

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JUNE 21, 1973.

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The meeting was called to order at 8:30 A. M. by the presiding officer, Mayor Charles L. Becker, with the following members present: SAN MARTIN, BECKER, BLACK, LACY, MORTON, BECKMANN, PADILLA, MENDOZA; Absent: COCKRELL.

73-32 The invocation was given by The Reverend Eduardo Rodriguez, Las Palmas Church of the Nazarene.

73-32 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

73-32 The minutes of the meeting of June 14, 1973, were approved.

73-32 CITIZENS TO BE HEARD

MR. JOSEPH DIGIACOMO

Mr. Joseph DiGiacomo, 1036 West Russell, spoke to the Council with reference to recent charges of police brutality. He said that citizens have lost their trust in police officers and something needs to be done. He asked that the committee appointed by Mayor Becker last week to investigate these charges be retained.

MRS. BETTY DIGIACOMO

Mrs. Betty DiGiacomo, 1036 West Russell, stated that part of the police problem is lack of education in the fields of alcoholism and drug addiction. She suggested the use of tranquilizer ammunition instead of standard ammunition.

MR. STEPHAN HARVESTY

Mr. Stephan Harvesty thanked the Council for allowing experts to be brought to the public hearing scheduled for June 27. He said that he hoped that the ground rules to be established for the hearing would permit equal expression from both sides of the nuclear question.

City Manager Sam Granata stated that the City Public Service Board will have not more than two speakers. After hearing their presentation it is expected that persons wishing to speak pro or con will be heard. He said that he has met with Dr. and Mrs. Levine regarding persons to be invited to speak. To date no one has been invited.

Dr. San Martin suggested that Southwest Research has experts in the nuclear field who might be available to speak.

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MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez stated that police officers intimidated members of the City Council by appearing at City Hall in large numbers to demand a pay increase.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley Avenue, said that in view of the energy crisis that there be a moratorium on building since City Public Service is already acquiring more new customers when there isn't power for those they have.

Mrs. Dutmer also stated that she favored hearing both sides of the story before appointing an investigating committee on charges of police brutality.

MR. CHARLES SULLIVAN

Mr. Charles Sullivan spoke concerning police brutality and urged that the Council not back down and go ahead with its investigation of police brutality.

MR. JOHN MUGGAVIN

Mr. John Muggavin, 711 Elsmere, complained that citizens filing a complaint are required to do so under oath, but policemen are not required to do so. He expressed appreciation for the Council's action in the matter of charges of police brutality.

DR. HERMAN R. LEVINE

Dr. Herman R. Levine discussed with the Council his efforts to get scientists scheduled to speak at the public hearing next week. He thanked the Council for its fair-mindedness in allowing both sides to be heard in the controversy over nuclear energy.

City Manager Granata asked the Council for its direction in regard to fees for speakers to be brought in for the public hearing.

Dr. San Martin stated that he would not support an honorarium or fee but would agree to payment of travel expenses for persons being invited to testify.

Mr. Padilla agreed that the City Manager is authorized to pay expenses and said that if the City Public Service Board is paying fees to its witnesses then the City should pay a reasonable fee.

After discussion of the matter, Dr. San Martin moved that the City Manager be authorized to secure the services of two experts with their expenses - reasonable expenses for travel and lodging - and a maximum of \$999 as an honorarium for each person. The motion was seconded by Mr. Padilla and was passed by the following roll call vote: AYES: San Martin, Becker, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Morton, Cockrell.

MRS. JEAN LEVINE

Mrs. Jean Levine stated that it is not certain that the nuclear power plant will be built and cited certain cases to illustrate her point. She asked that witnesses that are brought in to testify be given ample time at the hearing to express their views.

Dr. San Martin assured Mrs. Levine that all visiting witnesses will be heard in full.

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ENERGY CRISIS

The following discussion took place:

DR. SAN MARTIN: If the Citizens to be Heard is concluded now, Mr. Mayor, Mr. Mayor and Members of the Council, I'd like to bring up at this time what I feel is a very important item. For the past several weeks we have been engaged in lengthy hearings as far as the relationship between the City Public Service Board and the Coastal States Gas Corporation. We had a one day long hearing at the Convention Center, then we had a half-a-day hearing here in City Council last Thursday with the City Public Service Board. I feel that we have already listened to enough information, and I think that the time has come for action. I feel that some of the problems that we asked the City Public Service Board, especially in assuring us that the needs of our industry locally and regionally were to be met was not properly answered. I also feel that we have no assurances, and it was in the paper yesterday that we may be facing as of yesterday with another severe curtailment of gas. Mr. Mayor, I don't know if you had a chance to read this when you came back yesterday. So, I feel, again, as I said before, that we have already listened to just about all we should listen. We have all the information we need, and I think that we now must act. I would propose to this Council that it direct the City Manager and our legal staff to confer with the City Public Service Board legal staff to seek immediate legal steps to seek compliance from Coastal States Gas Corporation in the performance of the contract that they have with the City of San Antonio and that they sue or take immediate steps to sue Coastal States to comply with the contract that they have. And I so move, Mr. Mayor.

MAYOR BECKER: Is there any discussion on this subject? I'd only like to say this, Dr. San Martin, that I share your concern. I know exactly what you're trying to accomplish, at least I think I do. I believe we think along the same lines. I only wish that I could say that I though this was the answer to the problem that we have. In my position, and I'll state it now has been simply this: That if that corporation were perhaps thrown into receivership through a legal action, it is questionable and many attorneys that I've discussed this with are of this opinion, it is questionable whether or not the very contract that we presently have which permits us to get the gas we're getting such as it is 23 3/4 cents per thousand cubic feet. Whether or not that contract would be honored by the receiver because the receivers as you know, usually operate in the interest of the creditors. Now, the gas presently is being obtained for as much as 70 cents and you heard Mr. Newman here last week, I think it was, speak to the fact that he had been trying to obtain supplies at 70 cents and wasn't even able to do so at 70 cents. There have been as high as - prices as high as 80 cents quoted. That has always been my position on this situation. That were we to throw this company into a receivership position through legal action, these contracts could be repudiated and vitiated by the receiver possibly and instead of having, 23 3/4 cent gas possibly be

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in the market at 70 and 80 cents and even at 70 and 80 cents, according to certain authority, and I'll call Dr. West, an authority because I think he is, he deals in the product every day. You have to have something to trade today. You can't just buy gas. You have to have fuel oil. You have condensate. You have to have by-products whatever they might be in order to be able to get the gas at 70 and 80 cents. And the position of San Antonio, not being a producer, not being anything other than a consumer is a most tenuous point. I just wanted to make those remarks.

DR. SAN MARTIN: I appreciate your remarks, Mr. Mayor, but at the same time I feel that this City Council has a duty and is honor bound to respond to the needs of the citizens of San Antonio, and we have what we consider, what the City Public Service Board considers, a valid contract and therefore the only way to find out where we stand is to seek compliance of that contract. Now, as far as the receivership is concerned, I think we're in pretty much the same situation right now anyway, because we're having to buy fuel oil which is four times as expensive as the natural gas that we're using. I think we're already in trouble. We're faced with curtailment from time to time. We're living practically from one day to the other. We don't know whether we're going to have gas next week and we don't even know whether we have enough fuel oil to see us through the next ten days. So, I believe that this is a state of uncertainty, Mr. Mayor, certainly it is not conclusive to the welfare not only of our citizens but of our industry. We could have a very serious economic let down if half our industry is shut down either partially or completely, and I think that sooner or later we must seek compliance of this contract through legal action, and I think that that time is here.

MR. LACY: Mr. Mayor, may I comment briefly?

MAYOR BECKER: I think Leo had his hand up first.

MR. LACY: All right, go ahead.

MR. MENDOZA: Well, I'll be very brief. All I'm going to say is that it seems to me that in voting on something like this, on what Dr. San Martin has put up as a motion, it seems to me we should get a complete briefing, legal briefing, from our staff in regards to the consequences or as to the authority this Council has. You know there are a lot of unanswered questions in my mind at this time as to legal action. Now, we can say legal action, and I can certainly appreciate the fact that Dr. San Martin is saying this, but I'd like to get a complete legal briefing from our staff on this.

MR. LACY: I was going to comment along the same lines as Leo has. Rather than making a vote right now that we were going to go ahead and actually file suit. Several things do concern me. I've understood that several suits have already been brought. One by the citizens here as a common class action. One thing that's worrying me a little bit and one that why I think we should have the staff and the legal department give us their views on some of these things, for instance, if you have a contract and we sit by and let them breach it then there is a saying known in law as being guilty of laches. In other words, you have a right that you can ascertain and push forward for but you sit there idly by and let them do it to you and let them do what they want to do and then later on you come in and complain and sometimes they say, well why didn't you do something about it before.

Now, these other suits that have been filed, supposing that the court goes ahead and says yes, you should come in, and you're going to have to furnish this gas and then we come in later filing and they say, well, there isn't any left, and if you wanted to be heard, you should have brought your suit timely. We haven't brought it timely and now you're left out. We're sorry we don't have any left to go around. These are just things that we have to consider and also the receivership, of course. I think the receiver would have to first take cognizance of the contract. I don't think the receiver can throw out the contract. I think the receiver is stuck with those contracts. The receiver has the duty of trying to even save the company and see if they can get it operating and many times we have cases where a receiver has taken over a company, got it on its feet and given it back where it wan't completely put out. Here I don't know if they can ever be salvaged or not, we have all those unknowns. I believe that we should have this staff study some of the repercussions that could happen. Would we be guilty of laches if we don't go timely? Should we go right now and should we not waste anymore time. Whatever we do, I think we should do something in the immediate future, reach that decision after listening to the legal staff.

MR. BECKMANN: Dr. San Martin, would you amend that motion to say that we recommend to our legal staff to get together with the legal staff of the City Public Service Board and institute action or advise us what actions should be done. I think there are a lot of things involved because there's different laws that apply to public utilities, and I don't think we're in a position to make judgment right now. I suggest that you amend that. That if our legal department along with the Public Service Legal Department feels that this should be done, then let's institute suit immediately.

DR. SAN MARTIN: Let me give you my reasons, Mr. Mayor, if I may for not going that route first, Mr. Beckmann. I get the impression, and I'm sure most of the members of this Council get the impression that the legal staff of the City Public Service Board is not anxious to institute any kind of compliance of contract suit in the immediate future. In fact, Mr. Wilbur Matthews gave me the impression that he wants to take his sweet time about suing Coastal States, and I can't help but get that impression that he is not in any hurry until he can determine the damages to the City of San Antonio. I don't know why I get that impression, Mr. Beckmann, but I think it was obvious. He said he didn't want to institute suits one week, and then come back the next month and institute another one. I take that position that some of the customers of Coastal States which are in the same position that San Antonio is, as of yesterday, are already suing Coastal States. I don't want to be in the position that the citizen of San Antonio say this this Council was guilty of the same things Mr. Glenn Lacy is saying that we should have done something and we didn't do it at the right time. Now, I would like to work with the Public Service Board. I just get the feeling that they're not anxious to proceed with any degree of haste, and I'll be glad to amend my motion in anyway that will suit this Council, but I feel that Public Service Board should be apprised that this Council is in urgency asking them to let's get together and sue.

MR. BECKMANN: Can we force them? Or do we have to ask.....

DR. SAN MARTIN: We are forcing them to do whatever this Council.....

MR. BECKMANN: Forcing them to sue, is this what you're saying?

DR. SAN MARTIN: That is.....

MR. BECKMANN: Forcing them to sue.

DR. SAN MARTIN: Yes, because we are responsible to the citizens of San Antonio, and if they don't move then we have to move them.

CITY MANAGER GRANATA: Dr. San Martin, Mayor and Council, at this point maybe before you go further. I have had Mr. Crawford Reeder, a member of the Legal Staff, he's been assigned to this case with Mr. Wilbur Matthews. It might be good at this time to brief you on background and maybe it will help you to arrive at.....

DR. SAN MARTIN: It will be fine with me.

CITY MANAGER GRANATA: Crawford, if you will please.

MR. CRAWFORD REEDER: Thank you, Mr. Granata. Mr. Mayor and Members of the Council, my name is Crawford Reeder. I work for the City of San Antonio as Assistant off and on for 15 years. I was once City Attorney until they kind of got my number, and then I quit being City Attorney. In any event, I would have to say that I know quite a bit about this, and the reason I know quite a bit about it is because I've been working on it for over a month. Now, let me explain just a few basic things, and I apologize if it seems that I'm insulting your intelligence because I don't want to do that. But, I want to be sure that everybody knows what we're talking about here.

In the first place, it's not going to do any good to file a lawsuit against Coastal States at this time. I guess we could file one, but it's not going to do any good because the Railroad Commission has exclusive jurisdiction over how much gas we get, and how much we have to pay for it. They have exclusive jurisdiction - the power to decide - the court does not have the power to decide that at this time, and they will not take jurisdiction to decide that, that's clear.

Let me tell you something about the Railroad Commission. The Railroad Commission was originally formed to regulate the railroads. But since the federal government preempted that field back in the 1920's, the Railroad Commission has actually been the regulatory body for the oil and gas industry throughout the State of Texas by State statute since the late 1920's. Its powers are so broad that they're almost plenary with reference to allocating the disposition of oil and gas reserves even where there are contracts relating to the same subject matter. Their power over the oil and gas industry is just about as comprehensive as your power over zoning to give you an idea.

Now pending before the Railroad Commission at this time is a suit, or two suits; they're lawsuits. We've been talking about lawsuits - these suits before the Railroad Commission. One is a suit to determine how the gas that Coastal States has is going to cut up among Coastal's 400 customers of which we are one. The other suit is to determine what rates Coastal is going to be allowed to charge its various customers regardless of what the contract says. At this time, the Railroad Commission and all of the people who are against Coastal, and that means practically everybody in the State of Texas, is in Austin, either in - they may be in recess now - but, I was in Austin two days last week, and I saw some lawyers there that really make Wilbur Matthews look a little slow, and he's one of the best I've ever seen. They're

all against Coastal. I admit I was a little out of my company because I'm just a cotton patch lawyer, and I don't know as much law as they know, but they have some of the top legal brains in the State of Texas against Coastal, and they're trying to cut up this pie. But, the first thing they've got to do is find out how much gas, Coastal has got. Nobody knows. The Railroad Commission has the power to determine that, and that was what they were talking about when I was there last Wednesday and last Thursday. Once the Railroad Commission determines how much gas Coastal has got to deliver on its contracts, and bear in mind, it has got 400 contracts. It has contracts with not only San Antonio, but Austin, the Lower Colorado River Authority, Central Power and Light, and a number of other privately owned public utilities which serve a total of 50 or 60 cities besides San Antonio and Austin.

Now, obviously, if we bring a suit over in the District Court to compel Coastal to perform their contract, that Court can't very well compel Coastal to perform its contract with San Antonio when another court in Corpus Christi is compelling it to do the same thing with Central Power and Light and another one in Kerrville that's doing the same thing to compel it to perform its contract with LCRA and so forth. That's the reason the legislature has given this power to the Railroad Commission. So what we've got to do, and I say we, the City Council, as well as the Public Service Board, is to make common cause in this case before the Railroad Commission and get the best cut of this pie we can get because they've only got so much gas, and we're pretty sure it's only about 60 percent enough to fulfill its' contract needs. We're also pretty sure, mainly because their lawyer told me that the reason they are over committed, which Mr. Padilla established back there a month ago at the hearing at the Convention Center, is because they let out contracts they entered into contracts in the last two years that over committed their known reserves. They did it on purpose. The Railroad Commission, no doubt, there's no doubt that they are the only body that has the power to allocate how much gas who gets, and they're the only body that has the power to regulate the rates. Now, as far as the suit on behalf of the citizens of San Antonio or us making the Public Service Board file a suit on behalf of the citizens to collect damages against the Coastal States, we're not going to be guilty of laches, Mr. Lacy, I thought about that too. And any good lawyer, like you and me, are going to think about that. But, we're not going to be guilty of laches. We're not going to have statute of limitations run against us. But, what we want to do, and I say we, Wilbur Matthews want to do, and I concur with him, he wants to wait until the Railroad Commission gets a determination of what they're going to do. How much gas Coastal has; how much we're going to get; and everybody else is going to get. And then get the picture pretty well crystalized to use his expression, and then we'll know what to sue them for.

I don't say we shouldn't sue them, that's up to the City Council for later on. But the time isn't now. The time now is to do as good as we can at the Railroad Commission and be thinking in terms of how we're going to meet the current emergency that we're in. We're not sitting on our hands, and I can assure you that even though perhaps you don't like the City Public Service Board. I've had my quarrels with them, too. I haven't always like their high-handed methods, but I think they're sincere in this thing. I think they're capable. I think they're sincere, if for no other reason, cause they can't afford not to be. So, I think if they're fighting as hard as they can to do the best job they can, I think we're going to get our rights represented as well as they can be represented.

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If you all have any faith in me, and you want me to ride herd on Bill Matthews, I've already told him the Council may tell me to follow along on his coat tails, and if they do, well I'll do it. He said, "Come along, there's always room for one more." And if I catch him doing anything I don't agree with, I'll tell you. I'll tell him, and I'll tell you both. But we've got ourselves - we've got what I think is the gravest crisis that this City has faced since 1836, and we lost that one. Now, there is one other thing..... We redeemed ourselves a couple of months later, but no offense to any of you, gentlemen..... There's one other thing. This isn't entirely germane to the point, but I think I ought to say it. Yesterday a newspaper reporter called me, and he wanted to know about rationing, and I told him. As you can see I say what I think. That's one reason I admire you, Mayor Becker, only you've got more sense than I have because I put my foot in my mouth a lot of the time. I told the newspaper reporter, and I wasn't misquoted, he wrote the story right, but I understand it upset some of the people; I don't blame the people for getting upset. But the truth of the matter is that we are in a hell of a shape. We are going to have to start rationing. We're going to have a hard time, and I do apologize to the City Manager for preempting his field, but the reporter caught me cold and I didn't have time to think about what I was saying so I just told him the whole story.

DR. SAN MARTIN: I would like to ask a question. Are you saying now that no contract is worth the paper it's written on?

MR. REEDER: No, sir. I'm glad you asked that. That's an excellent question. Written into every contract with a gas transmission company in the State of Texas is the law relating to the Railroad Commission powers. Now, the attorneys for Coastal were saying that over at the Convention Center over a month ago, and that's what they were talking about. They never did come through real clear. But, when we contracted with Coastal we contracted in light of the power of the Railroad Commission to change our contract. Now, that's a fact. We knew that when we entered the contract, so it's not a matter of our having an arm's length and then having the government, namely the Railroad Commission, come along and change our contract. When we made the contract, we knew that. All right. But, the Railroad Commission can act only in the public interest and that's what the statute says; you can see where the public interest is affected here. You've got 60 percent enough gas to furnish all of the literally millions of users, if you count people like you and me. Sixty percent enough - how is it going to be cut up. You can't leave it to 15 or 20 different courts. So, what I was talking about on the later suit for damages. We've got to stick with what the Railroad Commission gives us as to both allocation of gas and rates. But, we can go against Coastal on our contract, because they've brought this about. So, as the Mayor has said, you can't burn a lawsuit or a judgment, and that's right. But right now, we're fighting over getting gas. Now, we're fighting over getting gas. Later on, we'll sue them for the difference in what they were supposed to give us and what they gave us. And also for the difference in what we're supposed to pay and what we ultimately wind up having to pay. So, we're going to have a lawsuit, at least, I feel that we will, if they're not going into receivership first, and I heard that may happen, but I don't like to. - I don't like any hearsay that is over third hand. So I mean, you know, if it gets beyond third hand, I don't trust it anymore in what I have heard. In any event I don't see how anyone who is familiar with this situation would think that the City Council of San Antonio or the Public Service Board either is sitting on its hands or guilty of any dereliction. I think we ought to make common cause with that Public Service Board and fight just as

hard as we can for the Railroad Commission. See what we get out of that. Hope it's the best thing we can get, and then go on to lawsuits.

DR. SAN MARTIN: Well, let me make some comments, again, since I brought this up. You say that you don't see how anybody can say that we're sitting on our hands.

MR. REEDER: Yes, sir, if they know the circumstances.

DR. SAN MARTIN: Well, the thing is this that there are 800,000 people here who think we're sitting on our hands and editorial comments, and I'm working on a reply to one of the editorial comments on one of the radio stations. They're saying that either through ineptness or inability or unwillingness to tackle the problem, we are sitting on our hands, and I just want to make absolutely sure. Now, while you're there, Mr. Reeder, what is the interest of the stockholders who actually speculate on the financial well being of the company. They've asked me will the stockholders get the first cut of the financial pie in the question of.....

MR. REEDER: I don't think so, Doctor. We don't have that kind of problem. We don't have a problem where Coastal owes a whole bunch of people money, and we're having creditors fighting over Coastal over money like where you may have a stockholder suit to see where they come in when the pie is cut up after the company has been thrown into bankruptcy or into receivership. They've got a lot of money. They have all kinds of money. They just don't have any gas. And, so the situation - we're not concerned about stockholders.

DR. SAN MARTIN: Well, the people of San Antonio are asking those questions, Mr. Reeder, well that's the reason I'm asking you because.....

MR. REEDER: Well, I just gave you the answer. That's what you tell them, see. That's the reason I'm up here talking. Now, the people are going to know cause they've heard me talk. I'm a great believer in being open and so now we're open and everybody knows the answer. We know the answer that we're not going to get what we want. We're going to get hopefully more than most people do in San Antonio.

DR. SAN MARTIN: Okay, Mr. Mayor, then I think this Council is duty bound to make some kind of statement of policy in view of the comments made here by Mr. Reeder. I think that perhaps you as Mayor should make a very definite statement on behalf of this Council because just about every place you go in town these days, somebody wants to know why you don't do this, why you don't do that. And after all these hearings, especially the day long hearing at the Convention Center, they think we ought to have enough information to tell the citizens of San Antonio exactly what inning of the ball game we're in.

REV. BLACK: May I ask a question related to this. My concern has been that the City Public Service Board found itself in a position that it was dealing with persons that were incapable of delivering, at least the ultimate was, that they were not able to deliver. Is there any way in which, under the way, that they might have protected themselves against this kind of operation?

MR. REEDER: You mean having the gas sold out from under them.

REV. BLACK: That's right, having the gas sold out from under them.

MR. REEDER: Reverend, I don't know, to tell you the honest truth. I look back on it and try to use what hindsight I've got and I'll swear I don't see how they could have prevented this. If what they tell me is true, and I have no reason to doubt it, they started trying to look at Coastal States' books and check into their reserves as far back as 1968 and they started to get the round around about it. They hadn't had any trouble until then, and they didn't get any trouble about any interruptions in service until about the last year and a half. They wanted to look into Coastal's books back in 1968 because they wanted to know whether they were going to keep going with Coastal after 1982, or whether if they were going to go to nuclear, or to some other company or whatever. You know you have to think 10, 12 years ahead of time. And, according to them, they haven't gotten any cooperation from Coastal since 1968. But, it's possible that that might have put them on notice. They admit they should have been put on notice by Coastal's recalcitrance; what they say is Coastal's recalcitrance that may be something was wrong. But, I asked myself, all right so they know that something is wrong, what are they going to do. Because in 1968, you couldn't buy any gas anywhere else, you see. You know that's the problem that we're up against. I will say this at the risk of being inpolitic about it, fortunately I don't have to run for office, and the only time I did I got beat two to one, and that taught me better. Coastal really did just flat sell their gas reserves that they had committed out from under the ground in derogation of the rights of us and all of the people they had contracts with, and they virtually admit that.

REV. BLACK: Is there anything in the law now, that we, if we took a contract with another company, is there anything in the law now that wouldn't permit the same kind of action on the part of another oil company in the future doing this same kind of thing?

MR. REEDER: I don't think there is, Rev. Black, and I think that that is one of the gaps in our law, and I think the reason we got that gap is because Texas has never been in a situation yet where it didn't have plenty of oil and gas. The problem was always before to keep people from producing oil and gas - not to make them produce it, you know. I mean they'd put limits on how much gas you could produce, how much oil you could produce, and this has just been in the last two or three years, that we've gotten into a situation like this. I don't mean San Antonio. I mean the whole State.

MR. LACY: Crawford, I'd like to ask you a question or two. The public, generally, of course, are sort of in the dark as to just where we are right now. As I understand it, of course we have to exhaust all our administrative remedies, and I guess this Railroad Commission is more than just a mere administrative remedy.

MR. REEDER: Well, in a way it is, Glenn, but it's essentially that. It's essentially that.

MR. LACY: So, right now we do have a motion, a petition of some sort before the Railroad Commission exerting our rights under the contract.....

MR. REEDER: Along with 400 other people we do. That's right.

MR. LACY: That's my point. Now, number two, when is the hearing date? Do we know yet?

MR. REEDER: We've been having a hearing starting May 1. The hearing could go as long as.....

MR. LACY: Could go on and on and on?

MR. REEDER: That's right. It's one of those things they get as much together as they can get, and then they recess. And then they tell everybody go back and try to look for whatever else you can find. And then we're going to recess for a week.

MR. LACY: Well, that's what confused me, you know. People would ask me, and it was in the paper. There were going to have one way back there two weeks ago. And what happened? Nobody ever knew.

MR. REEDER: They began it, and they got through and on the last hearing that they had consisted of a cross examination of Coastal's witnesses by lawyers representing San Antonio, Austin, Lower Colorado River Authority, Central Power and Gas, Houston Electric, who is going to build a nuclear plant, and a number of other people. They had some pretty high-powered lawyers raking those boys over the coals, and I'll tell you flatly that Coastal didn't have real good answers. That doesn't solve the problem, you know, it lets the Railroad Commission. I can tell you right now, and I'll stick my neck out and say this. I think there's every reason to think that Coastal has about 60 percent as much gas as they need to fulfill all their contracts. That's accurate as to within five percentile points in all probability. The Railroad Commission, in all probability, because of statements that members of the Commission has made, and just because of the fact that you can analyze this as a lawyer and know if you are in their position, probably what you'd do - they're going to put the emphasis on human needs, and they're going to give top priority to utilities like the Public Service Board that use gas to generate electricity for human needs, and that this first gas is for human needs and they're going to give industry a low place on the totem pole. And that's not really going to solve a lot because, while it will protect such things as residents and homeowners, and hospitals, and the like, it's going to cause unemployment as we already know it has done. There was a good deal of testimony to that effect but up at the top is going to be priority on getting gas. It's going to be people like our Public Service Board and the Lower Colorado River Authority that furnishes over half a million people on electricity and the City of Austin. We're going to be toward up the top. And industries are going to be down toward the bottom on the allocations of gas. So we might, in other words, what I'm saying is we may get considerably more than 60 percent of our needs. We may get 80 percent, and these other people may get 30 percent. You know, the industry. It's that kind of situation; they have to balance everybody's needs against it, and the magnitude of them against one another.

MR. LACY: In other words, then the fact that we were one of the very first out of the 400 contracts, doesn't really give us any advantage does it?

MR. REEDER: Well, it might, it might. Because you see this outfit also balances inequities like courts do.

MR. LACY: First in time, first in line.....

MR. REEDER: They won't say strictly first in time, first in line. We were the first ones they had, of any consequences, and if you went by first in time, first in right, we would get all ours. They're not going to do that. But, they'll take into consideration. I think the obvious thing for them to do in view of the fact that the contracts made by Coastal States in the last two years are the ones that put them over the brim is to hit those people pretty hard. The contracts that they made in the last couple of years weren't with municipalities. They're oil transmission people, see, and gas transmission. So, the simple thing to do, real simple thing for the Railroad Commission to do would be to just cut them out of the pattern all together and let everybody who already had contracts have their full amount. And, in fact, a

representative of Coastal, in confidence, said that he wouldn't care if they did that.

MR. LACY: So, when we have a trial de novo is, what kind of a appeal do we have if the Railroad Commission really pushes us around, and we don't like it?

MR. REEDER: That's the only thing that Bill Matthews and I have ever had a serious argument about except their lack of openness in their meetings and I haven't won either argument. I said we were entitled to a full trial de novo, not under the substantial evidence rules. He said we were stuck with the substantial evidence rule and there is a little both ways. I think that in any event there is a new - a trial. Whoever is dissatisfied with the order of the Railroad Commission that means everybody goes to district court of Travis County.

MR. PADILLA: Crawford, can you translate that for us?

MR. REEDER: Well, a substantial evidence is when you - when the substantial evidence rule applies, it means that the court reviewing the decision of an administrative body will uphold that decision if there is any substantial evidence to uphold it which is almost the same as saying that they're going to uphold it because almost any order the Railroad Commission entered will be supported by some evidence. It may not be what the court would do. It may not be what you or I would do but if there is any evidence to support that order the court will uphold it. Is that about right, Glenn?

MR. LACY: Yes, sir. See Crawford's an old law professor and that's why I feel at liberty to ask those questions.

MR. BECKMANN: Glen made an 85.

MR. MENDOZA: Mr. Reeder.....

MR. PADILLA: Don't you wish you'd made a 100, Crawford?

MR. BECKMANN: With this amount of information what is your capacity right now?

MR. REEDER: My capacity, about a fifth, oh, you mean with the City Attorney's office. I'm not sure. What is it, Sam? This morning I thought I didn't have any.

CITY MANAGER GRANATA: He is First Assistant.

MR. MENDOZA: Mr. Mayor, I would like to make a motion if it's necessary that we instruct the City Manager to appoint Mr. Reeder to go into either partnership or be a liaison person, whatever the proper term here would be as to his capacity in looking over the shoulder of Mr. Matthews in this regard with situation of the Coastal States' problem. I'd like to add that I think it's very important that we get a complete written report on the status of the situation, in other words, an up-to-date report as often as possible so that we can keep the citizens of San Antonio up-to-date on the matter.

MR. REEDER: I can give you a complete written report, Councilman.

MR. MENDOZA: And I would also like to include the alternatives that we have as a City Council from the legal standpoint.

MR. REEDER: All right, do you want it also from a practical standpoint....

MR. MENDOZA: Well, legal and practical standpoint, certainly.

MR. REEDER: Okay. There is a difference. I can do all of that and not enter into a partnership. He won't let me.

MR. MENDOZA: I use the word partnership. I'm saying just to make sure everywhere he goes you go with him.

MR. REEDER: I might be able to do that with him, but I don't think he can do that with me.

MAYOR BECKER: I think Crawford has been doing that.....

DR. SAN MARTIN: Mr. Mayor, I think that what Councilman Mendoza is saying is already being done. I think the responsibility lies with the City Manager and Mr. Walker, and I think that I shouldn't want to direct them whom to assign to what case. I think Mr. Granata and his legal staff can handle that without any directive from the Council.

CITY MANAGER GRANATA: I read you, and he's been doing that for the past 30 days and will continue to stay with it just as close as he can.

MR. MENDOZA: Well, can we get this written report though, say on weekly basis so that we can make it a public information and keep the citizens up-to-date on this matter.

CITY MANAGER GRANATA: If the situation changes and in his opinion if it requires a report to you with the substantial change, I will see that you'll get it from him in your packets.

MAYOR BECKER: Any other questions of Crawford. Thank you, Crawford. That was most enlightening and erudite presentation. Thank you.

As far as the statement, Dr. San Martin, from me on this situation I've been making one almost daily ever since this thing occurred as you know. If you want to get into the very objective aspects of this whole situation, you'll have to first of all start examining our federal government and the Federal Power Commission and their attitude toward oil exploration and gas exploration and those that benefit from it whether they be the entrepreneurs, themselves, or whether they be the public at large. Much of this crisis that we're engaged in right today can be laid and is laid directly at the feet of the Federal Power Commission in Washington, D. C. They have stifled exploration; they have not encouraged exploration and where wells used to be discovered at 2500 and 3000 feet in all such as that years ago, it's common knowledge that to find a gas well today requires 23 to 26 thousand square feet of drilling and the costs are anywhere from two to three to four million dollars per well. It's no wonder that these oil companies and gas producing companies are asking for a rate increase, because the cost is so much greater and all they're asking for is something equivalent to a return on their investment. So, then you have to go into the matter of why as much gas leaves the state of Texas as it does. And that's a long story in itself. Then you have to go back into the very beginning of all these things, the Alamo Gas Contract and everything else. Now, I told a reporter this morning that as far as I'm personally concerned, I've been answering many questions, the reporter from Wall Street Journal called me in San Francisco, spent 20 or 25 minutes long distance as to my involvement with Coastal States. How much stock I own. Whether or not I ever drilled any wells with Oscar Wyatt. Whether I ever, whether I was involved in any business trans-

actions. Whether I had a part of a field with it. And all this kind of rubbish, and it's just incredible. People believe just what they want to believe really. That's generally the case. Anybody that has been reading any periodicals whether the Business Week, Fortune, or any just general periodicals - Time Magazine for the last five, six, or seven, or eight years could become an arm chair authority on this very subject we're discussing here without really any trouble. It's been discussed for years in the various publications as to the coming and impending energy crisis. It's been written up countless times and suddenly we find ourselves engulfed in this thing and we're amazed.

MR. BECKMANN: Mr. Mayor.

MAYOR BECKER: Yes, sir.

MR. BECKMANN: This Council last week asked the City Public Service Board and the City Manager to get together on an emergency plan to be presented to the community, and I think it would be time to call on the City Manager to present that. Sam, you have your plan with you?

CITY MANAGER GRANATA: Yes, I have a prepared statement that I'd like to read at this time.

MR. BECKMANN: Would that be in order to hear that at this time, Sam?

CITY MANAGER GRANATA: MAYOR AND COUNCIL, AS REQUESTED BY THE COUNCIL, LAST FRIDAY MEMBERS OF THE CPSB BOARD AND STAFF BRIEFED THE CITY COUNCIL ON THE CURRENT SITUATION OF THE ENERGY CRISIS. UPON CONCLUSION OF THIS BRIEFING, THE COUNCIL DIRECTED ME TO PROCEED WITH FORMULATION OF A PLAN OF ACTION. AT THIS POINT LET ME ADVISE YOU OF MY ACTIONS PRIOR TO THIS.

ON JUNE 6, I SENT A MEMORANDUM TO THE CITY ATTORNEY, ASKING HIM IF THE CITY COULD IMPOSE ENERGY RATIONING BY LAW. ON JUNE 11, HE REPLIED IN THE AFFIRMATIVE; THE CITY'S POLICE POWERS ARE AMPLE, IF A RATIONING ORDINANCE BECOMES NECESSARY.

ON JUNE 8, I SENT A LETTER TO MR. DEELY REQUESTING INFORMATION ON THE PRESENT ENERGY PROBLEM.

ON JUNE 11, I TOOK CERTAIN STEPS TO CONSERVE ENERGY IN CITY FACILITIES, AND OUTLINED OTHER MEASURES WHICH I THOUGHT SHOULD BE CONSIDERED.

ON JUNE 15, AS MENTIONED ABOVE, THE CITY COUNCIL DIRECTED ME TO PROCEED WITH FORMULATING A PLAN OF ACTION IN THE PRESENT CRISIS.

ON THE SAME DAY, JUNE 15, MEMBERS OF MY STAFF RECEIVED A DRAFT COPY OF THE REPLY FROM MR. DEELY, ENCLOSING THE INFORMATION I HAD REQUESTED. MEMBERS OF MY STAFF WORKED OVER THE WEEKEND ANALYZING THIS INFORMATION AND HAVE THIS WEEK BEEN IN CONSTANT CONSULTATION WITH RESPONSIBLE CPSB STAFF MEMBERS. ON TUESDAY, JUNE 19, I RECEIVED THE OFFICIAL COPY OF THE REPLY FROM MR. DEELY.

AT THIS POINT, IT WOULD LIKE TO GIVE THE COUNCIL AN OVERALL LOOK AT THE ENERGY PICTURE. PRACTICALLY ALL THE ENERGY SUPPLIED FOR CPSB NORMALLY COMES FROM NATURAL GAS. THE STATE RR COMMISSION HAS ESTABLISHED PRIORITIES IN THE USE OF SUCH GAS. UNDER THEIR DOCKET 489, RULE TWO, THESE PRIORITIES ARE AS FOLLOWS, WITH THE HIGHEST FIRST.

- A. DELIVERIES FOR RESIDENCES, HOSPITALS, SCHOOLS, CHURCHES AND OTHER HUMAN NEEDS CUSTOMERS.
- B. DELIVERIES OF GAS TO SMALL INDUSTRIALS AND REGULAR COMMERCIAL LOADS (DEFINED AS THOSE CUSTOMERS USING LESS THAN 3,000 MCF PER DAY) AND DELIVERY OF GAS FOR USE AS PILOT LIGHTS OR IN ACCESSORY OR AUXILIARY EQUIPMENT ESSENTIAL TO AVOID SERIOUS DAMAGE TO INDUSTRIAL PLANTS.
- C. LARGE USERS OF GAS FOR FUEL OR AS A RAW MATERIAL WHERE AN ALTERNATE CANNOT BE USED AND OPERATION AND PLAN PRODUCTION WOULD BE CURTAILED OR SHUT DOWN COMPLETELY WHEN GAS IS CURTAILED.
- D. LARGE USERS OF GAS FOR BOILER FUEL OR OTHER FUEL USERS WHERE ALTERNATE FUELS CAN BE USED. THIS CATEGORY IS NOT TO BE DETERMINED BY WHETHER OR NOT A USER HAS ACTUALLY INSTALLED ALTERNATE FUEL FACILITIES, BUT WHETHER OR NOT AN ALTERNATE FUEL "COULD" BE USED.
- E. INTERRUPTIBLE SALES MADE SUBJECT TO INTERRUPTION OR CURTAILMENT AT SELLER'S SOLE DISCRETION UNDER CONTRACTS OR TARIFFS WHICH PROVIDE IN EFFECT FOR THE SALE OF SUCH GAS AS SELLER MAY BE AGREEABLE TO SELLING AND BUYER MAY BE AGREEABLE TO BUYING FROM TIME TO TIME.

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THE CHART (CHART 1) SHOWS THE WAY THAT GAS CONSUMPTION IN SAN ANTONIO FORMERLY FELL INTO THESE PRIORITIES. YOU WILL NOTE THAT, DURING SUMMER MONTHS, BY FAR THE GREATEST GAS USE WAS FOR POWER GENERATION - PRIORITY "D". UNDER THE EMERGENCY ORDER ISSUED BY THE RR COMMISSION ON MAY 25, 1973, GAS FOR POWER GENERATION WAS TEMPORARILY RECLASSIFIED AS PRIORITY "B".

THIS PLACES CPSB AHEAD OF INDUSTRIAL CUSTOMERS AS FAR AS DELIVERIES FROM LO-VACA GATHERING SYSTEM IS CONCERNED, BUT IT DOES NOT GREATLY CHANGE THE WAY IN WHICH CPSB CAN DISTRIBUTE THE GAS IT GETS. PRIORITY "A" CUSTOMERS - HUMAN NEEDS CUSTOMERS - CANNOT BE TOUCHED. COMMERCIAL CUSTOMERS ARE ALSO PRIORITY "B" - THE SAME AS POWER GENERATION, AND THEIR NEEDS MUST ALSO BE MET AS FAR AS POSSIBLE. ONLY GAS LEFT AFTER THESE CUSTOMERS DEMANDS ARE MET CAN BE USED FOR POWER GENERATION. SO FAR THIS SUMMER THE PRIORITY "A" AND "B" DEMAND HAS LEFT SOME GAS FOR POWER GENERATION AND CPSB HAS MADE UP THE DEFICIENCY BY PARTIAL OIL FIRING.

DURING THE COMING WINTER MONTHS, HOWEVER, THE GAS CONSUMPTION PICTURE WILL LOOK LIKE THIS (CHART 2). YOU WILL NOTE THAT THE HUMAN NEEDS CUSTOMERS WILL TAKE A FAR LARGER PART OF THE TOTAL SUPPLY AND FROM TESTIMONY BY COASTAL STATES BEFORE THE RR COMMISSION, WE CAN EXPECT THIS TOTAL SUPPLY TO BE SMALLER.

THIS MEANS THAT, DESPITE A REDUCED ELECTRIC DEMAND, CPSB WILL HAVE TO FIRE MORE OIL. AND THIS COULD VERY WELL BRING THE GENERATING PLANTS TO A CRITICAL CONDITION. OUR PLANTS ARE NOT DESIGNED FOR PROLONGED OIL FIRING - WHEN THEY WERE BUILT IT WAS THOUGHT THAT OIL WOULD BE USED ONLY DURING SHORT EMERGENCIES, SUCH AS A PIPELINE BREAK.

THIS CHART (CHART 3) SHOWS THE EFFECT OF PROLONGED OIL FIRING:

- WE CAN BURN 85% OIL AND 15% GAS FOR ONLY 5 TO 10 DAYS BEFORE A SHUTDOWN IS NECESSARY.
- WE CAN BURN 75% OIL AND 25% GAS FOR ONLY 10 TO 20 DAYS BEFORE A SHUTDOWN IS NECESSARY.
- WE CAN BURN 50% OIL AND 50% GAS FOR 20 TO 60 DAYS BEFORE A SHUTDOWN IS NECESSARY.

—WE CAN BURN 25% OIL AND 75% GAS FOR 60 TO 120 DAYS BEFORE A SHUTDOWN IS NECESSARY.

CPSB HAS NO ESTIMATE ON THE EFFECT OF 10% OIL AND 90% GAS FIRING. THEY THINK, THAT IF IT WERE POSSIBLE TO OCCASIONALLY FIRE ONLY WITH GAS TO CLEAN OUT THE FURNACES, OIL FIRING AT ABOUT 10% MIGHT CONTINUE FOR A FAIRLY LONG PERIOD, BUT WOULD CAUSE SAFETY, RELIABILITY AND MAINTENANCE PROBLEMS.

WE MUST REALIZE THAT THE EFFECT OF OIL FIRING IS CUMULATIVE. WHENEVER WE BURN OIL, IN WHATEVER AMOUNT, IT DAMAGES AND CLOGS THE FURNACES. WHEN THE DAMAGE REACHES A CERTAIN POINT, THE FURNACE MUST BE SHUT DOWN. WE MUST, IN ORDER TO PRESERVE OUR SYSTEM, REDUCE ELECTRICAL CONSUMPTION TO THE LOWEST POSSIBLE VALUE.

I HAVE GONE INTO SOME DETAIL IN THIS BECAUSE THERE SEEMS TO BE AN IMPRESSION THAT AN AMPLE OIL SUPPLY WOULD SOLVE OUR PROBLEM. THAT IS NOT SO; WE WOULD ONLY TRADE ONE GRAVE PROBLEM FOR ANOTHER WHICH MIGHT BE EVEN MORE SERIOUS; WE WOULD HAVE ENERGY BUT WOULD WRECK OUR GENERATING PLANTS.

WE HAVE ALSO ANOTHER PRESSING REASON FOR CONSERVING ENERGY. THE EMERGENCY ORDER OF THE RR COMMISSION, GRANTING US A HIGHER PRIORITY FOR POWER GENERATION, ALSO LAID DOWN CERTAIN CONDITIONS:

1. THAT EACH ELECTRICAL GENERATING CUSTOMER AFFECTED BY THIS ORDER SHALL SECURE AND USE ALTERNATIVE FUELS AND SHALL INSTALL ADEQUATE STORAGE FACILITIES FOR SUCH FUELS.
2. THAT EACH ELECTRICAL GENERATING CUSTOMER AFFECTED BY THIS ORDER LIMIT CONSUMPTION AS MUCH AS POSSIBLE.

THE CPSB IS WORKING DILIGENTLY TO COMPLY WITH CONDITION 1. THEY ESTIMATE THAT THEIR STORAGE FACILITIES WILL NOW AMOUNT TO 1,160,000 BARRELS OF FUEL - 30 DAYS SUPPLY.

UNDER CONDITION 2, THE CPSB HAS A CLEAR OBLIGATION TO THE RR COMMISSION TO INSTITUTE AN EFFECTIVE ENERGY CONSERVATION PROGRAM, AND I THINK THAT HERE THE CITY SHOULD TAKE A POSITION OF LEADERSHIP.

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THE PEOPLE OF OUR COMMUNITY MUST BE MADE TO REALIZE THAT ENERGY CONSERVATION IS NO LONGER A MATTER OF INDIVIDUAL PREFERENCE. IT MUST BE A WAY OF LIFE FOR ALL OF US, NOW AND FOR THE FORESEEABLE FUTURE. WE MUST INSIST THAT EVERYONE PLAY HIS PART IN THE FOLLOWING PROGRAM, TO BECOME EFFECTIVE IMMEDIATELY:

- ALL AIR CONDITIONING MUST BE SET SO THAT INSIDE TEMPERATURES ARE NO LOWER THAN 80 DEGREES. THIS, ALONE, REPRESENTS A VERY LARGE SAVING - NEARLY 12 PER CENT OF THE TOTAL LOAD.
- ALL LIGHTS THAT ARE NOT ABSOLUTELY NECESSARY MUST BE TURNED OFF. LEVELS OF ROOM ILLUMINATION CAN BE REDUCED; CORRIDORS CAN BE LEFT UNLIT. THERE ARE MANY PLACES WHERE SUCH SAVINGS CAN BE REALIZED AND THEY ADD UP TO A RESPECTABLE TOTAL - AN ESTIMATED 5 PERCENT OF THE OVERALL SYSTEM LOAD.
- COMMERCIAL USERS MUST REDUCE NIGHT LIGHTING AND SIGN ILLUMINATION BY AT LEAST 50 PER CENT. IN MANY CASES, THIS CAN BE DONE BY SIMPLY TURNING OFF MOST OR ALL SUCH LIGHTS AT THE CLOSE OF BUSINESS EACH EVENING.
- STREET LIGHTING IN THE DOWNTOWN AREA WILL BE REDUCED BY 50 PER CENT BUT THESE LIGHTS AND THE RIVER WALK LIGHTS WILL REMAIN ON ALL NIGHT FOR SECURITY REASONS. ARTERIAL AND EXPRESSWAY LIGHTS WILL BE TURNED ON AT 10 P.M. AND TURNED OFF AT 2 O'CLOCK IN THE MORNING. THE RESIDENTIAL STREET LIGHTING NECESSARY FOR SECURITY WILL REMAIN ON AT PRESENT. THE POLICE CHIEF HAS BEEN CONSULTED IN THIS MATTER AND WILL DETERMINE IF ANY VARIATION IN THIS PART OF THE PROGRAM IS NECESSARY. AGAIN, EFFECTIVE IMMEDIATELY, THE CITY WILL IMPOSE THE MOST STRINGENT CONSERVATION MEASURES IN ITS OWN FACILITIES. PARKS WILL BE CLOSED AT DUSK; NIGHT BASEBALL AT PUBLIC DIAMONDS WILL NO LONGER BE ALLOWED. WE MUST INSIST THAT CHURCHES AND OTHER ORGANIZATIONS SPONSORING NIGHT ACTIVITIES FOLLOW THE CITY'S LEAD. SECURITY LIGHTS WILL REMAIN ON.

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2500 INDUSTRIAL AND COMMERCIAL CUSTOMERS AT THE REQUEST OF CPSB HAVE VOLUNTARILY REDUCED ENERGY USAGE BY AMOUNTS AS MUCH AS 40 PER CENT. THIS MEANS OPERATIONS HAVE BEEN REDUCED; AND IN SOME CASES PEOPLE HAVE BEEN LAID OFF. PUTTING WAGE EARNERS BACK TO WORK IS MORE IMPORTANT TO THE COMMUNITY THAN INDIVIDUAL COMFORT OR NIGHTTIME RECREATION. WE MUST REDUCE OUR CONSUMPTION OF ENERGY FOR THESE LUXURY PURPOSES. OUR LIMITED ENERGY SUPPLY MUST BE USED WHERE IT IS MOST URGENTLY NEEDED - IN MAINTAINING INDUSTRY AND COMMERCE AT THEIR NORMAL LEVELS.

WE MUST ALSO MAKE THE STRONGEST POSSIBLE SHOWING OF COMPLIANCE WITH THE RR COMMISSION ORDER. LOSS OF THE PRESENT PRIORITY ("B") FOR POWER GENERATION WOULD RESULT IN ECONOMIC DISASTER.

IN ADDITION WE MUST REMEMBER THAT SAN ANTONIO IS ONLY ONE UNIT IN A COMPLEX AND INTER RELATED ENERGY SYSTEM. GAS THAT IS BEING SENT TO US BY THE RR COMMISSION ORDER IS BEING TAKEN AWAY FROM INDUSTRIES. THESE INDUSTRIES ARE SHUTTING DOWN OR CURTAILING OPERATIONS, LAYING OFF WORKERS. PRESSURE UPON THE RR COMMISSION TO VACATE ITS ORDERS ARE INTENSE.

I AM AWARE THAT THE COUNCIL HAS ASKED FOR A SERIES OF PLANS TO BE IMPLEMENTED SUCCESSIVELY, DEPENDING UPON THE URGENCY OF THE CRISIS AS SEEN EACH DAY. THE REALITIES OF THE SITUATION DO NOT PERMIT ANY SUCH RESPONSE. THE ECONOMIC LIFE OF THE COMMUNITY IS AT STAKE. WE MUST PROTECT OUR POWER GENERATING SYSTEM AND WE MUST CONVINCED THE RR COMMISSION OF OUR GOOD FAITH.

LET ME POINT OUT THAT ALL THE CONSERVATION MEASURES I HAVE SO FAR RECOMMENDED CALL FOR VOLUNTARY ACTION BY INDIVIDUAL CITIZENS. SHOULD SUCH A PROGRAM NOT REDUCE THE LOAD ENOUGH, THEN I MUST RECOMMEND CITY ORDINANCES REQUIRING COMPLIANCE. WE OBVIOUSLY DO NOT WANT TO TAKE SUCH A STEP. ENFORCEMENT WOULD BE A VERY LARGE AND DIFFICULT PROBLEM.

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UPON ADOPTION OF PROPER ORDINANCES WE WOULD ELIMINATE ALL OUTSIDE SIGN LIGHTING, ARTERIAL & EXPRESSWAY LIGHTING, AND CURTAIL STREET LIGHTING. WE WOULD STOP AIR CONDITIONING PUBLIC BUILDINGS EXCEPT THOSE WHOLLY DEPENDENT ON ARTIFICIAL VENTILATION SUCH AS THE CONVENTION CENTER AND CITY HALL ANNEX. WE SHOULD ALSO ASK COMMERCIAL AND INDUSTRIAL USERS TO VOLUNTARILY REDUCE ENERGY USE AS MUCH AS POSSIBLE; I WOULD ANTICIPATE FROM THEM THE SAME FINE COOPERATION WE ARE NOW RECEIVING.

WE MUST KEEP IN MIND THAT EVEN THESE MEASURES MAY NOT BE SUFFICIENT IF THE SITUATION WORSENS, AND IT DEFINITELY COULD. WE COULD LOSE OUR PRESENT GAS PRIORITY. LO-VACA GATHERING COMPANY COULD FIND THAT IT COULD NOT FURNISH SUFFICIENT GAS. CPSB COULD FIND THAT OIL BURNING TO MAKE UP THE DEFICIENCY COULD NOT CONTINUE WITHOUT DAMAGING ITS FURNACES. IN SUCH A CASE THERE IS A FURTHER STEP - AN EXTREME STEP - WHICH WE WOULD HAVE TO TAKE.

THE CPSB HAS AN EMERGENCY PLAN FOR LOAD SHEDDING WHEN GENERATING CAPACITY DROPS. THIS IS REFERRED TO AS "FIRM LOAD CYCLING" AND IS DONE BY CYCLING DISTRIBUTION CIRCUITS OFF AND ON AS DICTATED BY SYSTEM CONDITIONS.

IN SIMPLE TERMS, THIS MEANS THAT A PART OF THE CITY WILL BE "BLACKED OUT" FOR PERIODS OF ABOUT 1 1/2 HOURS OFF AND 1/2 HOUR ON.

CERTAIN CIRCUITS CANNOT BE TOUCHED - THOSE CARRYING HOSPITALS, PUMPING STATIONS, LIFE SUPPORT MACHINES, AND THOSE NECESSARY FOR GENERAL SECURITY. APART FROM THESE, ALL CITIZENS WILL BE REQUIRED TO CARRY THEIR PART OF THE BURDEN, AND CPSB IS WORKING ON DESIGN MODIFICATIONS TO MAKE THE BLACKOUT SYSTEM AS FAIR AS POSSIBLE.

IF IT BECOMES NECESSARY TO RESORT TO THIS EXTREME MEASURE, THE CITY MANAGER MUST BE GIVEN AS MUCH ADVANCE NOTICE AS POSSIBLE. THERE ARE MANY CITY ACTIVITIES ( SUCH AS STEPPED-UP POLICE ACTIVITY) WHICH WOULD HAVE TO BE COORDINATED AND DIRECTED BY HIM.

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AS A LONG-TERM CONSERVATION MEASURE, I SUGGEST THAT THE COUNCIL CONSIDER IMPOSITION OF A RATE SURCHARGE ON UNNECESSARY OR LUXURY ENERGY CONSUMPTION. OUR PRESENT RATE STRUCTURE MAKES HIGH CONSUMPTION ATTRACTIVE; I FEEL THAT WE MUST TURN THIS AROUND AND PROVIDE A POWERFUL ECONOMIC MOTIVE FOR CONSERVATION. SUCH A MEASURE SHOULD BE ADOPTED ONLY AFTER AN ADEQUATE STUDY, TO INSURE THAT THERE IS NO ADVERSE EFFECT ON COMMERCE.

AS A FURTHER MEASURE, WE MUST STUDY THE IMPACT OF EXTENDING CPSB SERVICES INTO DEVELOPING AREAS.

LET ME MENTION THAT ALL THE DATA I HAVE PRESENTED HERE COMES FROM THE CPSB, THAT MY CONCLUSIONS ARE BASED ON THEIR DATA, THAT THIS REPORT HAS BEEN REVIEWED BY CPSB STAFF MEMBERS AND THAT THEY CONCUR.

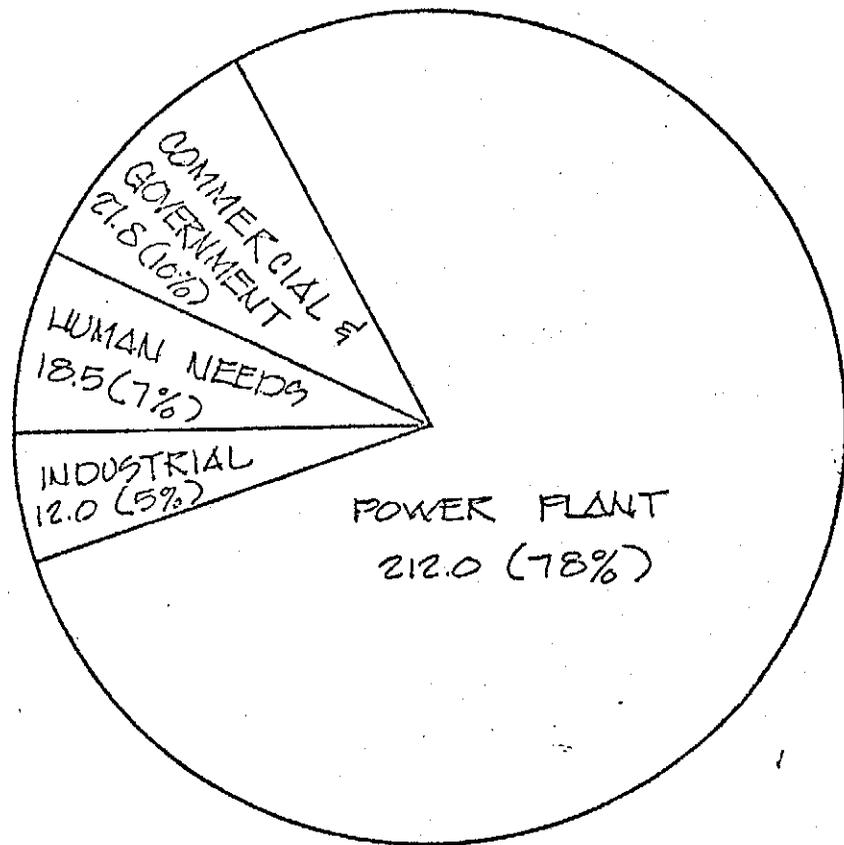
IF YOU DETECT IN MY REMARKS HERE THIS MORNING A NOTE OF URGENCY, YOU ARE RIGHT. I CONSIDER THIS THE GREATEST CRISIS THIS CITY HAS EVER FACED, AND WE MUST ACT WITH DECISION, FIRMNESS AND SPEED. I AM CERTAIN THE CPSB FEELS THE SAME SENSE OF URGENCY AND WILL ACT WITH EQUAL VIGOR.

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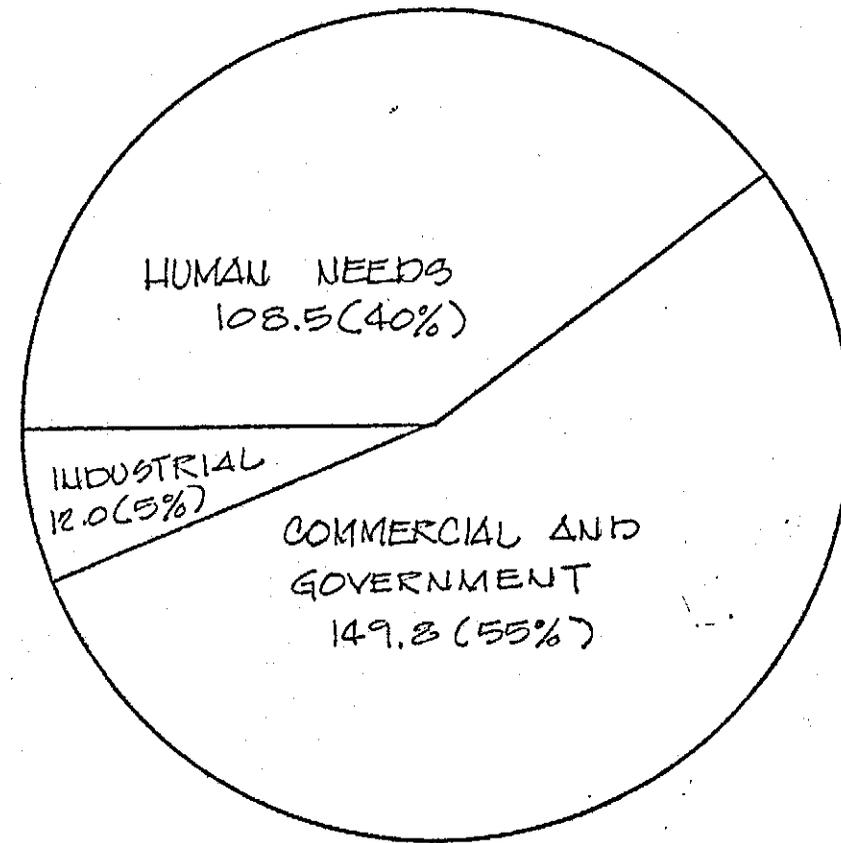
-21-

CHART NO. 1

AVERAGE DAILY GAS USAGE IN MILLION CUBIC FEET  
SUMMER 1972



GAS USE

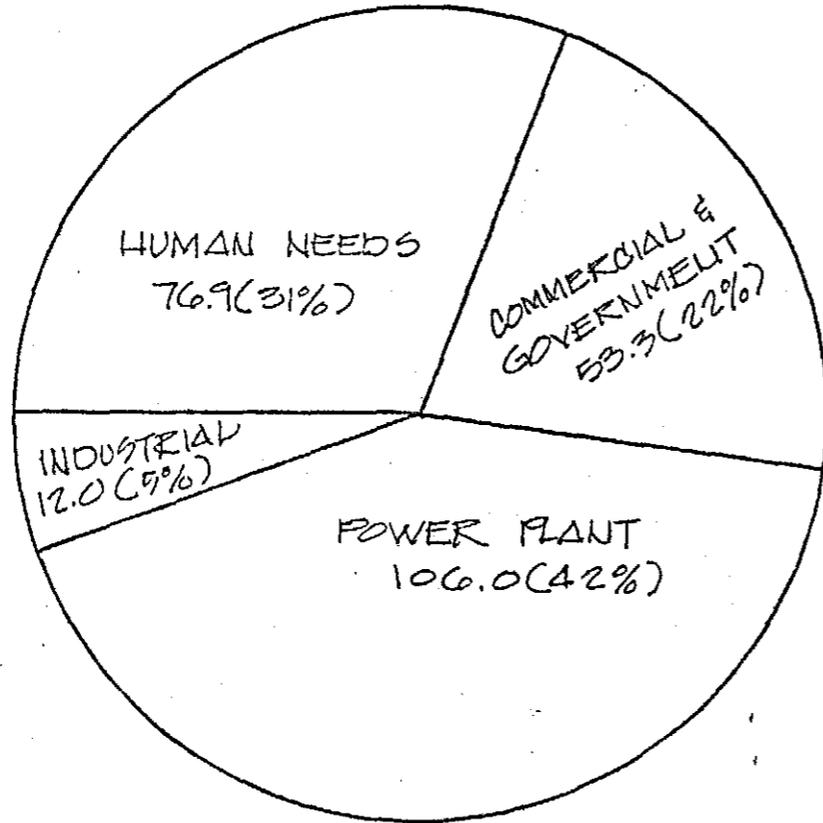


TOTAL ENERGY  
(AS GAS)

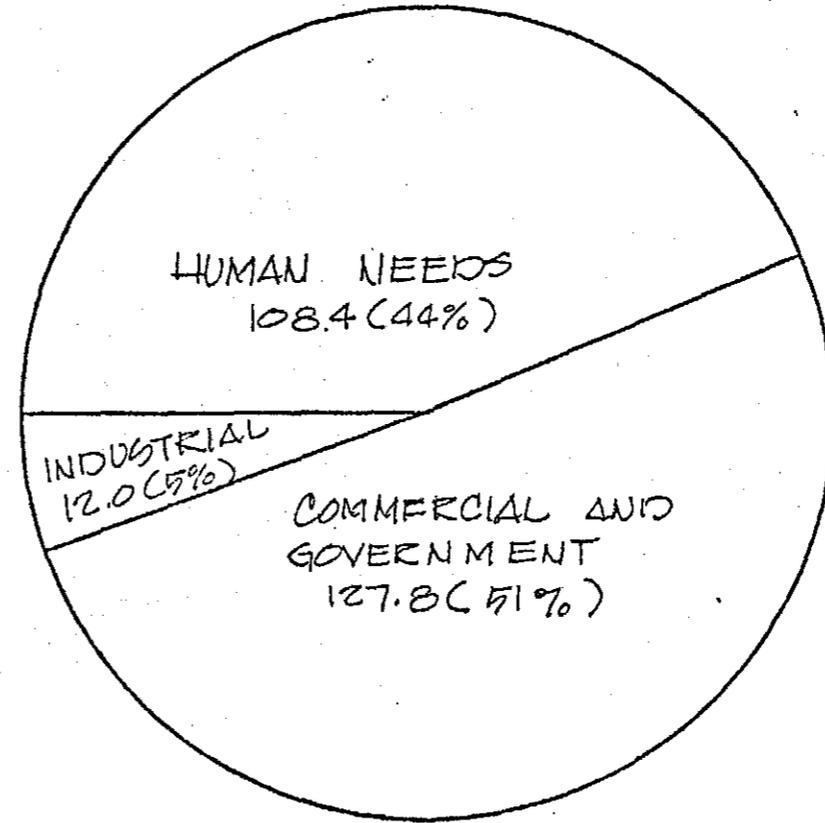
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CHART NO. 2

AVERAGE DAILY GAS USAGE IN MILLION CUBIC FEET  
WINTER 1972

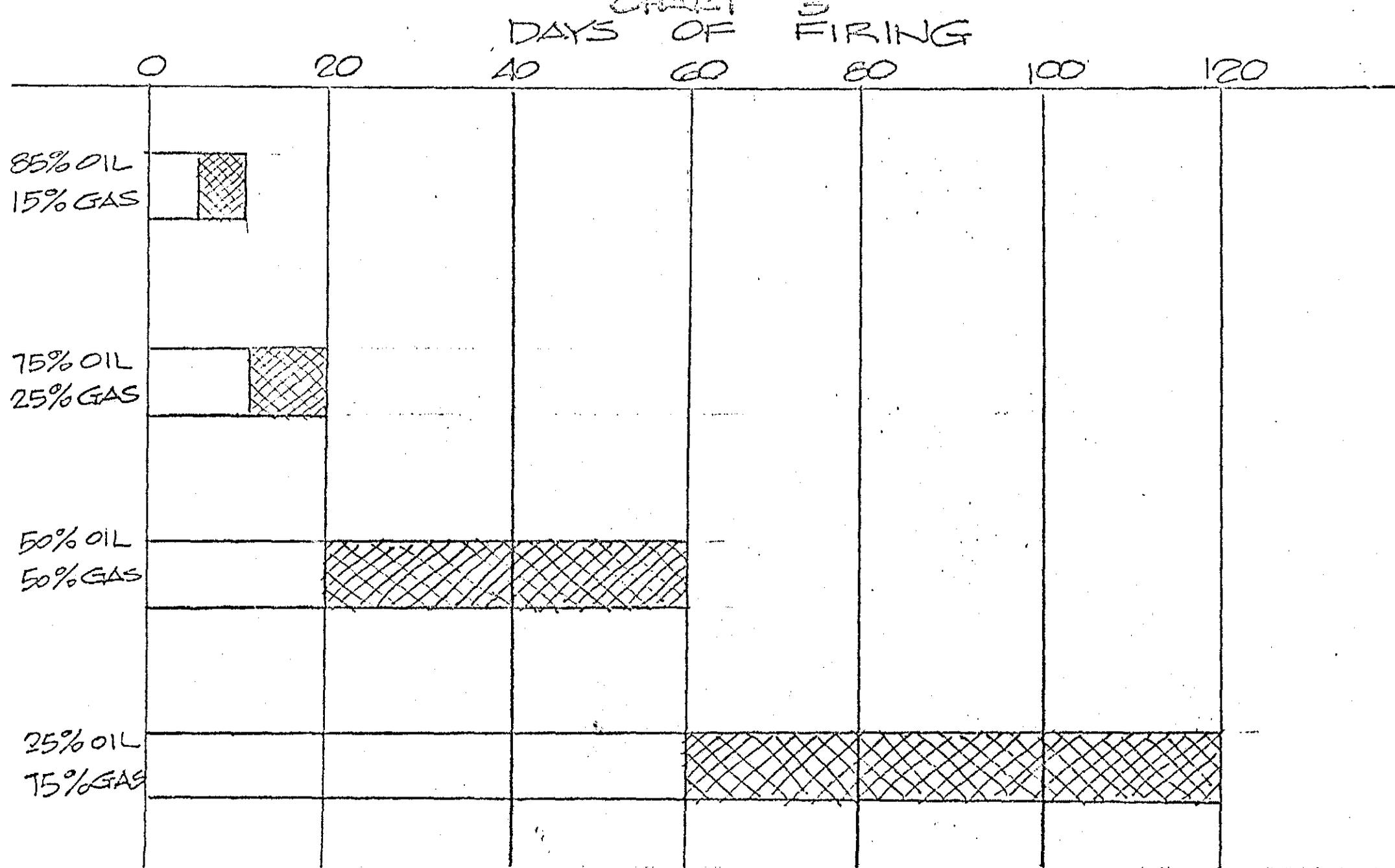


GAS USE



TOTAL ENERGY  
(AS GAS)

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OPERATING PERIODS BEFORE  
SHUTDOWN

MIXED FUEL FIRING

DR. SAN MARTIN: I would like to commend Mr. Granata and his staff for the promptness and efficiency of this report. I can only say that this strengthens my request that the City Council, through you, Mr. Mayor, make a statement as to not only the present situation but what we expect the citizens of San Antonio to do and understand and the reasons as outlined by the legal staff why no further steps can be taken at this point as far as seeking the compliance of our contract between Coastal States and the City Public Service Board. I think that a statement from this Council by our Mayor should definitely carry the weight that it should carry, and it would be in the nature of a state of affairs or what the situation is to the citizens of San Antonio. I would like that the last part as to the surcharge not be acted upon at this time until we have enough information.

CITY MANAGER GRANATA: That's fine. That's just a suggestion.

MAYOR BECKER: Dr. San Martin, I can made a statement right at this very moment as to my attitude with respect to the various functions of the utilities that are the agencies of the City of San Antonio. I read editorials constantly almost intervening in matters that are beyond our province in demanding certain things of these various agencies. And by the agencies, I am speaking specifically of the City Public Service Board, the Water Board, and the Transit Authority. I suggest that had these matters been handled in a public fasion back years ago, since the very inception of this type of government, that this would not have ever occurred. I also suggest that whether or not this Council is taking up too much time at these meetings that it holds every Thursday and/or any hearings that it might hold, is also a matter that should be thoroughly investigated before any conclusions are drawn. I read where five of the Councilmen who voted on the establishment of the cable television contract in 1967 or whatever it was, claim they didn't know what they were voting on. This sort of thing to me is almost impossible to understand. These people are elected to this office and are charged with the responsibility of determining the consequences and fate of the things that affect the citizens of this City and are voting on things that they don't know what they are voting on. Now, the same thing happened in the last Council session, with respect to the Water Board Resolution when we were required to vote on it, when it was presented to us at 9:30 in the morning, and we didn't even have a chance to read it and it had seven changes in it according to one of the newspaper reporters because he had had those changes explained to him the previous day on a Wednesday by certain people in the Water Board. Yet the contract was brought over to us and set before us at 9:30 in the morning. We deliberated on other matters for 30 minutes and at 10:00 o'clock we were expected to vote on an item, a 28 page contract that we hadn't even had the right to read. Now, as long as this condition prevails and as long as this Council or any other Council acts in an timeous fashion, I suggest that these conditions are going to continue to arise in these crisis and all these catastrophic events, and we are going to have to bear the brunt of not handling things in a proper fashion. Now, we are either a City Council or we are not a City Council.

And getting around to that situation, which is probably not a total part of this problem that we are facing here this - I have directed two letters to the City Public Service Board - one of May 23rd which was sent by mail, the other of June 11th of 1973, both of these letters of 1973, which were hand carried and delivered to the General Manager of the City Public Service Board, requesting the various fees that are paid over there in the form of professional fees, legal fees and so forth. To this date, I have not received this

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information. Now, in almost any corporation, it wouldn't take 30 minutes to accumulate this data, and yet from May the 23rd and then the second letter on June 11th, and I still don't have an answer to this situation. I recall all too well, that during the last Council, where it took us two months to get the salary structure of the City Public Service Board. As long as those agencies think that they have the God-given right to act as independently as they have been operating, then I don't have any assurance of any kind as to what this populus of ours might expect, and I am only saying that because we are the duly elected members of this City Council, and we have the right to find out anything we want to know about the operations of these agencies and any other part of this government for that matter. That will always be my attitude about it, and I will not deviate from that either.

So, as far as the statement of policy, Doctor, certainly I think that you have a proper recommendation, and I'll be happy to do so. We might also encourage the various news media to please bear with us and present this thing in its truest light. That this Council nor at this time the City Public Service Board management are sitting on their hands. There is only so much we can do. We are not capable of creating miracles. Everybody is putting their shoulders to the wheels in the best fashion that they know how. We're going to have to join forces and work together on this particular problem. It isn't a question now of playing catch up. The damage has been done. All the side line quarterbacking and what not that's been attendant to this thing certainly doesn't make the job any easier for those who are faced with the burden of carrying on. I think our staff, our City Manager, I believe in all fairness our City Council and I will also say in fairness and equity that the City Public Service Board at this time is doing everything that they possibly can do to alleviate and bring about whatever remedial action they possibly can and it's clamor for action and all that sort of thing makes wonderful headlines. It sounds grand but, as Mr. Reeder pointed out this morning, when you're dealing from an informed position which this Council is certainly entitled to deal from, it precludes any type of legal action at this time. We all wish that it hadn't occurred, and we would like to see restitution made, if and when, but really the most immediate thing at this time is the replacement for this gas as soon as possible and bring about some successful conclusion to that.

MR. BECKMANN: This may be an answer to Dr. Jose San Martin's request for a statement on your part. May I suggest that we commend our City Manager for this statement and make it part of the record, that we extend this to the community as to what efforts we are making to make them aware of the seriousness of the situation.

MAYOR BECKER: Most business firms all have tried to cooperate. I do believe this. I do notice certain signs still burning as brightly as ever. I think those institutions should be requested to cease and desist where possible. I know that much of the public who and customers who visit our stores on a day to day basis ask all types of questions about the amount of air conditioning that our type of industry uses and refrigeration. We are dealing with perishable products and I'm not defending our actions. I'm only trying to point out where differences do exist and where cooperation and compliance is possible, where it's not possible. Much refrigeration equipment that you see visible in all the supermarkets, for example, was designed to operate at a certain temperature range and if you heat the building up those meat cases, frozen food cases and all those things will not operate properly and the frozen foods will melt and the meat will deteriorate in an accelerated fashion. That's just a fact of engineering. It is something we didn't have anything to do with. We're trying to comply in our company. I'm sure most other people are as well. I have a quarrel with various

signs I see burning at night. All you have to do is travel down I.H. 10 from somewhere in the vicinity of the hospital or Callaghan Road and you can readily determine which signs I'm speaking of. I think these people should be requested to join in with the cooperative efforts. Now as far as the report here, this should be disseminated, I believe, to the newspapers. Is that what you're.....

MR. BECKMANN: Yes, I just wanted to make it a matter of record to the Council that it adopts this procedure and perhaps this will give Dr. San Martin an answer for the statement that he was requesting from you.

DR. SAN MARTIN: I believe, Mr. Beckmann, that it will with the statement just made by the Mayor and, if this Council concurs that legal advice submitted by Mr. Crawford Reeder is acceptable to this Council at this time.

REV. BLACK: Mayor, I would simply like to add that the nature of this report suggests some rather serious economic problems because when you begin to talk about the lack of energy over an unnamed period, you're saying to any new industry this is not the place to move. It's not a place to make your home. It seems to me that we need to also indicate that the necessity for review and evaluation so that we can have periodic review of how this plan is working, its relationship to our continued effort to achieve and resolve the energy crisis, so that we don't find ourselves with a total image as a City limited in energy resources and therefore discouraging any new industry from moving here. I think from that point we ought to take some of the pressure off of this in terms of review and evaluation from time to time.

MAYOR BECKER: I certainly concur with that. Are there any other remarks anyone would like to make with respect to Mr. Granata's statement and report on Dr. San Martin's request or what Mr. Beckmann said?

MR. LACY: Mr. Mayor, I'm just wondering if we have that new facility for the greater storage of oil, if we are using it so fast, are we going to be able to catch up or are we necessarily going to have to have at least for a week or some period of days, a shut down if people don't respond to it in order that the new storage facilities can be filled to meet emergencies.

MAYOR BECKER: I though I read in the paper this morning where it said that they had 450 thousand barrels of oil in storage now. Now that could be wrong.

CITY MANAGER GRANATA: It's about 30 percent filled at this time, as I understand it, and coming in at a rate of approximately.....

MAYOR BECKER: 15 thousand barrels a day, I think it said.....

CITY MANAGER GRANATA: That's correct.

MAYOR BECKER: Isn't that correct?

CITY MANAGER GRANATA: That's what I read too, yes, sir.

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DR. SAN MARTIN: The only thing I would like to ask.....

CITY MANAGER GRANATA: The last 15 days they haven't had to burn it. They've been getting their full quota but they expect a curtailment any day now.

DR. SAN MARTIN: The only thing I'd like to add as my closing statement is that we advise the City Public Service Board of the comments that were made here this morning with a special emphasis on Rev. Black's concerns to the industrial picture here and that we urge them to keep the City Manager informed on a daily basis of what is happening so that the Manager can take the appropriate action and inform this Council at anytime that a serious crisis may loom in the future...in the near future.

MR. GRANATA: Yes, sir we'll be working closely together.

MAYOR BECKER: Thank you, Doctor. Any further remarks?

MR. MENDOZA: I don't know if we need any action from the Council but I would like to say in regards to the letter you read Mr. Mayor that we... that you as the Mayor and of course, also getting some support from the Council in general that we answer... that we request for an answer to your letter from the City Public Service Board in regards to the fees. In fact, I'll submit this as a form of a motion.

MR. LACY: I second it.

MAYOR BECKER: Is there any discussion regarding that? Okay question.

Roll Call:

Mrs. Cockrell: Absent

Dr. San Martin: Aye

Mayor Becker: Aye

Rev. Black: Aye

Mr. Lacy: Aye

Mr. Morton: Absent

Mr. Beckman: Aye

Mr. Padilla: Aye

Mr. Mendoza: Aye

\* \* \* \*

73-32 The meeting recessed at 11:20 A. M. and reconvened at 11:40 A. M.

A. CASE 5028 - to rezone a 7.5448 acre tract of land out of NCB 14864, being further described by field notes filed in the office of the City Clerk, 10501 Huebner Road, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District; a 0.3826 acre tract of land out of NCB 14864, being further described by field notes filed in the office of the City Clerk, 10501 Huebner Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District; a 1.0736 acre tract of land out of NCB 14864, being further described by field notes filed in the office of the City Clerk, 10501 Huebner Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District.

The "R-3" zoning being located 120.95' northwest of Huebner Road and approximately 900' southwest of Fredericksburg Road; having 520.77' in length and 641.87' in width.

The "B-3" zoning being located on the northwest side of Huebner Road, being 820' southwest of the cutback between Huebner Road and Fredericksburg Road; having 126.11' on Huebner Road and a maximum depth of 141.68'.

The "B-2" zoning being located on the northwest side of Huebner Road, being 946.11' southwest of the cutback between Huebner Road and Fredericksburg Road; having 389.29' on Huebner Road and a maximum depth of 121.06'.

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

No one spoke in opposition.

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

AN ORDINANCE 42,365

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 7.5448 ACRE TRACT OF LAND OUT OF NCB 14864, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 10501 HUEBNER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; A 0.3826 ACRE TRACT OF LAND OUT OF NCB 14864, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 10501 HUEBNER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; AND

A 1.0736 ACRE TRACT OF LAND OUT OF NCB 14864, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 10501 HUEBNER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

B. CASE 4779 - to rezone a 18.884 acre tract of land out of NCB 10596, being further described by field notes filed in the office of the City Clerk, 700 Springfield Road, from "B" Two Family Residential District to "B-2" Business District; a 18.349 acre tract of land out of NCB 10599, being further described by field notes filed in the office of the City Clerk, 700 Springfield Road, from "B" Two Family Residential District to "B-3" Business District; and a 15.059 acre tract of land out of NCB 10596, being further described by field notes filed in the office of the City Clerk, 700 Springfield Road, from "B" Two Family Residential District to "R-3" Multiple Family Residential District.

The "B-2" zoning being located on the east side of Springfield Road, being 1313.47' south of the cutback between Springfield Road and Seguin Road, (FM 78); having 1868.80' on Springfield Road and a maximum depth of 457.39'.

The "B-3" zoning being located southwest of the cutback between Seguin Road (FM 78) and Springfield Road; having 977.39' on Seguin Road, 1194.89' on Springfield Road and 88.48' on the cutback between these two roads.

The "R-3" zoning being located on the east side of Springfield Road, being approximately 110' south of Seguin Road (FM 78); having 1313.47' on Springfield Road and a depth of 450'.

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

No one spoke in opposition.

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

AN ORDINANCE 42,366

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 18.884 ACRE TRACT

OF LAND OUT OF NCB 10596, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 700 SPRINGFIELD ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; A 18.349 ACRE TRACT OF LAND OUT OF NCB 10599, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 700 SPRINGFIELD ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; AND A 15.059 ACRE TRACT OF LAND OUT OF NCB 10596, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 700 SPRINGFIELD ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

C. CASE 5039 - to rezone a 0.344 acre tract of land out of NCB 12815, being further described by field notes filed in the office of the City Clerk, 8000 Block of Fredericksburg Road, from Temporary "A" Single Family Residential District to "B-2" Business District, located west of the intersection of Fredericksburg Road and Medical Drive; having 243.86' on Medical Drive and 100.69' on Fredericksburg Road.

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

No one spoke in opposition.

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

AN ORDINANCE 42,367

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.344 ACRE TRACT OF LAND OUT OF NCB 12815, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

D. CASE 5041 - to rezone a 19.769 acre tract of land out of NCB 15684, being further described by field notes filed in the office of the City Clerk, 11142 Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the southeast side of Nacogdoches Road, being 654' northeast of the railroad R.O.W.; having 617.24' on Nacogdoches Road and a maximum depth of 1461.67'.

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

No one spoke in opposition.

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

AN ORDINANCE 42,368

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 19.769 ACRE TRACT OF LAND OUT OF NCB 15684, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 11142 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

\* \* \* \*

E. CASE 5045 - to rezone Lots 93, 94, and east 35' of Lot 92, Block 10, NCB 9310, 1304 and 1310 S.W. Military Drive, from "F" Local Retail District to "B-3" Business District, located southwest of the intersection of S.W. Military Drive and Altura Avenue; having 135' on S.W. Military Drive and 152.1' on Altura Avenue.

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

No one spoke in opposition.

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

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AN ORDINANCE 42,369

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 93, 94, AND EAST 35' OF LOT 92, BLOCK 10, NCB 9310, 1304 AND 1310 S.W. MILITARY DRIVE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE BE ERECTED ON THE SOUTH PROPERTY LINE.

\* \* \* \*

F. CASE 5048 - to rezone the east 108.35' of Lot 17, NCB 10761, 2045 South W. W. White Road, from "F" Local Retail District to "B-3" Business District, located northwest of the intersection of Boxwood Road and South W. W. White Road; having 108.35' on Boxwood Road and 118.82' on South W. W. White Road.

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

No one spoke in opposition.

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

AN ORDINANCE 42,370

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 108.35' OF LOT 17, NCB 10761, 2045 SOUTH W. W. WHITE ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE BE ERECTED ON THE WEST PROPERTY LINE.

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G. 5049 - to rezone Lot 53, Block 15, NCB 9218, 3402 Blanco Road, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located northeast of the intersection of Clower Drive and Blanco Road; having 60' on Clower Drive and 129.4' on Blanco Road.

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

No one spoke in opposition.

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

AN ORDINANCE 42,371

AMENDING CHAPTER 42 OF THE CITY CODE  
THAT CONSTITUTES THE COMPREHENSIVE  
ZONING ORDINANCE OF THE CITY OF SAN  
ANTONIO BY CHANGING THE CLASSIFICATION  
AND REZONING OF CERTAIN PROPERTY  
DESCRIBED HEREIN AS LOT 53, BLOCK 15,  
NCB 9218, 3402 BLANCO ROAD, FROM "B"  
TWO FAMILY RESIDENTIAL DISTRICT TO  
"R-3" MULTIPLE FAMILY RESIDENTIAL  
DISTRICT.

\* \* \* \*

H. CASE 5059 - to rezone a 12.146 acre tract of land out of NCB 12858, being further described by field notes filed in the office of the City Clerk, 8500 - 8600 Block of Fredericksburg Road, from Temporary "A" Single Family Residential District to "B-3" Business District.

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

No one spoke in opposition.

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

AN ORDINANCE 42,372

AMENDING CHAPTER 42 OF THE CITY CODE  
THAT CONSTITUTES THE COMPREHENSIVE  
ZONING ORDINANCE OF THE CITY OF SAN  
ANTONIO BY CHANGING THE CLASSIFICATION  
AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS A 12.146 ACRE  
TRACT OF LAND OUT OF NCB 12858,  
BEING FURTHER DESCRIBED BY FIELD  
NOTES FILED IN THE OFFICE OF THE  
CITY CLERK, FROM TEMPORARY "A"  
SINGLE FAMILY RESIDENTIAL DISTRICT  
TO "B-3" BUSINESS DISTRICT, PROVIDED  
THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

I. CASE 5042 - to rezone the west 90' of Tract A, Block 6, NCB 10378, 2500 Block of West Avenue, from "A" Single Family Residential District to "O-1" Office District; and Tract A, Block 6, NCB 10378, save and except the west 90', from "A" Single Family Residential District to "B-3" Business District.

The "O-1" zoning being located on the south side of El Monte Boulevard, being 310' west of the intersection of West Avenue and El Monte Boulevard; having 90' on El Monte Boulevard and a depth of 220.08'.

The "B-3" zoning being located southwest of the intersection of West El Monte Boulevard and West Avenue; having 310' on West El Monte Boulevard and 220.08' on West Avenue.

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

No one spoke in opposition.

After consideration, Mr. Beckmann made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished, that a non-access easement along the west property line at the alley be established and that landscape screening be provided on the west property line and on the south property line adjacent to the single family residences to the south. The motion was seconded by Dr. San Martin. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: San Martin, Becker, Lacy, Beckmann, Mendoza; NAYS: None; ABSENT: Cockrell, Black, Morton, Padilla.

AN ORDINANCE 42,373

AMENDING CHAPTER 42 OF THE CITY CODE  
THAT CONSTITUTES THE COMPREHENSIVE  
ZONING ORDINANCE OF THE CITY OF SAN  
ANTONIO BY CHANGING THE CLASSIFICATION  
AND REZONING OF CERTAIN PROPERTY  
DESCRIBED HEREIN AS THE WEST 90' OF  
TRACT A, BLOCK 6, NCB 10378, 2500  
BLOCK OF WEST AVENUE, FROM "A" SINGLE  
FAMILY RESIDENTIAL DISTRICT TO "O-1"  
OFFICE DISTRICT; AND TRACT A, BLOCK 6,  
NCB 10378, SAVE AND EXCEPT THE WEST 90',  
2500 BLOCK OF WEST AVENUE, FROM "A"  
SINGLE FAMILY RESIDENTIAL DISTRICT TO  
"B-3" BUSINESS DISTRICT, PROVIDED THAT

PROPER PLATTING IS ACCOMPLISHED, THAT A NON-ACCESS EASEMENT ALONG THE WEST PROPERTY LINE AT THE ALLEY BE ESTABLISHED AND THAT LANDSCAPE SCREENING BE PROVIDED ON THE WEST PROPERTY LINE AND ON THE SOUTH PROPERTY LINE ADJACENT TO THE SINGLE FAMILY RESIDENCES TO THE SOUTH.

\* \* \* \*

J. CASE 5011 - to rezone the east 350' of Tract A, NCB 8416, 2719 Fredericksburg Road, from "A" Single Family Residential District to "B-3" Business District, located 192.92' west of Fredericksburg Road and approximately 250' north of Quentin Drive; having a length of 350' and a width of approximately 95'.

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

No one spoke in opposition.

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

AN ORDINANCE 42,374

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 350' OF TRACT A, NCB 8416, 2719 FREDERICKSBURG ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE BE ERECTED ON THE SOUTH PROPERTY LINE.

\* \* \* \*

73-32 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Dr. San Martin, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: San Martin, Becker, Lacy, Morton, Beckmann, Mendoza; NAYS: None; ABSENT: Cockrell, Black, Padilla.

AN ORDINANCE 42,375

ACCEPTING THE LOW BID OF HOBBS TRAILERS CORPORATION TO FURNISH THE CITY WITH A HYDRAULIC DUMP STAKE BODY FOR A TOTAL OF \$2,048.00.

\* \* \* \*

73-32 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Mr. Beckmann, seconded by Mr. Lacy, was passed and approved by the following vote: AYES: San Martin, Becker, Lacy, Morton, Beckmann; NAYS: None; ABSENT: Cockrell, Black, Padilla, Mendoza.

AN ORDINANCE 42,376

ACCEPTING THE LOW BID OF SAN ANTONIO AMERICAN PRINTERS, INC. TO FURNISH THE CITY WITH THE PRINTING OF "REPORT ON THE MISSIONS" FOR A TOTAL OF \$7,179.95.

\* \* \* \*

73-32 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: San Martin, Becker, Black, Lacy, Morton, Beckmann; NAYS: None; ABSENT: Cockrell, Padilla, Mendoza.

AN ORDINANCE 42,377

ACCEPTING THE LOW BIDS OF PRASSEL LUMBER COMPANY AND ROYAL LUMBER & HARDWARE TO FURNISH THE CITY WITH CERTAIN BUILDING MATERIALS FOR A TOTAL SUM OF \$4,591.76.

\* \* \* \*

AN ORDINANCE 42,378

ACCEPTING THE LOW BIDS OF AUSTIN PUMP & SUPPLY CO. AND PEERLESS EQUIPMENT CO. TO FURNISH THE CITY WITH A CERTAIN IRRIGATION SYSTEM FOR A TOTAL OF \$4,825.24.

\* \* \* \*

73-32 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: San Martin, Becker, Black, Lacy, Morton, Beckmann, Mendoza; NAYS: None; ABSENT: Cockrell, Padilla.

## AN ORDINANCE 42,379

ACCEPTING THE LOW BID OF RUFUS WALKER & CO. TO FURNISH THE CITY WITH CERTAIN METAL CEMENT FORMS & STAKES FOR A TOTAL OF \$1,483.05.

\* \* \* \*

## AN ORDINANCE 42,380

ACCEPTING THE LOW BID OF TRANS-PARK SYSTEMS, INC. TO FURNISH THE CITY WITH CERTAIN TRAFFIC CONTROL EQUIPMENT FOR A TOTAL SUM OF \$11,510.00.

\* \* \* \*

## AN ORDINANCE 42,381

AUTHORIZING THE PURCHASE OF A SPECIAL EFFECTS GENERATOR FOR POLICE TELEVISION EQUIPMENT FROM AUDIO VISUAL AIDS CORP. FOR A TOTAL OF \$1,465.00.

\* \* \* \*

73-32      CLOSED CIRCUIT TELEVISION SYSTEM - POLICE DEPARTMENT

Item No. 8 of the agenda being a proposed ordinance to consider an award of bids for a closed circuit television system for the San Antonio Police Department was withdrawn from consideration at the request of the City Manager.

73-32      The Clerk read the following Ordinance:

## AN ORDINANCE 42,382

MANIFESTING AN AGREEMENT WITH HAYES LEASING COMPANY, INC. TO AMEND LEASE NO. 30-3 AT SAN ANTONIO INTERNATIONAL AIRPORT BY PROVIDING FOR WAIVER OF THE CITY'S LANDLORD'S LIEN ON CERTAIN RENTED COMPUTER EQUIPMENT TO BE PLACED ON THE LEASED PREMISES AND USED IN LESSEE'S OPERATIONS.

\* \* \* \*

The Ordinance was explained by Mr. Tom Raffety, Director of Aviation, who stated that Hayes Leasing will install a computer to tie in with the Avis Rent A Car System at their counter in the Terminal Building. The company which will lease the computer to Hayes has asked that this equipment be exempted from the regular landlord's lien which is in all City leases. He recommended approval of the Ordinance.

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

73-32 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,383

CONSENTING TO THE ASSIGNMENT OF A LEASE AGREEMENT AT SAN ANTONIO INTERNATIONAL AIRPORT UNDER WHICH THE "CHAPEL OF THE AIRWAYS" IS OPERATED, FROM REVEREND FATHER DOUGLAS FREDERICK STYLES TO REVEREND JAMES STONE.

\* \* \* \*

AN ORDINANCE 42,384

AUTHORIZING EXECUTION OF AN AGREEMENT WITH DR. BARBARA McDOUGALL AND MACARIO M. RAMIREZ, PROVIDING FOR DEVELOPMENT OF A COMBINED COURSE OF INSTRUCTION IN MEXICAN AMERICAN CULTURE AND CONVERSATIONAL SPANISH TO BE USED IN CONJUNCTION WITH THE SAN ANTONIO POLICE TRAINING AND EDUCATION INNOVATIONS PROJECT; AND AUTHORIZING PAYMENT TO SAID INDIVIDUALS IN THE AMOUNT OF \$1,000.00 FOR THEIR SERVICES.

\* \* \* \*

73-32 DANGEROUS PREMISES - 118 GROVETON

The Clerk read an ordinance declaring that the structure on the premises at 118 Groveton is a "Dangerous Building" and presents an immediate danger to the life or safety of individuals who come into contact with it; authorizing and directing the Director of Building and Planning to cause the immediate demolition of said structure.

Mr. George Vann, Director of Building and Planning Administration, said that this house located at 118 Groveton is on the east 40' of Lot 1, Block 4, NCB 2984. The owner of record is Mrs. M. J. Foster, P. O. Box 21994. The premises have been inspected by the Fire Department and Health Department as well as the Department of Building and Planning, and all agree that it is in such a deteriorated condition that it is a dangerous building. The last inspections were made on June 18, 1973.

Mrs. Foster, owner of the property, stated that she has been ill and pleaded for additional time to have repairs made. She said that she has the building permit but has had difficulty getting anyone to do the work. She said that 60 days additional would be ample time for her.

Mr. Henry Matthews, owner of the adjoining property, spoke in opposition to a delay in demolition of the building.

After consideration, Dr. San Martin moved that action on this ordinance be delayed 60 days (to August 21, 1973) to allow additional time for Mrs. Foster to have the premises repaired. The motion was seconded by Mr. Padilla and on the following roll call vote was passed and approved; AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

73-32 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. Padilla, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSTAIN: Morton; ABSENT: Cockrell.

AN ORDINANCE 42,385

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH MARGARET PUTNAM, PROVIDING FOR LEASE OF THE PALLISADO HOUSE AND GROUNDS AT LA VILLITA, FOR A ONE YEAR TERM COMMENCING SEPTEMBER 1, 1973.

\* \* \* \*

73-32 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. Padilla, seconded by Mr. Lacy, was passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,386

ESTABLISHING THE PROJECT DESIGNATED THE SUMMER RECREATION SUPPORT PROGRAM 1973 (OEO); APPROVING A BUDGET FOR SAID PROGRAM; APPROPRIATING FUNDS, ACCEPTING A GRANT FROM THE OFFICE OF ECONOMIC OPPORTUNITY FOR SAID PROJECT; APPROVING TEMPORARY FUNDING FOR SAID PROJECT, AND AUTHORIZING EXECUTION OF SUBCONTRACTS WITH TWENTY-ONE SUBCONTRACTING AGENCIES FOR CARRYING OUT PORTIONS OF THE PROGRAM.

\* \* \* \*

73-32 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 Dr. San Martin, seconded by Mr. Padilla, was passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,387

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

\* \* \* \*

73-32 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Black, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell, Lacy.

AN ORDINANCE 42,388

GRANTING PERMISSION TO PLAYLAND PARK TO CONDUCT A FIREWORKS DISPLAY ON JULY 4, 1973, UNDER SUPERVISION OF THE CITY FIRE DEPARTMENT.

\* \* \* \*

AN ORDINANCE 42,389

GRANTING PERMISSION TO ALAMO FIREWORKS, INC. TO CONDUCT A FIREWORKS DISPLAY ON JULY 4, 1973, AT V. J. KEEFE FIELD UNDER SUPERVISION OF THE CITY FIRE DEPARTMENT.

\* \* \* \*

AN ORDINANCE 42,390

DISCONTINUING 41.006 ACRES OF LAND FROM THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, AND RELEASING SAID LAND FROM THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO TO PERMIT SUCH AREA TO BE WITHIN THE EXCLUSIVE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF WINDCREST; SAID RELEASE BEING CONTINGENT UPON AND IN CONSIDERATION FOR THE RELEASE OF 23.00 ACRES OF LAND FROM THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF WINDCREST TO ALLOW SUCH AREA TO BE WITHIN THE EXCLUSIVE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO.

\* \* \* \*

## AN ORDINANCE 42,391

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH THE ST. JAMES A.M.E. CHURCH TRUST PROVIDING FOR THE CITY TO LEASE 1,105 SQ. FT. IN BUILDING NO. 16 IN THE RICHARD ALLEN VILLA, 3135 ROOSEVELT AVENUE AT A RENTAL OF \$147.85 PER MONTH; SAID LEASE TERM TO BE FIVE (5) YEARS COMMENCING JULY 1, 1973, WITH THE CITY TO HAVE OPTION OF TERMINATION OF SAID LEASE UPON 30 DAYS NOTICE AND AUTHORIZING PAYMENT OF SAID RENTAL ON A MONTHLY BASIS.

\* \* \* \*

73-32

The Clerk read the following Ordinance:

## AN ORDINANCE 42,392

MANIFESTING AN AGREEMENT WITH HELEN F. JOHNSON TO TERMINATE THAT CONTRACT PROVIDING FOR LEASE OF SPACE IN BUILDING NO. 209 AT HEMISFAIR PLAZA, EFFECTIVE JUNE 14, 1973; AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH HELEN F. JOHNSON PROVIDING FOR LEASE OF SPACE IN BUILDING NO. 301 AT HEMISFAIR PLAZA FOR A ONE YEAR TERM, COMMENCING JUNE 15, 1973.

\* \* \* \*

The Ordinance was explained by Mr. Jim Gaines, Director of HemisFair Plaza, who stated that Mrs. Johnson has been leasing Building No. 209, but desired larger space and more prominent space for her jewelry business. When Building 301 was rehabilitated a lease was negotiated with Mrs. Johnson. He recommended approval of the Ordinance.

MR. PADILLA: Mr. Mayor, I would like to state for the record that Mrs. Johnson was active in my campaign for election. I did participate in urging City staff to get together with Mrs. Johnson on a mutually acceptable type of agreement for this property she was interested in. I say this because this matter came up during the tenure of the last Council. Councilman Ed Hill was involved in it at that time, and I want it perfectly clear that I have not negotiated either for Mrs. Johnson or the City. I simply urged Mr. Gaines and Mr. Granata to try to sit down with her and see what they could come up with that is mutually acceptable. I would like that in the record.

MAYOR BECKER: If you wish to further clarify your position, you might ask Mr. Gaines whether Mrs. Johnson received any preferential treatment or anything like that as a result of your acquaintance with the lady.

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MR. GAINES: No. There was no preferential treatment given to her at all. We had established with her what we considered to be on our own before Mr. Padilla established an interest in the matter. The fact that she had a prior interest in the building should it become available. While we did have another offer for it we felt that her understanding with us took precedence of that because she had expressed her interest in the building prior to the new offer so to speak. Since she was a present tenant of the Plaza, the lease was different in some respects, but thoroughly competitive in my judgment, and I think a very satisfactory arrangement for the Plaza.

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

73-32 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,393

MANIFESTING AN AGREEMENT WITH SERVOMATION, INC., TO EXTEND FOR AN ADDITIONAL ONE (1) YEAR TERM, THAT AGREEMENT PROVIDING FOR INSTALLATION AND OPERATION OF VENDING MACHINES AT HEMISFAIR PLAZA.

\* \* \* \*

AN ORDINANCE 42,394

MANIFESTING AN AGREEMENT WITH ALIVE, INC. TO EXTEND FOR A ONE YEAR TERM THAT LEASE AGREEMENT PROVIDING SPACE IN BUILDING NO. 250 AT HEMISFAIR PLAZA, ACCORDING TO THE SAME TERMS AND CONDITIONS.

\* \* \* \*

AN ORDINANCE 42,395

AMENDING ORDINANCE 41602 PASSED ON DECEMBER 21, 1972 CORRECTING THE DESIGNATED FUND FOR PAYMENT OF EXPENDITURES OF THE SAN ANTONIO RIVER BEND DEVELOPMENT PROJECT.

\* \* \* \*

AN ORDINANCE 42,396

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE SALE OF GRAVEL TO BEXAR COUNTY FOR ROAD IMPROVEMENTS.

\* \* \* \*

73-32 The Clerk read the following Ordinance:

AN ORDINANCE 42,397

AUTHORIZING THE CITY MANAGER TO EXECUTE  
A CONTRACT WITH SOUTHWEST RESEARCH  
INSTITUTE FOR A SURVEY OF THE CITY'S  
SOLID WASTE FOR COMPOSITION AND HEAT  
CONTENT FOR THE SUM OF \$10,150.00,  
AND AUTHORIZING PAYMENT OF THE SAME  
OUT OF FUND 720-01.

\* \* \* \*

The Ordinance was explained by Mr. Mel Sueltenfuss, Acting Director of Public Works, who said that his department has been working closely with the City Public Service Board on this project which is being funded through Revenue Sharing funds. There was \$50,000 set aside for this project.

Dr. San Martin said that he felt that the proper place for this type of activity is in the budget of the City Public Service Board and that the \$50,000 in Revenue Sharing funds could be used better in other areas.

Mr. Sueltenfuss stated that the project is valuable to the City simply because of the increasing difficulty of getting rid of solid waste.

After consideration, on motion of Mr. Lacy, seconded by Mr. Morton, the Ordinance was passed and approved by the following vote: AYES: Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: San Martin; ABSENT: Cockrell.

73-32 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 42,398

APPROPRIATING \$1,000.00 IN HIGHWAY LANE  
AND RIGHT OF WAY BONDS, 1970, FUND NO.  
409 TO APPROPRIATION ACCOUNT 40-90-01,  
EXPENSE ACCOUNT 5-04 FOR DEPOSIT WITH  
THE COUNTY CLERK OF BEXAR COUNTY, TEXAS,  
IN SATISFACTION OF JUDGMENT IN CONDEMNATION  
CAUSE NO. C-591, STATE OF TEXAS, ET AL VS.  
MIKE SERDA, ET AL, IN THE COUNTY CIVIL  
COURT AT LAW OF BEXAR COUNTY, TEXAS.

\* \* \* \*

AN ORDINANCE 42,399

ACCEPTING THE LOW BID OF TEZEL AND  
COTTER AIR CONDITIONING COMPANY TO  
AIR CONDITION BUILDING 449 LOCATED

AT HEMISFAIR PLAZA; AUTHORIZING EXECUTION OF A CONTRACT COVERING SAID WORK; AUTHORIZING PAYMENT OUT OF THE GENERAL FUND THE SUM OF \$3,548.00 PAYABLE TO TEZEL AND COTTER AND \$177.00 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT.

\* \* \* \*

- - -  
73-32 The meeting was recessed for lunch at 12:45 P. M. and reconvened at 2:10 P. M.

- - -  
73-32 PUBLIC HEARING ON G.E. CABLEVISION

A Public Hearing was held on the proposed amendment to the General Electric Cablevision franchise agreement.

Speaking at the hearing were the following:

Mr. Paul Dodge - Local Manager of G.E. Cablevision Corporation  
Mr. Robert Coll - G.E. Attorney, Washington, D.C.  
Mr. Arthur Troilo - Local attorney for G.E.  
Mr. Tom Edwards - Public Utilities Supervisor  
Mr. Sam Valanger - Operation Manager for G.E.  
Mr. William Wallace - Representing P.C.D.C., Scope Inc., and  
Tri Ethnic Cable Coalition  
W. S. McMillan - Representing Burt L. Joiner, Investor,  
Developer, and Builder  
Mr. Victor Soto - Bi-Lingual Bi-Cultural Coalition on Mass Media  
Mr. Joe Gibson - Attorney for BBC, Washington D.C.

\* \* \* \*

After hearing from persons listed above the public hearing was recessed to a future date to be set.

The staff was instructed to meet with interested persons to consider the possibility of establishing an Advisory Committee on Cable Television.

(A transcript of the proceedings of the hearing, when completed, will be attached to the minutes of this meeting and made a part thereof.)

\* \* \* \*

- - -  
73-32 RESOLUTION OF DR. SAN MARTIN

Action on Item X of the Docket being a resolution commending the Department of Model Cities was postponed to June 28, 1973.

- - -  
June 21, 1973  
nsr

- - -  
-45-

73-32 The Clerk read the following letter:

June 15, 1973

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

Gentlemen and Madam:

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

June 13, 1973      Petition submitted by Pat S. Chumney, of Bartlett  
Cocke & Associates, Inc., requesting permission  
to install a sleeve across Quitman Street in con-  
nection with the National Bank of Fort Sam Houston  
Motor Banking Facility.

/s/      J. H. INSELMANN  
            City Clerk

\* \* \* \*

There being no further business to come before the Council,  
the meeting adjourned at 6:00 P. M.

A P P R O V E D

Charles L. Becker

ATTEST:   
            City Clerk

June 21, 1973  
nsr