE NAME OF THE DEPARTMENT OF
PLANNING AND COMMUNITY DEVELOPMENT TO
THE DEPARTMENT OF PLANNING; AND DESIGNATING
THE FUNCTIONS AND DUTIES OF THE DEPARTMENT
OF PLANNING.

* * * *

MR. PYNDUS: I so move.

MR. HARTMAN: I second it.

MAYOR COCKRELL: It's been moved and seconded. Any discussion? Those in favor say aye, any opposed no, motion is carried.

AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell.

NAYS: None.

ABSENT: None.

MR. HARTMAN: Madam Mayor, just a very brief comment. I think this particular department, I think, we can look to as a nucleolus for eventually developing the function which I think is becoming more and more evidently in need and that is the function of programming and I think we need to look at it in that context.

MAYOR COCKRELL: Good, next one.

The Clerk read the following Ordinance:

AN ORDINANCE 46,470

CREATING THE DEPARTMENT OF COMMUNITY DEVELOPMENT; DESIGNATING ITS FUNCTIONS AND DUTIES; ESTABLISHING PERSONNEL POSITIONS WITHIN THE DEPARTMENT; ESTABLISHING A BUDGET; AND APPROVING TRANSFER OF FUNDS.

* * * *

MR. PYNDUS: I move for adoption.

MAYOR COCKRELL: There's a motion, is there a second?

MR. HARTMAN: Second.

MAYOR COCKRELL: Okay, any further discussion? Those in favor say aye, any opposed no, motion is carried.

AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell.

NAYS: Billa.

ABSENT: None.

The Clerk read the following Ordinance:

AN ORDINANCE 46,471

AUTHORIZING THE CITY MANAGER, DURING HIS ABSENCE OR DISABILITY, TO DESIGNATE ANY ADMINISTRATIVE OFFICER OF THE CITY TO PERFORM DUTIES OF CITY MANAGER; AND PROVIDING FOR CERTAIN DESIGNATED ADMINISTRATIVE OFFICERS TO PERFORM THE DUTIES OF CITY MANAGER UPON FAILURE OF CITY MANAGER TO DESIGNATE A NAMED OFFICER OF THE CITY.

* * * *

MR. PYNDUS: I so move.

MR. CISNEROS: I second it.

MAYOR COCKRELL: It's been moved and seconded. Any further discussion? Those in favor say aye, any opposed no, motion is carried.

AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell.

NAYS: None.

ABSENT: None.

MR. ROHDE: Mayor, I'd like to make a statement. I'd like to congratulate the City Attorney for the legal jigsaw puzzle that you put together here. It went off beautifully.

MR. HARTMAN: I might also say that it was real fun working with the City Attorney and the City Manager in one or two shouting matches. It was a lot of fun.

CITY MANAGER GRANATA: We enjoyed it too.

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76-14 The Council recessed at 5:45 to go into Executive Session and reconvened at 6:05 P.M.

76-14 There being no further business to come before the Council, the meeting adjourned at 6:05 P.M.

A P P R O V E D

Lila Cockrell
M A Y O R

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

March 25, 1976
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