

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MAY 16, 1974.

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

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74-22 The invocation was given by The Reverend Brian P. Crookes, St. Peter, Prince of the Apostles Catholic Church.

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74-22 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

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74-22 The minutes of the meeting of May 9, 1974, were approved.

74-22 CHARTER REVISION MINORITY REPORTS

The following discussion took place:

MAYOR CHARLES L. BECKER: Ralph, I know you have things to attend to. Would you like to start first?

MR. RALPH LANGLEY: Mr. Mayor and Members of the Council, my name is Ralph Langley. My address is 1655 Frost Bank Tower, and I would like to say that I am most appreciative, Mr. Mayor. I remember the last time I met with you, ladies and gentlemen, that the Mayor himself was in a hurry to leave and meet an airplane, and I'm in a hurry to leave and meet one this morning myself. I do appreciate you hearing me so early and taking this moment to review the minority reports of the members of the Charter Revision Committee. I'm joined here this morning by Mrs. Helen Dutmer and I believe Mr. Luke Soules is representing Mrs. Nancy Negley, who is out of the state. She asked that he be permitted to come and give her report. I understand also that Mr. John Kuntz may be present. His name appears. I have not seen him yet.

MAYOR BECKER: Mrs. Margaret Lecznar, I think, is in here too.

MR. LANGLEY: Yes, I saw Mrs. Lecznar.

MAYOR BECKER: And Mr., well, I don't know whether A. C. Gonzalez, I think that's what it says.

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MR. LANGLEY: Yes, sir, he is here also. The report which I have delivered to the Clerk with copies to members of the Council, one in which eight members of the Committee join, and I wanted to say at the outset that there is nothing said in that report, and there will be nothing said on my part this morning that is intended in any way as any personal reflection on anyone, but simply as a recitation of facts as we see them.

First of all, let me point out that the report itself was never submitted to the Committee. There was a subcommittee appointed for the purpose of writing a report and to my knowledge the report was not submitted to that subcommittee. I do not question nor do those who join me question any of the votes and the specific issues which are contained in the report, but we do question some of the conclusions and whether or not they actually would meet with the approval of all of the members of the Committee such as statements to the effect that there is a great need to modernize the Charter. The Charter has 164 Sections in it, and the so-called "A" grouping of items to this Council, which the Chairman's report recommends be submitted to the voters, are four in number and they really only relate to three different items. One, the method of selection of Councilmen; number two, that which deals with the appointment of districts, if a district plan is accepted, and I take it that those two work hand in glove with each other. Thirdly, the question of compensation of Councilmen; and fourthly, the purchasing procedure of the City.

So, I would submit respectfully to the Council in behalf of the group that I represent, that this is not any great showing of any antiquity on the part of our Charter. We think it's a pretty fine Charter. And, we're here saying that it has worked and worked mighty well for a long time and that the question of change of entering in the change should not be taken lightly, and I know that it will not be by the Council. We, also, raise the question about some of the statements which are made in the Chairman's report which relate to the question of urgency.

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There are statements made to the effect that the Committee recommends that a Charter election be held in September of this year, and that there is a need to proceed with the amendment of the Charter. We seriously question this. We call attention to the fact that there were two meetings held in the Municipal Auditorium, and I remember it quite vividly because the City was kind enough to provide us with a large police force down there to park all of the cars of all of the people who were going to appear and we met once in the morning, I think, at 9 o'clock and again at 7 o'clock that same evening and the police force didn't have a whole lot to do. We had sixteen people at one meeting and fifteen people at another meeting in a 5,000 seating capacity auditorium.

Now, the point was made and it may well be valid because nothing controversial had as yet brought up that perhaps the absence of the voting public should not be interpreted as a lack of interest. There were those of us who urged at that time that when a definitive stand was taken with reference to specific provisions of the Charter, and if, as and when any different method of selection of Councilmen was undertaken that we again call for a public meeting and ask for the public to attend and voice its sentiment. This was not done. We think that it should have been done. We think that there is a clear lack of any mandate or groundswell on the part of the voting public calling for any major overhaul of this Charter. We also question and even though it was included in the grouping and I call attention as an aside to the fact that the Chairman's report sets forth "A" recommendations which are those defined as for immediate submission and they are the four that I have outlined. "B" items which are to come with some celerity thereafter and finally the "C" recommendations which presumably can be held in limbo for a while. But, I personally take issue with one of the recommendations in the "B" items which would limit the terms of Councilmen to two terms in succession and thereafter make Councilmen ineligible for election. I, personally, feel that this would be a mistake and would deprive the City of the services of people who have become qualified in the service of their City.

In any event, I do wish now to talk about the method of selection of Councilmen as contained in the Chairman's report. I call attention to the fact that the report calls for the increase in size of the Councilmen to eleven members which is a questionable item in and of itself. It calls for the election of seven members by district and three Councilmen at-large and the Mayor at-large by a direct vote. We raise the question as to the fact that this is an advisable mix, if it is the sort of thing that is needed to replace the election of Councilmen at-large. First of all, any person who goes to vote under that kind of system we submit is entitled to vote for only five members of the Council. He can vote for the Mayor, three members at-large, and a member in his own district. And six people he cannot reach by his ballot. This then becomes representation without representation. It becomes a possible taxation without representation, if you please, because six members who the voter could not reach at the ballot box would be able to change not only the tax system, the Council could over his protest and without any remedy on his part, serve to rezone his property or the property next door without any possible recourse on his part. This, we think, is a denial of due process of law. We think also that the utilization of this system would, in effect, encourage log rolling tactics on the Council. Picture, if you will, the unfortunate situation of the individual who thinks he is going to gain by having district representation who happens to select the wrong candidate from his own area and let us presume for the moment that the same thing would happen in the San Antonio City Council which has happened in the Senate of the State of Texas.

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Namely, you vote for my proposal, and I'll vote for yours. You vote against a proposal for my district, and I'll vote against one for yours. This then, if I in my district happen to pick the wrong Councilman, would insure me of having seven votes against me on a zoning case, on taxation matters, on any other ordinance that came before the Council, if the Council were to engage in log rolling tactics. I do not say that Councilmen necessarily would do so. But, I say that the tendency to do this would be increased. Let me hasten all to the point that if we are trying to get representation of ethnic and different groups, minorities, and what not by having seven Councilmen elected from districts, according to my rough calculations, each of those Councilmen will be representing 90,000 people under our present voting system. This we submit does not really provide the remedy which these people are obviously trying to reach. And with the population of the City growing as it is, the representation will not be of 90,000. It will be upwards of 100,000 before we can even figure out what is about to happen. Let me say finally, with reference to the method of selection, that as far as our group is concerned we take note of the fact, and I call your attention in the minority report to the fact that the voter on election day is already confronted with a tremendous maze of boundary lines. If you will take a look at what is in the report, he's already faced with five different divisions within his voting area. He has one for his County Commissioner; he has another one for his Justice of the Peace and his Constable; he has still a third for his State Representative; he has a fourth for his State Senator, and he has a fifth for his Congressman.

I will be candid with the Council to say that it took some reviewing on my own part at the most recent election to know for whom I could vote and for whom I could not vote, and I submit that the addition of one more segment simply adds to the confusion.

Finally, let me say this in behalf of the minority report, that all of us are in complete agreement as to the most effective method of electing Councilmen. We are unanimous in our opposition to the proposals contained in paragraphs 2 and 3 of Group "A" of the Chairman's report. All of us favor the election of nine Councilmen at-large. If the Council votes to submit a Charter change in breaking the so-called modified ward system, that is election at-large but with residency requirements, a portion of our group would feel that this would be acceptable and something that we could support.

Let me say, in conclusion, that the degree of satisfaction with the present Charter lends remarkable credence to the proposition that we in San Antonio are, indeed, blessed with the splendid system of government and one which should not be changed lightly. I'll be glad to try to answer any questions if you care to ask them.

MAYOR BECKER: Are there any questions for Mr. Langley?

MR. ALVIN G. PADILLA, JR.: Mr. Langley?

MR. LANGLEY: Yes sir, Mr. Padilla.

MR. PADILLA: Do you not feel, sir, that the point you made about the possibility of district form affecting you adversely and that any action of the other people would affect you? Do you not think that this advice to the Congress of the United States, the State Legislature and everything else, and we'd have the situation there where the actions of people who are not your representatives in a sense that a man might come from Amarillo, does his actions, along with the collective action of the body as a whole, does that not affect you adversely or otherwise in every instance?

MR. LANGLEY: Mr. Padilla, I'm familiar with the argument, and I realize that there is substantial backing for it, but I submit that on the City level and on the local level that you have a different situation, one in which I am more directly affected in my every day life than I am by what Congress does, and I'd say, parenthetically, that sometimes I'm not too happy with what Congress does, and I'm sure that there are others who join me in that.

MR. PADILLA: Did you consider, Mr. Langley, the opposite side of this thing? I think I pointed it out to you when the Charter Revision Commission asked me to visit along with other members of the Council, that being the situation that we had previous to a year ago, more or less, in which I gave you direct testimony to the effect that Councilmen are warned in this Committee or were at the time, that they should remember who elected them and that the voting power of this community is north of Hildebrand, so to speak, that there is indirect representation and has been in terms of residency of Council members, in terms of voting strength and, thereby, that it has a tendency to affect the kind of representative job that some member of the Council will do. Did you consider these arguments?

MR. LANGLEY: Mr. Padilla, I certainly did, and I'm sure other members of my group did. I would say this by way of response to that that the last election proved pretty well that this City Council cannot be controlled by one single group or any area of the City. I think that the election results the last time pretty clearly showed that each of the City can make its voice heard under the present system.

MR. PADILLA: Do you think that one election out of ten really proves anything?

MR. LANGLEY: Well, sir, I think.....

MR. PADILLA: Or do you think it proves the exception?

MR. LANGLEY: No, I don't think it proves the exception. I think it proves that we have a viable form of government that under the old pragmatic tests has really worked and worked well.

DR. JOSE SAN MARTIN: Mr. Mayor, Mr. Langley, did your minority committee address itself to the problem of the pending growth of the City of San Antonio for redistricting the voters in this City Council?

MR. LANGLEY: Yes sir, we have talked about this, Doctor, and we, it gives us some concern. The City Attorney was present and Judge Cadena was present on a number of occasions, and we learned from at one time, one of the representatives of one of the groups intending to file the lawsuit, I think the MALDEF group was represented there. And there is of course, always the threat of this, there was a statement made by them at that time that under the system that is proposed by the Chairman's report, that they would deem this to be not a representative form of government. I would hasten to say this, Doctor, that I do not think that the legal arguments and items contained in the opinions which had to do with the striking down of the systems in Congress and the State Legislature have application to the City. I do not think that they have as yet been done, and I think your City Attorney will concur in this opinion.

My second observation to you, sir, is that even if a lawsuit were to be successful, which is in some doubt, but if it were to be successful, we are not among those who feel that a Federal Court would demand immediate compliance that there would be an ample opportunity for remedial action to be taken in a timely and orderly way, do not

ascribe to the Federal Courts the posture that they would tear down a system of government without giving us an opportunity to mend it in accordance with whatever that opinion said. We don't think it will say that but if it does, we feel that it would handle it in that way.

DR. SAN MARTIN: Well, we have reached the position where the City of San Antonio, and I'll ask Mr. Reeder to address himself to this, had already had to make some response to the lawsuit regardless of the merits.

CITY ATTORNEY CRAWFORD REEDER: Well, I've made a response to the lawsuit, Doctor, and I've told the MALDEF people that anytime they want to sit down and like the Judge told us to do and thrash out the underbrush, stipulate as to facts to clear out all the discovery, due to things that have to be done, I'm glad to do it, just call me, and I haven't seen any action from them now. I'm not challenging them or anything, but it happens that they've got a lawsuit pending in Dallas very similar to ours. I kind of think they're riding on that one. In other words, I sort of think that election or no election, Charter election or no election, ultimately the U. S. Supreme Court is going to decide whether local governments have to elect their bodies by districts, and I don't think we're, I just put that lawsuit out of my mind when I'm weighing the merits of the Charter election on this particular point.

DR. SAN MARTIN: But one of the items that we discussed, Mr. Reeder, was the fact that the City had already undertaken the nominating and the appointing of the Charter Revision Commission which would address itself to this.

CITY ATTORNEY REEDER: Oh yes.

DR. SAN MARTIN: And this in a way was taken by the plaintiffs as a sign of good faith that the City was addressing itself.

CITY ATTORNEY REEDER: Well if the City doesn't address itself to it they can just think I'm guilty of bad faith then. I mean, there are other people whose opinion I value more highly than my opponents in that particular case. If they want to think I'm an S.O.B., well, that's all right, they're an illustrious company but....

DR. SAN MARTIN: Let me finish. The other item that I'd like to question here, Mr. Langley, is that was this item here brought to the attention of Mr. Travis, the Chairman, when you said that it was not even submitted to the membership for a vote. Was there a formal request to the Chairman for a calling of a meeting and the submission of the report for a vote?

MR. LANGLEY: Doctor, we didn't know what the report contained until we saw it, and in truth and in fact only, the "A" and "B" portions of the report have been filed as yet. We do not have a complete report with which to dissent, only the "A" and "B" parts of it. But it was not called to his attention because he did not ask our opinion of it.

DR. SAN MARTIN: After you saw the "A" and "B" report that was presented to the Council, did you, did this group of minority reports members actually ask the Chairman to reconvene the Committee?

MR. LANGLEY: No, sir, we did not and perhaps we should have, but we did not because it had been filed and we had 15 days within which to file a report. It took a little bit of doing to get it ready and get eight people's concurrence and get it down here this morning. We really didn't have time to sit around and try to smoke a peacepipe.

DR. SAN MARTIN: For the purpose of the record, shouldn't you have just filed a report with the Chairman asking that this be done?

MR. LANGLEY: Well, sir, under the rules decided upon by the Committee in its final vote, we had fifteen days in which to file it with the City Clerk or else we would be relegated to the position of simply filing something as a private citizen, and we took it because we were appointed by the Council, the Council wanted a report within the time frame set.

MAYOR BECKER: Ralph, may I make an observation that you made about log rolling.

MR. LANGLEY: Yes sir.

MAYOR BECKER: I think I'd be idle if I didn't at least go on record as saying that I think that log rolling tendencies can exist and be, in fact, practiced by any type of people in any type of government, if those people so have the desire or show the tendency to do so. The vicissitude of human nature demand that if that's the way government wants to conduct itself, it will be conducted in that fashion whether its people are elected by districts, or whether they are elected at-large. And I think that I just submit that to you for your own appraisal and perhaps in your mind you might care to modify the fact that only in, you know, this type of an election of officials by districts would log rolling tendencies occur.

MR. LANGLEY: Mr. Mayor, I couldn't agree with you more. I think that that is a human tendency, and it was not our intention to say that it was confined to this form of government, but only to say that it does increase the tendency perhaps. It increases the temptation to do so. Now, if we don't say that it necessarily will result because after all who makes up the Council determines how the Council will....

MAYOR BECKER: I think so.

REVEREND CLAUDE BLACK: I would like to make this comment regarding the reference to the ethnics in terms of the districts. While I recognize the tremendous importance in any democratic system to have what we call representative government, meaning of course, persons who have the ability and knowledge and understanding of particular areas of need that they can bring that into the total picture. I don't think that this whole matter of districts should be interpreted entirely as an ethnic problem. As I look in my own area the Southeast, and all I see some serious problems of representation, that have occurred over a period of many years. I see an expressway that has moved through that community that has allowed one segment of that community to be cut off from the main forces of business within that community, and I don't think that would have happened if they had been properly represented, and their person that was here would have felt an obligation to that community to, of course, see to it that it would not happen.

I think that the influence of this Council would have been brought to bear on the design and on the decisions that were made in that regard. So, it's not primarily, it's not entirely, let me say this, and the reason I'm saying this because of the reference that you made in terms of possibly the ethnics would not accomplish what they felt they would accomplish. I think representation is a vital factor for all people. It so happens that ethnics have been easily identified in terms of the lack of representation, but representation does affect other elements and other areas of this community that would be remedied, in my opinion, by district-type Council.

MR. LANGLEY: I would certainly agree that there are other factors, Reverend Black. It was not my intention to confine it to ethnic things, and certainly I am one of those who feel as a part of this report, and I'm only one, but I feel that the modified ward system would take care of this situation with the residency requirement and election at-large, but that's a personal opinion. It is shared by some who joined in this report.

MAYOR BECKER: Any other questions of Mr. Langley?

MR. LANGLEY: May I be excused, Mr. Mayor, I've got to go get my airplane.

MAYOR BECKER: Absolutely, thank you very much, Ralph. We appreciate you being here, and as I've said before, you're always most interesting, most informative speaker, and we appreciate your lending us your wisdom.

MR. LANGLEY: Thank you, Mr. Mayor, I appreciate that.

MAYOR BECKER: Thank you. Now, next is Mrs. Helen Dutmer, 739 McKinley Avenue.

MRS. HELEN DUTMER: Thank you. Good morning, Mr. Mayor, members of the Council, I'm Helen Dutmer, 739 McKinley Avenue of this City. I am also a co-signer of the minority report presented by Mr. Langley. Now, I would like to speak to the subject of the method of election, and the filing of vacancies. Then, if time permits, the completion of the report on compensation. I, along with others, have reservations about the pure districts and/or combination of districts and at-large elections procedures. I think this will be a big mistake to throw this thing at the voters with the unknown quantity that exists in the districting.

Where will the districts be? Population wise, where will it throw the boundary lines? I think that you are realistic enough to believe that where you put those district lines will really determine who is going to run, and it's going to be caught up with a lot of political problems for the City. There is some of that also I will admit in the at-large with residency requirements, that is, to live in a district but be elected by the entire citizenry at-large and this I favor and I can reason that people are entitled to have some representation from someone who lives in their area, but I also feel that by having the election at-large, you will have enough leverage so that we won't have the other problems and there are many. In the area of ethnic representation which was discussed by the Committee districting is not the answer I feel. We would almost have to cut the City into 20 sections to get a true mix of ethnic background. It would take an enormous number of Council seats to attain this goal.

The districting reasoning reminds me of the disastrous Democratic quota system of 1972. It failed miserably and so will the district mythology of elections. It indeed if this is the reasoning and the goal to be obtained with pure district and/or a combination of districts and at-large elected system, election systems rather, then also there is the question of who takes the Mayor's spot when the Mayor is incapacitated or if the office is vacated for any reason. Now, I know that this administration has rotated Mayor Pro-Tem spot, but by Charter, the Mayor Pro-Tem does not serve at the pleasure of the Council. But since each of you is elected at-large, the problem is minimal in that no matter which of you would fill the Mayor's spot, you were elected as a representative of a City-wide electorate. The Charter provides in event the Mayor is unable to fulfill the duties of the office, the Mayor Pro-Tem shall assume the post, for the unexpired term. Article II, Section 9, Paragraph 1 and 2, on page 23, and I'll read it. "Section 9. The Mayor and Mayor Pro-Tem. Paragraph 1. As soon as possible after a municipal election of members of the Council, and upon their qualification for office, the Council shall designate from its members a presiding officer, who shall have the title of Mayor, and who shall serve as such during the pleasure of the Council. The Mayor shall receive in addition to the compensation as a member of the Council, the sum of three thousand dollars per annum." Now, Paragraph 2. "At the same time that the Mayor is designated, another member shall be designated as Mayor Pro-Tem. Should a vacancy occur in the office of the Mayor, or in case of the absence or disability of the Mayor, the Mayor Pro-Tem shall act as the Mayor for the unexpired term, or during the absence or disability of the Mayor. While serving as Mayor, the Mayor Pro-Tem shall receive the same compensation as the Mayor." Now, when the Mayor Pro-Tem is selected by the Council, he or she is it, until such time as he or she fills the Mayor's chair, to fill out the remainder of the term. Now bear in mind that if the Mayor is elected at-large, Paragraph 1 of Section 9 would be deleted.

Now, let's get back to the Committee, the motion was adopted that the method of election of the Mayor Pro-Tem shall be retained as in the present Charter, that is, by the Council. It was also the prevailing vote that determined the Mayor and the Mayor Pro-Tem's duties would not be changed from the present Charter provisions. In view of the first vote, Pro-Tem by Council and keeping in mind if the Mayor is elected at-large and the post is vacated, let's just assume that the Council has elected a Pro-Tem to serve a district. Then, in effect, you are denying the electorate as a whole the privilege of having elected in at-large Mayor should the district Pro-Tem fill the office of Mayor. It would limit the Council to electing the Pro-Tem from the three at-large Council persons or deny the electorate a person who represents the vote of the entire City. It would have the resulting effect of disenfranchising the other six-sevenths of the City from having a vote on the Mayor.

The Committee had the foresight to provide for the vacancy of a district Council seat, and called for the seat to be filled by the Council only with the person chosen from the district of the vacated seat. No provision was forthcoming for filling the at-large provisions including that of the Mayor. The attitude seems to be, oh well, how often does that happen. Now, I, am of the opinion that if we are building a City and a Charter to guide that City to greatness, then if it happens once, that's too often. If you can see the problem at advance, this Charter has endured for the past 22 years, not without fault to be sure, but not wrought with disaster, or at least the division of the City when it comes to replacement of the Mayor with perhaps a district Pro-Tem giving that particular district two members on the Council and the at-large voting citizen with even less representation on taxation and zoning matters. I urge you to think long and hard on this one before you decide on an action that could be detrimental to everything built up in these past years of Council-Manager government. I further urge that if you deem it necessary to place a Council of area representation, that you look very seriously at the residence requirements, election at-large process. This way the area that wants someone who knows their peculiar problem will have that someone. And at the same time, everyone will have voted and feel that they have the entire Council to speak to on matters of taxation and zoning. And I feel that it will be more representative of the City as a whole. The vote for the combination of districts and at-large election passed by only one vote difference. So, there was no clear mandate of the Committee for this method. The tie vote was broken as a result of the vote of the Chair.

It would also appear that the majority report was incomplete on the question of compensation. The Committee voted in affirmative, the proposition of \$6,400 maximum per year for Council person. In addition, we voted to leave the extra stipend of \$3,000 per annum for the Mayor and also to leave the extra stipend for the Mayor Pro-Tem, that is, the Pro-Tem takes the same amount as the Mayor while acting as the Mayor as it is in the present Charter. Thus to get a complete picture of the Committee thinking the Council persons will each get \$6,400 per annum. The Mayor, in addition, to his Council salary will get an extra stipend of \$3,000, making a total of \$9,400 per annum. The Mayor Pro-Tem will receive as his duties provide, in addition to his Council salary. Should the 11 district at-large combination member Council be adopted, it would raise the budget for the Council from the present figure of \$9,360 plus the Mayor's salary of \$3,000 extra for a total of \$12,300 to a figure of \$70,400 for Council plus the Mayor's stipend of \$3,000 making a total annual salary budget of \$73,400 or an increase of approximately six per cent in the budget cost for the Council and the Mayor's salaries alone. Should we retain the nine member Council and elect as we now do, or if you deem it necessary be at-large with the residency requirements as suggested, then I would propose that the salaries of Council members be raised to \$5,000 per year maximum and the Mayor to receive an extra \$5,000 making a total of \$10,000 per year for the Mayor and the Mayor Pro-Tem to receive an extra sum of \$2,500, making a total for the Pro-Tem of \$7,500 per year and this would give a reasonable raise without

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making it a money grabbing situation whereby those running would not have an interest in the City, but only the money attached to the office. Further this sum for the nine member Council would be the difference between \$73,400 for eleven members and \$52,500 for the at-large with residency requirements, or a saving of \$20,900 budget money in the time when we should be conscious of keeping down inflationary spending. Further, the majority report was incomplete in that it presented only four of the positive actions of the Committee and the recommendations of release, therefore, those members of the Committee who might take issue with the parts of the report are prohibited from meeting the time schedule with our minority reports concerning the deleted items. There were many more ramifications being presented the majority report and if Council so pleases, we can discuss them in more detail at another time. I thank you for your time and your attention. Are there any questions?

MAYOR BECKER: Any questions for Mrs. Dutmer?

DR. SAN MARTIN: Yes sir, Mr. Mayor. The six per cent of the total budget you said.

MRS. DUTMER: No, no the Council....just the Council, Mayor and Mayor Pro-Tem. It would be a six per cent raise. It would go from \$9,360 as it is now, I mean \$12,360 as it is now in toto to a figure, let me find it, to a figure of \$73,400.

DR. SAN MARTIN: That's a lot more than six per cent.

MRS. DUTMER: Well, that's roughly figuring it out, we did it in a hurry, and it's around six per cent. See, what you're dealing with, you're dealing with eleven member Council versus the nine member Council, though.

DR. SAN MARTIN: Well, you're talking about \$12,000 to \$70,000. That's 600 per cent or 6?

MRS. DUTMER: Six hundred?

MR. PADILLA: Closer to 600.

DR. SAN MARTIN: You said 6 per cent.

MRS. DUTMER: No, 600 point.

DR. SAN MARTIN: I didn't hear that.

MRS. DUTMER: Six hundred. You're right, Dr. San Martin.

MR. PADILLA: Helen, did the Committee consider the fact that the \$20 a week in 1951 is hardly \$20 a week in 1974.

MRS. DUTMER: We most certainly did. But at the same time we tried to bear in mind that we did not want to put the figure as such that the person running for the office would not have the City at heart but would have merely the dollar sign before their eyes.

MR. PADILLA: It's a good point to consider. What I wanted to simply point out is that in terms what inflation has done to \$20 a week, you know, 1951, the difference might not be 600 per cent but if you want to apply the inflationary factor then realistically that 1951 thousand dollars might be \$2,500 or something now.

MRS. DUTMER: I agree, but with the \$5,000 figure and remembering too that there is an expense account attached to it for the official duties of the Council, then I think \$5,000 would be a fair salary for a non full-time position.

MR. PADILLA: I'm not quarreling with your figuring at all. As far as I'm concerned \$20 a week or \$1 a week is all right. But some people do make the point. My point was simply that had you applied inflationary factor, in other words, had we had a \$20 a week with the cost of living up or down situation we might find it realistically that would have risen

the \$2,500 to \$3,000, and we might be dealing, under your recommendations, with a 100 per cent increase rather than a 600 per cent increase.

MRS. DUTMER: That's true but you'll still admit in round figures that if you're figuring to the \$3,000 mark for the inflationary gains, you're still getting a \$2,000 a year raise and that's not snuff.

MAYOR BECKER: You know, Mrs. Dutmer, if this is not a full-time job than I don't ever want to have a full-time job.

MRS. DUTMER: I realize it is now. But under the pure concept, under the pure concept of Council-Manager government, you are supposed to have the time to set the policy and the Manager and the staff carries out the full-time work under your pure Council-Manager type of government.

MR. PADILLA: Well, do you realize that you can't meet once a week for 4 to 6 hours and set policy for a City of this size? You've got to have a certain amount of time to inform yourself. Citizens insist on talking to you. They insist on discussing many things with you, and these are all necessary things that must be done before you can feel confidence, you can feel the confidence that it takes to set the policy. So, you cannot convene for four hours and set policy without any other type of information.

MRS. DUTMER: I agree with you on some points, Mr. Padilla, but I would point out that it was done for 21 years prior to this and San Antonio grew for that 21 years.

DR. SAN MARTIN: Mrs. Dutmer, let me just for my own experience, I was a City Councilman back in 1956, and I spent practically five nights out of the week meeting with citizens in the neighborhoods trying to help them to get their streets paved, their drainage problems solved, and it wasn't a question that this Council is taking too much time on anything, this is true. Way back 18 years ago, Mrs. Dutmer, the people call on you because you are the only person that they can talk to. They're not going to go to Austin. They're not going to go to Washington, but their City Council, they feel, must be available 24 hours a day. You get calls at 2:00 or 3:00 in the morning because their water is inside their homes and all that. And there's hardly a member of this Council that doesn't attend one or two meetings every night, and the thing about the \$20 is not so much that we want more than \$20, it's anti-democratic because it keeps a lot of good people who cannot afford the monetary loss to serve on the City Council and that, to me, we are reaching a point where only a select number of people and at least professional group may be the only ones who can afford to serve on the Council, and as far as I'm concerned, it's anti-democratic and if raising the salary will help to bring in people who are fully qualified, otherwise, who because they're working for somebody else cannot leave their jobs to serve on the City Council, then I think we're excluding a lot of our citizens from serving on the City Council.

MRS. DUTMER: I agree, Dr. San Martin. I agree, but if you would have listened to my report, I recommend a raise to the Council. I realize that it takes more time, that it takes more salary, but having served 20 years ago and realizing this, you must have liked it, you ran again.

DR. SAN MARTIN: I'll run again and I'll run again for nothing, Mrs. Dutmer. There's a lot of people....

MRS. DUTMER: That's good. That's the kind of people we need.

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DR. SAN MARTIN: But, we also need some people who want to serve but just haven't got the money to serve. You see, this is my point. I happen to be in the position where I can serve, I can leave the office any time I feel like it, and if I lose money at the office it doesn't hurt anybody, just me. But there are some people in this community who would hurt the business that they work for.

MRS. DUTMER: This is true, but you're assuming that everyone that is going to run for office is qualified if we raised the salaries.

DR. SAN MARTIN: I never said that, Helen.

MAYOR BECKER: I'll only say this.....

MRS. DUTMER: Well, I'm not going to debate. I'll debate later, if you'd like.

MAYOR BECKER: I'll only say this about that, Helen, and that is that just because a person cannot afford to run for this office or be in this position and devote as much time as it does require, doesn't mean that they're not fit to serve on the City Council.

MRS. DUTMER: No, I didn't at any time make that statement.

MAYOR BECKER: No, I realize that, but what the Doctor is trying to say, and the others that have spoken on this particular question, that in recognition of the fact that the others who are less fortunate than some of us on this Council, or all of us shall we say on this Council, in recognition of that fact, they should have the opportunity to serve on their City Council if they so desire, and if they can win the election that they would be engaged in. Now, this job does require a fantastic amount of time, much more so, I think, than it use to be. For one thing, the problems today that we are faced with and deal with in the every day fashion here are much more numerous and much more complicated and of greater importance than the problems that the City use to face. I am not demeaning the work of those in the past. I can only say, that to be able to conduct the Council meetings in an hour and a half or two hours time and to be able to handle all of the other items that needed attention in another five or six or ten hours of their work week, just wouldn't be possible to do it in that fashion today.

MRS. DUTMER: I agree, that they do.

MAYOR BECKER: We have entirely different social order in the world today and the recognition of all groups of people, rich and poor, all ethnic groups and everything demands more dedication today in this job than it use to, I can assure you that.

MRS. DUTMER: This I agree with, but don't you think, well, just off the cuff, that \$5,000 actually is more than the average citizen in San Antonio earns in a year. You're talking about the qualified people that cannot afford to run for the Council. These are the people I'm putting in this category now - they may be qualified, smarter than anyone sitting up here, smarter than I, and yet they are not earning more than \$5,000 a year because of reasons other than compensation.

MAYOR BECKER: Well, I really think, and I'm not asking for the money for myself. I've expressed the same opinion everyone else has expressed. I don't know what you would compensate a person to hold this job. I would just as soon be paid nothing, frankly, because I think that would settle the whole thing as far as I'm concerned. But, I don't know that really \$5,000 is considered an adequate salary in this day and age. The minimum wage law is \$2.00 per hour, and if we were just getting that, we'd probably get more than \$5,000 per year, you see. So, we're getting the salary right now of people that work in foreign nations.

MRS. DUTMER: Mr. Becker, I think where we are parting our differences, are you figuring on a full time job, I agree if it's a full time job, and we're going to go that route that we need more salary than any \$5,000. I am assuming that it is a part time job.

MAYOR BECKER: It is a full time job, Helen. It's called part time, but it's full time in practice. Believe me, we manage to work, those of us who have a business and other occupations and Lila, of course, who also has a job with her endeavors, we manage to work a work week between our business and this political work, Council work, I guess it would sometimes go from 80 to 90 to perhaps even 100 hours a week. Now, a lot of people won't believe that, but when you stop to count the meetings and the time on the telephone and the citizens calling on - I've had them call me three and four in the morning wanting me to get them out of jail and all these kinds of things, it's unreal what kind of calls you get. So, I'm not complaining, I'm merely saying that this has become a full time job for all practical purposes.

MRS. DUTMER: All right. Then this is something that the Committee didn't even consider and possibly should have considered changing it from a part time job to a full time Council job. But we didn't even consider that. I'm speaking only to the majority report.

MAYOR BECKER: I'm just saying though, Helen, that if anyone would care to put a time and motion study on this Council down here.....

MRS. DUTMER: Oh, I realize what a job you have here...

MAYOR BECKER: It has become a full time work, and I think that most of these types of jobs in City government and other areas of government have become more time consuming than they use to 10, 15, 20 years ago because there's just many more problems to deal with.

MRS. DUTMER: But, yet, you made the statement that you'd be willing to do it for nothing. This is the kind of people I'm looking for - people who have the City at heart.

MAYOR BECKER: Okay, Helen, fortunately, for me, I can afford to, but not everybody can.

MRS. DUTMER: This I realize.

MR. PADILLA: Can you tell me, I don't remember what if any difference there is between the minority report recommendation for compensation and the majority report?

MRS. DUTMER: When you figure it all up toto per year for the Council per person it's \$600 difference. I recommend.....

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MR. PADILLA: Per Council member per year?

MRS. DUTMER: Yes.

MR. PADILLA: You know my observation would be this, I.....

MRS. DUTMER: .....\$1,400 would be the.....

MR. PADILLA: As far as I'm concerned I don't need an increase on this job to continue to serve. I serve as, you know, I flatter myself that I can render some kind of public service, and that I can be effective at times, and personally I don't have to be concerned, and I thank God for that. My observation would be that regardless of how modest you think the salary you recommend as well as the majority I don't think the voters will approve it. I really don't.

MRS. DUTMER: And you think the \$1,400 will be....

MR. PADILLA: This is why I raised the issue of 600 percent, because I think the voters are going to see it as a 600 percent raise.

MRS. DUTMER: Well, you were right, correct me in that.....

MR. PADILLA: And they are not going to approve it, if the Council were to submit it to them.

MRS. DUTMER: I misread my notes here and you're right, correct me on the six percent, 600 percent is the correct figure.

REV. BLACK: May I just comment on this because I think we simply have to deal with what we're talking about in terms of cost and relationship to the job attached because I don't know how much money it takes to make a man honest.

MRS. DUTMER: You can't legislate honesty.

REV. BLACK: And what you're saying is that, and what I understood you to say was that you didn't want to offer so much money that men would start running for the job for the money. I don't know. I think some men would be less honest with a little money than they would be if they had a lot of money. I'm apt to believe that the less money a man has the less likely he is to be honest in some instances, you see. I don't know, but what I'm saying is I don't know how much money it takes to make a person honest. I think we've got to deal with this entirely from another level. We have to deal with it from a level - what does the office require? What kind of time is expected in the light of changes and how you ought to be compensated, but I don't think you can deal with it in terms of whether individuals will run for it because it has a big money tag tied to it. We all know that there are more ways of making money in politics other than, at least some of our evidence has recently has shown us, that there are more ways to make money in politics other than the salary. So, when I say all of this - I'm simply saying I don't think money would do this. I think you've just got to deal with the job and if the job is one that requires a certain compensation - then we ought to recommend that compensation. But I don't think it will affect the quality. The quality can be affected one way or the other. I think it will depend upon how the citizens respond to those individuals and what they put forth as persons in the community and what we are fortunate enough in

getting as elected officers, but I don't believe that the size of the salary will determine the quality of the man.

MRS. DUTMER: Rev. Black, I could not agree with you more - money, regardless of the amount - whether it be great or whether it be small is not going to make a crooked man walk straight, no matter whether you give him \$100,000 per year, or if you give him \$10,00 per year. Money cannot straighten out a crooked person nor can it make a straight person go crooked, and I think we should bear that in mind.

MR. LEO MENDOZA: Yes, I was going to ask a question. Helen, did the Committee - I hate to say the minority committee, but the minority committee.....

MRS. DUTMER: Yes, we were, we are...

MR. MENDOZA: Okay, did the minority committee address itself to the fact that we have four quadrants in this City, and we've never had equal representation say from each quadrant of our City. We've had eight or nine members on the Council, and we've never I don't think that we could say that we've ever had two from the Southeast, two from the Southwest, two from the Northwest and two from the Northeast at one time, I think, do you agree with that?

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MRS. DUTMER: Yes, Mr. Mendoza, and I come from one of the quadrants who does not have a representative on this Council, and that is exactly my point. When I come up here I can look at nine Council members and feel that they are my representatives even though I do not have any one from my segment of the City. I feel that each of you have my segment of the City at heart. If it were to go to district representation, I feel that when I stood up here, I would be looking one man square in the eye. I voted for you, now you do for me. That's my feeling on it.

DR. SAN MARTIN: Mr. Mayor, I have on question, but I don't know if Mr. Travis is in the audience. Thank you, Helen, I am not going to ask you any more. Is Mr. Travis in the audience? He left? I'd like to make a statement to Mr. Travis, Mayor, and ask if he could report to the Council, I am concerned and the reason why, the report that he submitted as Chairman was not submitted to the membership of the entire Charter Revision Commission for a vote. I would like to know if any efforts were made to advise every member of the Revision Committee that the report was ready and that there would be a meeting for discussion or approval or rejections before submission to the City Council, I would like to ask Mr. Reeder if this is a proper procedure to follow for the Charter Revision Committee in line of the guidelines that were given to the committee. Mr. Reeder?

MRS. DUTMER: I can answer that, Dr. San Martin, it was not submitted to the full committee. Mr. Travis did it himself the day before it was submitted to the Council.

DR. SAN MARTIN: Well, my question is addressed to ask Mr. Travis why it was not submitted, and Mr. Reeder, if you would be kind enough to.....

CITY ATTORNEY CRAWFORD REEDER: Well, I don't know, of course, I can't answer the why. I don't think that it is proper not to submit it to the entire Committee.

MAYOR BECKER: Mrs. Lecznar, did you have something to offer on that subject?

MRS. MARGARET LECZNAR: Mr. Mayor and members of the City Council. I am Margaret Lecznar, Vice-Chairman of the Charter Revision Committee. The report was sent from the City Clerk's Office on the "A" and "B" priorities from the City Clerk's Office by special delivery the day that the members would have received it the day before Mr. Travis was going to present the report two weeks ago to you here. The "C" priorities were presented to the final meeting of the Committee this past Tuesday night. We did review them, and I understood that that report would be given to you today. The members of the Committee who were there Tuesday night did go over the "C" priorities, and we made one or two changes that Mr. Travis corrected before bringing the report to the City Clerk's Office yesterday to be given to you. It seems to me that if some of the members of the Committee wish to question the first segment of the report, that they could have called Mr. Travis the day before he presented the report to you here and asked him to delay it. Now I don't know whether they did that or not, he felt that - I thought he was here.

MAYOR BECKER: He was momentarily.

MRS. LECZNAR: But I don't know whether they asked him to delay it or not. I know he felt very strongly that he had a deadline to meet with you and that if they wanted to question the report that they would

call him. And that was the way he had left it with the Committee members at the next to the last meeting that we had.

MAYOR BECKER: Then am I correct in interpreting what you say that it was inadvertent on his part that the minority report was not given the proper recognition due to the mailing and the time it takes for the mails to be delivered and all that sort of thing that it might have had something to do with the fact that the minority report was not included or recognized in his report.

MRS. LECZNAR: No, the members of the Committee who wanted to submit a minority report asked that they be allowed to do this up to two weeks after he submitted the report to you. Now, it is true that you didn't get the total report the first time around and on that ground, but they did have the report mailed to them by special delivery from the City Clerk's Office, and I know of several members other than myself who did receive it the day before he was going to present it to you all.

MAYOR BECKER: Now, isn't that essentially what I was trying to say that it was unintentional on Mr. Travis' part to prevent this minority report from being included and that sort of thing, is that what you are trying to say?

MRS. LECZNAR: Well, I think they had an opportunity if they wanted to.

REV. CLAUDE BLACK: May I also understand that the decision of the body was that they could present a minority report two weeks following the presentation of the regular report, is that what you are.....

MRS. LECZNAR: Yes, yes.

REV. BLACK: Well, it seems to me then, Mr. Mayor, that once that commitment has been made, then the responsibility of making the total report to the Commission had been given up in the decision that a minority report can be made because you have released them that minority to make whatever report they want to in contest to the majority report and so.....

MAYOR BECKER: They are doing that here today.

MRS. DUTMER: May I say something again. I think that it is very pertinent to the fact that when we had the rules, the entire Committee met for the rules that was going to govern the Charter Revision Committee. At that time, we adopted Roberts Rules of Order. At that time, we adopted the Parliamentary Procedures and that time, we decided that after the report was drafted by the rewrite committee of which I was a member, I was a member of the research committee, and I was a member of the supposedly drafting committee and after it had been drafted in its entirety, we were to have a meeting and review this majority report with the full Committee. This did not take place. I was not notified that we would not have a Committee meeting on the drafting of it, I did the research on it and this was where the infraction was. I do not say that Mr. Travis at any time intentionally aborted the majority report to keep us from filing a minority report. Nowhere can you say that I had said that. But I do say that if we adopted the rules and the entire Committee adopted the procedural rules of that Committee, that they should have been followed out. That's all.

MAYOR BECKER: Well, we were just merely trying to establish what did occur, Helen, because the impression was left or else we gained it through our own misinterpretation that perhaps there had been some deliberate attempt to prevent a filing of this. Well fine.

Now, let me interrupt here for just a second. We have a group of young ladies and gentlemen, I think it's young ladies and gentlemen in the audience, from St. Luke's Episcopal School. And, would you all care to stand please and be recognized? They have to leave and who is the teacher that - with these....

FROM THE AUDIENCE: I would like to introduce Mrs. Earline French.

MAYOR BECKER: How do you do? How are you, Mrs. French?

MRS. LILA COCKRELL: Mr. Mayor, I also noticed in the audience, Mrs. David Dillon, Mrs. Dillon is there and I am sure she - are you accompanying the group? Fine, one of the mothers accompanying the group.

MAYOR BECKER: I see.

MR. ALFRED BECKMANN: Well, I also have my cousin out there. Miss Scott Petty, would you stand up please?

MAYOR BECKER: There is hardly a meeting that goes by, Alfred, that you don't have someone.....

MR. BECKMANN: She is almost a first cousin.

DR. SAN MARTIN: Well, I just would like to conclude this by saying that my point was addressed to the submission of the majority report, not to the minority report. I don't believe any effort was made to keep the minority report from being filed. What I am asking Mr. Travis to explain to the Council is why the "A" and "B" so-called majority report was not presented or was not - a meeting was not called of the entire Committee to either approve or reject the "A" and "B" recommendations, and I hope Mr. Granata and Mr. Reeder will ask Mr. Travis to address himself to that question.

MR. BECKMANN: I agree with you, Doctor San Martin, there is something I don't think was intentional but at least the rules were not followed and the entire Committee did not have a chance to review the "A" and "B" before it was set out here.

MAYOR BECKER: Now I hope to be able to prevent any misunderstanding as to who is permitted to speak here this morning at this time. This item is entitled in this fashion on the docket today, Roman Numeral Seven - the presentation of the Charter Revision Committee Minority Reports. So I would assume that that means that the members of the Charter Revision Committee are the ones that are entitled to speak at this time on this subject. And, we have I think, several people signed up here that want to speak on the Charter Revision that are not members of the Charter Revision Committee. So I believe they should speak during the Citizens to be Heard portion of the meeting and not at this time. So, we will proceed with those who are authorized to speak and the next speaker is Mr. Luke Soules.

MAYOR BECKER: He is representing Mrs. Nancy Negley, who unfortunately had to be out of the City.

MR. LUKE SOULES: Honorable Mayor Charles Becker and Council persons, my name is Luke Soules. My address is 620 Travis Park West Building, and I'm here to present the statement of Mrs. Nancy Negley to this Council. She, of course, is a member of the Committee, and she was absent from the City and in fact absent from the state today and requested me to appear on her behalf. This is her statement. "Honorable Mayor and distinguished members of the City Council, and concerned citizens of San Antonio: I regret that I am not able to be in Texas and present before you this morning to deliver my position in person. I wholeheartedly agree with the minority report delivered by Mr. Langley. In my opinion, too many San Antonians seem to think that San Antonio is behind most of the rest of the nation, while, in fact, we are far ahead. Just reflect for a moment about the serious financial, ecological and ethnological problems the big east coast and west coast cities are having.

I have done some research with the enlisted help of Dr. Hal Barger of Trinity University and Dr. Mark Benedict concerning the defense of keeping the election of the Mayor and the City Council unchanged. Dr. Benedict's conclusions revealed that and I quote, "In large cities, the at-large method still prevails, but by narrow margins. Throughout the nation, 52 percent of cities having populations over 500,000 elect Council by at-large methods."

Much of our reference material, all of which is on file with the City Clerk and readily available to members of this Council, came from our friend and noted scholar Dr. Lewis at Trinity University and so having reviewed that material, I am familiar with the point of view of ethnic groups favoring single-member districts and the weaknesses of that point of view.

This City under our elected at-large Council-Manager form of government is not only our nation's most gracious City and one of its most uniquely elegant. In more recent years, San Antonio has established its record as one of the United States' most governmentally stable and financially responsible cities, both Moody's and Standard and Poor's national rating authorities give San Antonio AA ratings, comparable to the ratings of Houston and Dallas and other financially far more wealthy cities. This elected at-large Council and its predecessors have attained high marks for San Antonio and earned for our system of government, the highest grade. There exists neither practical nor legal necessity to change our system, the system that elected this very Council that serves us and our City so impartially and successfully well. Respectfully submitted, Mrs. Nancy Negley." Thank you very much.

MAYOR BECKER: Thank you very much. All right. Mr. John Kuntz. Mrs. Margaret Lecznar.

MRS. MARGARET LECZNAR: Mr. Mayor, members of the City Council, I am Margaret Lecznar, 2731 Castanet. At the time I was circulating the minority report in opposition to the two-term limit on Council term, I did not know there was going to be a separate time schedule for you to hear these reports. I believe that this has already been submitted to you in writing, but I wanted to be sure that you did have copies of it and since it is in writing, I won't speak to that point, I just would like to be sure that you do have those copies. The majority report recommends the limit, and we have this report in opposition to that on that particular point.

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I would like to add one thing. A couple of weeks ago when Mr. Travis presented the initial report to you, he said some very glowing things about some of - about the Committee as a whole and some of its members, a couple of half-truths about me, for instance. I would like to say a word about Mr. Travis. We did have a very heterogenous group of people, which I think is healthy, and his whole intent in working with the Committee was to try to make sure that everyone had equal opportunity to speak, had equal time on the floor, and he worked very diligently to try to give everybody equal opportunity, and I think the fact that we did not have any gloves off, honky tonk brawls and all in any of our meetings, I think we developed a healthy regard for each other's ideas, and I think this is a tribute to Mr. Travis and the leadership that he gave us on the Committee.

One more thing. I got the impression earlier that you may have thought I was connected with the minority report that was submitted by Mr. Langley, and I want to make it perfectly clear that I am not on that report. I stand with the majority report. Thank you.

MAYOR BECKER: Thank you, Mrs. Lecznar. Mr. Joe Machado.

MR. JOE MACHADO: Mr. Mayor, members of the Council. My name is Joe Machado, member of the City Charter Committee and reside at 227 Cavalier. I would like to submit to you this minority report. This minority report is submitted on behalf of 11 members of the Committee. It is intended to point out to the City Council that the substantial minority, a substantial minority, of the Commission members favor utilization of single-member districts for the election of the members of the City Council. Although some of the undersigned, which you will see in your copy here actually wrote it in favor of the compromise plan they wish to clearly indicate that that is all it is - a compromise. We would recommend the single-member district concept for several reasons. First representation to be granted for all parts of San Antonio, and I think Mr. Mendoza asked a question to that effect. At present, the City Council members are all or at least 98 percent clustered in the northern section of the City. Utilization of all single-member districts would guarantee that any one district would not be excessively large in population. The fewer districts use the larger - the individual districts. Under the majority proposal, San Antonio would have the largest City Council districts in the nation. Thirdly, the utilization of all single-member districts plan would be simpler and more easily understood by the voting population. Under the majority proposal, the voter would be faced with voting for City Council from both single-member districts and at-large basis. And the fourth, the voluntary choice of all single-member district plan would clearly add to San Antonio's reputation nationwide as a progressive, modern City where diverse, ethnic and racial groups not only live in harmony but have an unquestioned equal participation in the political process. And finally, a plan of all single-member districts is the most fair and equitable method of representation. We support the establishment of 10 Councilmanic districts for the election of 10 members of the City Council with the provision that only those qualified voters living within each district be allowed to vote for the election of the representative of that district. We also support the election of the Mayor at-large, who would have co-equal voting powers with the members of the City Council elected from districts. We respectfully, I'm sorry, I guess I'm nervous today, respectfully urge the City Council to adopt this minority report. Thank you very much. Are there any questions?

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MRS. COCKRELL: Mr. Mayor. I just have one. Under your plan then, a voter who went to the polling place to vote in the City Council election would have the privilege of casting two votes - one for the Mayor and one for the representative from his district, is this correct?

MR. MACHADO: Yes, this is correct.

MRS. COCKRELL: And then he would have no vote on any of the other places.

MR. MACHADO: We are very concerned in the history of our City Council as in that a person that is very qualified, a person that can very efficiently represent a sector of a City due to the fact that he lives in that sector, he understands the problems of this sector, can better represent that particular sector and the people living within. For that reason, I believe that single-member districts and for many other reasons, I believe that single-member districts would be the only way to give the people of San Antonio equal opportunity and equal representation before this body. Thank you very much.

MAYOR BECKER: Thank you very much, Mr. Machado. Now, we have one more gentleman signed up here who was a member of the Charter Revision Committee. Mr. A. C. Gonzalez.

MR. A. C. GONZALEZ: Good morning, Mr. Mayor and ladies and gentlemen. I really came to speak about one issue in particular but after hearing some of the other comments that were before me, I want to just make several observations. One, I do not feel that I was not given an opportunity to review the Committee report as a whole. I felt that it was adequate although short time to make your comments, but due to the deadline that we had to meet, I thought it was necessary and I felt many others of our Committee felt that it was also necessary. Second observation that I want to make is just that I just simply want to say as simply as possible that I firmly believe that single-member districts is the only way to insure that neighborhood areas can be and will be represented in San Antonio. All we have to do is look back over the number of years and witness where the City Council members have been elected from and to take with that the testimony of some of the Councilmen that have appeared before our Charter Revision Committee hinting at that some pressure has been put to some members, and we feel that - and I feel that we cannot say that we have representation under the at-large system. Second thing in this regard is that I feel that really a fear of the districts is more of a fear of powership rather than a fear of any detriment to the welfare of the whole City. I feel this very strongly and I wanted to make that quite clear.

Now, what I did want to come and talk about and which I'll be sending you a memo to remind you about this change is that I have a great concern for one grave oversight on the part of the City of San Antonio's policy towards the election process. This is that the ballots, especially those concerning the approval of bonds and the election information packets that are or will be in the future, provided by the City are not in both English and in Spanish. This Committee, the City Charter Revision Committee, saw fit to make great strides in the area of the electoral process. One, by recommending alterations in the at-large system; two, by recommending changes in the filing process; three, by requesting flexibility on the day of the week that the election could be held. We recommend that it could be held on a Saturday as opposed to Tuesday, when most working people are at work. Now, however,

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no enthusiasm could be generated on the subject of bilingual ballots. I cannot let this subject rest. I have observed, as many others have, that throughout the history of this nation, there have been efforts to make the ballot more available to some and less to others. You now sit in a position to make a choice which tradition you will follow. This very Council has been labeled as one of the more representative and responsive Councils in this City's history. Again, you have the choice to either reinforce or cast doubt upon this claim. I am not speaking to this because of some hairbrain scheme. At this very moment, this issue is being raised in various areas of this state. In San Antonio, it has been estimated by reliable sources that some 13 percent of the Mexican-American registered voters, not eligible voters, but registered voters can speak only Spanish. How many more would register and become more active citizens if bilingualism was recognized by the City, one can only guess. For some of you, this increased citizen participation may be perceived as a threat, for some - some would welcome it. Again, gentlemen, the choice is yours to consider and decide. San Antonio has a rich tradition of bi-culturalism which we are all very proud of. However, to ignore this facet of our City when it comes to elections and other areas of City jurisprudence, this is not something to be proud of. I just ask for your consideration on this particular aspect, and I'll entertain any questions.

MAYOR BECKER: Does anybody have any questions of Mr. Gonzalez? Thank you very much. Are you a member of the Charter Revision Committee, Bill? All right.

MR. BILL WALLACE: I would have submitted a minority report but most of the things that I would have said were submitted. I did sign one that echoed my sentiments. I heard this morning that a full-time Councilman was never considered. That was false and erroneous. A full-time Councilman was considered. It was one of my suggestions, and if any of you read the paper, I also stipulated that that person should be paid about \$10,000 a year. I do not think that any sum under \$100,000 is too small of a sum to have paid to people to have a City or to govern millions and millions of dollars that go in and out of this City. I also think that there are many and I can prove that there are many, many grass root people qualified who could run and sit on this Council, could run and win in their own districts. They cannot buck a machine. They cannot raise \$200 or \$300. They can't even raise \$2,000 or \$3,000 but they can go and cover their neighborhood in the time allotted for these people to try and to get elected. Any time that you force the small man to run against a machine for 26 percent of the population elects all of your Councilmen, this is at a disadvantage. This is at a disadvantage to the other 74 percent. The people don't participate because they feel they can't beat the machine and the candidates they'd like to see run, they cannot muster enough support to get that type of organization to make them get votes from the entire City. We also consider that there should be an assistant which would be down for the Councilmen to help do some of the research so that you will not have things shoved under your nose on Thursdays or Wednesdays or whenever you get your packet. So you can get your views of how it goes. Not that it would create any controversy with the present system, but to better explain because the time that a Councilman puts on this job, he does not have time to do both research and the job. Now these things were considered but they were beat down and another thing that was constantly drawn was against single-member districts that you would create a Council of dishonest people. Again, I spoke against that. A crook is a crook regardless of price. If you vote a crook in, you've got a crook.

I don't care how much you pay him. If he's in the machine and crooked, you've got a crooked machine. If he is in the district and crooked, you have a crooked district. But at least you have the crook of the people's choice.

MAYOR BECKER: You mean he's your kind of crook?

MR. WALLACE: That's right. At least maybe you know we heard a lot of things about streets being paved and you would have one person only from your district voting against your zoning. I have no people from my district, and they all vote against my zoning. So, I don't see. I think if I've got one, I've got an advantage and my street has been rocky and muddy since before time and we still don't have no pavement, no pea gravel or nothing else on it. Cars can't go up and down on it when it rains and this sort of thing.

MAYOR BECKER: They can't charge you with influence, can they?

MR. WALLACE: That's right. If I was on the Council, I bet I could get my street paved or some of the streets in the area paved. If you had a way - every area that was represented, you know, we get a whole lot of talk about the North Expressway, that's fine but poor people don't get to ride on the expressways, you know, their cars can't make it. They barely can catch the bus, but they do have to go up and down that street, and we do have a lot of rain and a lot of poor drainage and this sort of thing and see kids go to school ankle-deep and almost knee-deep in water when it's cold, this is a problem and it's not getting to this Council. But if there was a person from the area where these people live, then this problem would get to the Council and probably get something solved there. So, I strongly suggest over the members of the City Charter Committee, as a member of that minority report, and as a member of that suit against you to come with all districts and until that happens, we will not withdraw our suit, and we do think we will win because only with equal representation and a salary that makes it comparable to the job. I agree with you, I don't think that you should work for \$.50 an hour, and I'm not going to. So, I think we should pay your salary for a decent job and get some people who can serve on this Council. I don't have anything against any member of this Council. I think that all of you do a good job, even if a lot of you did come from over yonder in that direction, but I think that if you get some people from the south, east, southwest, southeast and all of this, also can make a contribution to this, and I can assure you that nobody is going to pay me a salary to work on this Council if I'm going to do something that's going to vote against maybe something he's doing. I think you should give that some thought when you deliberate on what you're going to do and that sort of thing.

One last thing. One other thing that we thought we should come with this just a very few recommendations to this Council and that this Council, which was also beaten down, should form a permanent committee to constantly research this thing and go over it part of the time to improve it because if you put all of this stuff that we have recommended and there was plenty hot air passed in that place, good thing it was kind of beaten, if you put all of this stuff on the vote - on a machine, it's going to get defeated because the people do not have time to go in there and read every word on that thing and find out every change you're going to make. So, I believe you should go along with the salaries, go along with the form of government and this sort of thing, any other thing that's really necessary for change and let all - get you

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a permanent committee that you appoint each year or however you want to do it, to go over that Charter and update it and upgrade it. Thank you very much for giving me a chance to talk here.

MAYOR BECKER: Yes, indeed. I must have been - yes, Mrs. Lecznar.

MRS. LECZNAR: Mr. Mayor, could we also introduce a couple of other members of the Committee that are here, Mrs. Janelle McArthur, Mr. Jim Dement and Mr. Jerry Henckel.

MAYOR BECKER: Mr. Henckel and Mr. Dement and Mrs. McArthur. Would you care to rise please so you can be.....and Mrs. Sue Eastwood. We appreciate the work that all of you did. Those who are present and those who are not present. It's a time-consuming job. You had, I think, some 17 or 19 or whatever it was meetings and they probably lasted an average of three hours each or something like that. So that's quite an amount of time to devote to it.

MRS. DUTMER: Mr. Mayor, may I say I'd like to throw another cliché at Mrs. Cockrell. The members that she selected to this Committee did not miss one Charter Revision Committee meeting.

MAYOR BECKER: That's correct. That's right. They had 100 percent attendance. That's a very good record. Well, thank you very much. Now we'll go into Citizens to be Heard, and I might just say before we go into that what Mr. Wallace just said about so many things on the ballot. I couldn't even find the horse race deal in my voting booth. I never did find it. I did not see that thing and I wanted to register my vote. I won't say for or against. I would have - I won't indicate what way I would have voted because we'd cancel each other's vote.

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CITIZENS TO BE HEARDMR. A. J. PLOCH

Mr. A. J. Ploch, Bexar County Commissioner, addressed the Council with reference to a permit issued to developer Lloyd A. Denton by the Texas Water Quality Board granting permission to put treated effluent into West Elm Creek. He said that this constitutes a grave danger to the Edwards Reservoir and the County has asked for a rehearing of this matter before the Board. Mr. Ploch asked the City Council to join the County Commissioners in seeking this rehearing.

Mr. Mel Sueltenfuss, Director of Public Works, stated that about two months ago the Texas Water Quality Board adopted regulations for plants located over the Edwards recharge zone at which time there were numerous protests over some of the provisions. He said that the order omitted about 26 items which were of concern to the AACOG Task Force. Of major concern is the requirement that nitrate removal be a part of a permit. This was not included in the permit issued to Denton. The developer is still investigating the possibility of piping sewage off of the recharge zone to be treated.

Mayor Becker expressed agreement that a rehearing should be requested and that the Water Quality Board should address itself to the 26 items which are of concern.

Mr. Morton said that he felt that it would be necessary to have an authoritative opinion to present to the Board. He felt that some new ingredient must be introduced to the Board other than what has been done so far. He said also that the City, City Water Board and the County should take the lead in trying to get the needed expertise and should also draft a mechanism for a body to be the inspector and enforcer of regulations over the entire area.

Mrs. Cockrell commented that she felt that the developer should be given the opportunity to express his views on the matter also.

Mayor Becker suggested that the firms that have been consultants to the City Water Board be employed to investigate this situation and assist in the discussions with the Board.

After further discussion, City Manager Granata said that the staff would contact the City Water Board and the County and have a recommendation for consideration next week if at all possible.

Mayor Becker assured Mr. Ploch of the City's cooperation and said that further consideration would be had later in this meeting. (See page 39 of these minutes.)

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MR. LES MENDELSON

Mr. Les Mendelson distributed copies of a proposed resolution opposing the use of terrorism throughout the world. The resolution was prompted by terrorist acts in Israel within the last few days. He read the resolution and asked that the Council adopt it.

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After discussion of the matter, the Council agreed that it should hold to its policy and consider the resolution in one week.

74-22 Mayor Becker was obliged to leave the meeting and Mayor Pro-Tem Padilla presided.

74-22 CITIZENS TO BE HEARD (Continued)

MR. JUAN VILLAREAL

Mr. Juan Villareal stated that he had been stopped by a police officer from selling snow cones from his truck and asked the Council to grant him a permit.

Mr. Fred Bell, representing the Metropolitan Health District, said that Mr. Villareal had a peddler's license to sell produce but that it is against the City Code to sell snow cones as he was doing. Mr. Bell then explained portions of the health code to the Council.

After discussion by Council members, the City Manager was asked to have certain sections of the Code reviewed to see if changes were in order in some areas.

City Manager Granata stated that he would come back to the Council in a few weeks with results of the review. Meanwhile, Mr. Villareal would not be permitted to violate the Code.

MR. CHARLES E. WILLIAMS, SR.

Mr. Charles E. Williams, Sr., a member of the San Antonio Planning Commission, complimented the Council on its attitudes and programs and the attention it is giving to Eastside projects.

Mr. Williams stated that he agreed that being on the Council is a big job and that the Council should be paid more.

AD HOC COMMITTEE ON REVENUE SHARING

Mr. Ignacio Perez, Chairman of the Ad Hoc Committee on Revenue Sharing, distributed copies of a report from his Committee. He then read a portion of the report which makes suggestions and recommendations for changes in the procedure for adopting a revenue sharing budget. (A copy of the report is included with the papers of this meeting.) The purpose of the suggestions is to get more public participation in formulating the budget.

Mr. Padilla and Dr. San Martin both disagreed with portions of Mr. Perez' statements saying that the public does have much input in this matter.

The report was accepted for study.

74-22 Mayor Becker returned to the meeting and presided.

NOLAN STREET UNDERPASS

Mrs. L. W. Sutton Taylor displayed a bar chart which had been given her by the City's Engineering Section and asked the current status of the Nolan Street Underpass.

City Manager Granata stated that work is right on schedule with the chart.

Mrs. Taylor made reference to a fire truck being delayed by a train this week.

Councilman Padilla asked if the railroad couldn't have the train engineer clear an opening for an emergency vehicle when it is necessary.

Mr. Granata stated that there are problems to overcome, but that he would discuss this matter with the railroads.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley Avenue, spoke as a representative for a group of residents on Pickwell Drive in the Highland Hills area. She said that there is a steep hill that is eroding very badly because a developer in the area has been excavating soil that has given lateral support to the hill. There is a situation developing that is dangerous to residences and children in the area. Mrs. Dutmer asked that the City investigate the matter and attempt to resolve the problem.

Mr. Mel Sueltenfuss, Director of Public Works, stated that he was well aware of the problem. He described the circumstances and said that everything that has been done has been legal as far as the City's requirements are concerned.

74-22

MR. KEN BUNTING

Mr. Ken Bunting spoke of the urgency for getting the Nolan Street Underpass completed.

LEAGUE OF WOMEN VOTERS

Mrs. Stanley Davis, President of the League of Women Voters, commended the Council for appointing the Charter Revision Committee and asked that public hearings be held to discuss the Committee's recommendations. She also urged that an election be called soon.

MR. HENRY MUNOZ

Mr. Henry Munoz, Business Manager for Local 2399, commended the Council for its action in protecting the employees of the City who could have lost much income due to the enactment of the Fair Labor Standards Act. He also commended the Council for its efforts to protect the City's water supply.

Mr. Munoz asked that the City require its contractors to use only United States citizens and should somehow control illegal aliens.

74-22 The meeting was recessed for lunch at 1:25 P. M., and reconvened at 2:50 P. M.

74-22 ZONING HEARINGS

A. CASE 5530 - to rezone Lot 21, NCB 9208, 2627 Culebra Road, from "B" Two Family Residential District to "B-2" Business District; and Lots 18, 19, and 20, NCB 9208, 2615-2623 Culebra Road, from "B" Two Family Residential District to "B-3" Business District.

The "B-2" zoning being located on the north side of Culebra Road, being 445' east of the intersection of General McMullen Drive and Culebra Road; having 95' on Culebra Road and a depth of 90'.

The "B-3" zoning being located on the north side of Culebra Road, being 295' east of the intersection of General McMullen Drive and Culebra Road; having 150' on Culebra Road and a depth of 115'.

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

Mayor Becker questioned the desirability of having a repair garage in such close proximity to residences.

Mr. Raymond H. Gonzales, the applicant, stated that he intends to have a tire and muffler shop at this location which is an expansion of his repair garage across the street. He assured the Council that he had no objections from any of the surrounding neighbors.

No one spoke in opposition.

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

AN ORDINANCE 43,773

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 21, NCB 9208,  
2627 CULEBRA ROAD, FROM "B" TWO FAMILY  
RESIDENTIAL DISTRICT TO "B-2" BUSINESS

DISTRICT; AND LOTS 18, 19, AND  
20, NCB 9208, 2615 - 2623 CULEBRA  
ROAD, FROM "B" TWO FAMILY RESIDENTIAL  
DISTRICT TO "B-3" BUSINESS DISTRICT,  
PROVIDED THAT PROPER REPLATTING IS  
ACCOMPLISHED AND THAT A SIX FOOT SOLID  
SCREEN FENCE IS ERECTED ON THE NORTH  
AND NORTHEAST PROPERTY LINE.

\* \* \* \*

B. CASE 5537 - to rezone the west 78' of Lot 3, NCB 10047, 410 Jackson Keller Road, from "A" Single Family Residential District to "B-1" Business District, located 110' southeast of the intersection of Melliff Drive and Jackson Keller Road and a depth of 200'.

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

Mr. Raul Guerra, representing the applicant, Dr. Moises C. Gonzales, stated that Dr. Gonzales had first applied for "B-3" zoning. The Planning Commission had denied "B-3" zoning and instead had recommended "B-1" zoning. Dr. Gonzales now has a contract of sale contingent on the property being zoned "B-1". The new owner would have a book-keeping service. He described the area and pointed out the other commercial zoning in the immediate vicinity.

Mr. Bob Jones, owner of adjoining property, concurred in the request and recommended that it be approved.

Mr. Tom Crofts, representing Mrs. Helen Walker, 222 Melliff Drive, spoke in opposition. He said that development of this property would drain water onto Mrs. Walker's property. He claimed that it would increase traffic and would ruin this residential neighborhood. He also said that this would only be the first step toward heavier zoning and asked that it be denied.

Also speaking in opposition were:

Mrs. Max Petry, 119 Ave Maria  
Mrs. J. J. Walker, 222 Melliff  
Mrs. A. H. Otterstetter, 125 Ave Maria

Mr. Guerra and Dr. Gonzales spoke in rebuttal and assured the Council that this change would not affect the neighborhood.

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

AN ORDINANCE 43,774

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 78' OF LOT 3, NCB 10047, 410 JACKSON KELLER ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE SOUTHWEST PROPERTY LINE.

\* \* \* \*

C. CASE 5549 - to rezone a 7.574 acre tract of land out of NCB 11641, being further described by field notes filed in the office of the City Clerk, 5054 Vance Jackson Road, from "A" Single Family Residential District to "P-1"(R-1)" Planned Unit Development Single Family Residential District, located on the northeast side of Vance Jackson Road, being 160' northwest of the intersection of Old Hickory Trail and Vance Jackson; having 216.06' on Vance Jackson Road and a depth of 1678.9'.

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. Morton made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a non-access easement be imposed on the southeast property line at Oak Downs. Mr. Beckmann seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 43,775

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 7.574 ACRE TRACT OF LAND OUT OF NCB 11641, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 5054 VANCE JACKSON ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1"(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A NON-ACCESS EASEMENT BE IMPOSED ON THE SOUTHEAST PROPERTY LINE AT OAK DOWNS.

\* \* \* \*

D. CASE 5538 - to rezone Tract 6G and the northeast 250' of the southwest 510' of Tract 6J, NCB 11622, 7912 Fredericksburg Road, from Temporary "R-1" Single Family Residential District and Temporary "A" Single Family Residential District to "R-3" Multiple Family Residential District; and Tract 6F and the southwest 260' of Tract 6J, NCB 11622, 7912 Fredericksburg Road, from Temporary "A" Single Family Residential District to "B-3" Business District.

Subject property being located on the northeast side of Fredericksburg Road being 750' northwest of the intersection of Donore Place and Fredericksburg Road; having 100' on Fredericksburg Road and a depth of 510'. The "B-3" zoning being on the southeast 275' and the "R-3" zoning being on the remainder of subject property.

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

No one spoke in opposition.

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

AN ORDINANCE 43,776

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 TRACT 6G AND THE NORTHEAST 250' OF THE SOUTHWEST 510' OF TRACT 6J, NCB 11622, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; AND TRACT 6F AND THE SOUTHWEST 260' OF TRACT 6J, NCB 11622, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, 7912 FREDERICKSBURG ROAD, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

74-22 The Clerk read the following Resolution:

A RESOLUTION  
NO. 74-22-30

CANCELLING THE PUBLIC HEARING ON THE PROPOSED AMENDATORY PLAN NO. 3 TO THE ROSA VERDE URBAN RENEWAL PROJECT PREVIOUSLY SET FOR MAY 30, 1974.

\* \* \* \*

Mr. Mel Sueltenfuss, Director of Public Works, explained the Resolution and stated that this matter had been discussed with Mr. Winston Martin, Executive Director of the Urban Renewal Agency. It was felt that the hearing should be delayed until completion of the Olmos Dam Study about the middle of June so more facts would be available. He recommended adoption of the Resolution.

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

74-22 The following Ordinances were read by the Clerk and explained by Mr. Tom Raffety, Director of Aviation, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 43,777

ACCEPTING THE LOW QUALIFIED BID OF ALTO FENCE CO., IN THE AMOUNT OF \$77,687.93 FOR CONSTRUCTION OF THE INTERNATIONAL AIRPORT AND STINSON MUNICIPAL AIRPORT SECURITY FENCES AND AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT, SUBJECT TO APPROVAL BY THE FAA, AND THE TENDERING TO AND ACCEPTANCE BY THE CITY OF A GRANT FROM THE FAA FOR SUCH PURPOSES.

\* \* \* \*

AN ORDINANCE 43,778

ACCEPTING THE LOW BID OF MEADER CONSTRUCTION CO., TO PROVIDE IMPROVEMENTS AT STINSON AND SAN ANTONIO INTERNATIONAL AIRPORTS CONTINGENT UPON FAA APPROVAL OF A GRANT TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC WORKS CONTRACT FOR SAME.

\* \* \* \*

74-22 The following Ordinance was read by the Clerk and explained by Mr. Jim Gaines, Director of HemisFair Plaza, and after consideration, on motion of Mr. Padilla, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSTAIN: Merton; ABSENT: None.

AN ORDINANCE 43,779

TERMINATING REVENUE CONTRACT #1463 BETWEEN THE CITY OF SAN ANTONIO AND DATAPOINT CORPORATION NINETY DAYS EARLY BY MUTUAL AGREEMENT.

\* \* \* \*

74-22 The following Ordinance was read by the Clerk and explained by Fire Chief Bart T. Mulhern, and after consideration, on motion of Mr. Morton, seconded by Mr. Beckmann, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 43,780

PERMITTING THE ALAMO COUNCIL OF CAMP  
FIRE GIRLS TO HAVE A BONFIRE ON MAY  
24, 1974.

\* \* \* \*

74-22 The Clerk read the following Resolution:

A RESOLUTION  
NO. 74-22-31

URGING THE GOVERNOR AND THE STATE  
DEPARTMENT OF PUBLIC WELFARE TO  
REVIEW AND STRENGTHEN RULES AND  
REGULATIONS CONCERNING CHILD CARE  
FACILITIES AND TO PROVIDE PERSONNEL  
NECESSARY TO EFFECTIVELY ENFORCE  
SAME.

\* \* \* \*

The Resolution was explained by Mr. William Donahue, Director of Human Resources and Services, who said that it urges the Governor and the State Department of Welfare to assume fully and responsibly their charge under state statutes in the licensing of day care centers. The Resolution is recommended as an alternative to the option of the staff establishing a City division of day care licensing of centers. He recommended adoption of the Resolution.

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

74-22 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. Lacy, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

AN ORDINANCE 43,781

AUTHORIZING EXECUTION OF A CONSTRUCTION  
AND MAINTENANCE AGREEMENT WITH THE  
SOUTHERN PACIFIC TRANSPORTATION COMPANY  
FOR INSTALLATION OF AUTOMATIC SIGNALS

ON FULTON STREET, COLORADO-LEAL STREET,  
AND NEVADA STREET FOR A TOTAL OF \$86,807.00;  
AUTHORIZING PAYMENT TO SAID COMPANY, AND  
PROVIDING FOR A \$9,156.90 CONTINGENCY FUND.

\* \* \* \*

74-22 The Clerk read the following Resolution:

A RESOLUTION  
NO. 74-22-32

SELECTING FEDERAL AID URBAN SYSTEM  
PROJECTS AND REQUESTING TEXAS HIGHWAY  
DEPARTMENT CONCURRENCE. (10 PROJECTS)

\* \* \* \*

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

74-22 The following Ordinances were read by the Clerk and explained by Mr. W. S. Clark, Director, R.O.W. and Land Acquisition Department, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Black, Lacy, Beckmann, Padilla; NAYS: None; ABSENT: Cockrell, Morton, Mendoza.

AN ORDINANCE 43,782

APPROPRIATING THE SUM OF \$34,135.00 OUT OF VARIOUS FUNDS, FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS AND EASEMENTS OVER CERTAIN LANDS, IN CONNECTION WITH THE 24TH STREET IMPROVEMENT PROJECT AND THE LONE STAR BLVD. OUTFALL PROJECT; AND ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS AND EASEMENTS OVER CERTAIN LANDS TO BE USED IN CONNECTION WITH THE WEST COMMERCE STREET IMPROVEMENT PROJECT AND THE HARRY WURZBACH ROAD CULVERT PROJECT.

\* \* \* \*

AN ORDINANCE 43,783

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS IN THE TOTAL SUM OF \$7,947.46 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH STORM DRAINAGE PROJECT #83-X (SIX MILE CREEK), BABCOCK ROAD WIDENING PROJECT, 24TH STREET IMPROVEMENT, U. S. 281 NORTH, S. P. #174 -- MIRA VISTA PARK SITE, WOODSTONE SUBDIVISION (COLUMBIA OAKS) SANITARY

SEWER OUTFALL MAIN (MISCELLANEOUS EASEMENTS & DEDICATIONS), BIG TOWN SUBDIVISION ~~OFF-SITE~~ SANITARY SEWER MAIN (MISCELLANEOUS EASEMENTS AND DEDICATIONS) CINNIMON CREEK SUBDIVISION PORTABLE SANITARY SEWAGE TREATMENT PLANT (MISCELLANEOUS EASEMENTS & DEDICATIONS), THOUSAND OAKS UNIT 4 SUBDIVISION DRAINAGE (MISCELLANEOUS EASEMENTS & DEDICATIONS), AND WALTERS-MOORE OVERPASS PROJECT.

\* \* \* \*

- - -  
74-22 Mayor Becker was obliged to leave the meeting and Mayor Pro-Tem Padilla presided.

- - -  
74-22 The Clerk read the following Ordinance:

AN ORDINANCE 43,784

AUTHORIZING EXECUTION OF AN AGREEMENT WITH O'BRIEN AND GERE FOR PHASE II OF THE STUDY OF RATE STRUCTURES AND CAPITAL SPENDING PROGRAMS OF C.P.S.B. AND APPROPRIATING \$70,000.00 FOR PAYMENT FOR SAID SERVICES.

\* \* \* \*

The Ordinance was explained by Mr. Carl White, Director of Finance, who said that this agreement would enter into Phase II of the O'Brien and Gere proposal which is primarily concerned with the capital program and the need for a second rate increase by the City Public Service Board in 1975.

Dr. San Martin stated that he had previously asked that Phase II also include the feasibility of City Public Service having its own gas gathering system or joining other consumers in setting up its own distribution system to the point of San Antonio buying some of the Lo-Vaca interests.

Mr. White stated that that item is outside the scope of this proposal but can be added later. He also said that Phase II will answer all of the questions that have been raised by the military.

City Manager Granata stated that a transcript of last week's discussion is being sent to O'Brien and Gere which includes this additional item so that they can give the City an estimate of additional costs.

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

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74-22

CPSB RATE INCREASE ORDINANCE

Dr. San Martin said that he felt it very necessary that the Council act on the request for a rate increase by the City Public Service Board and moved that the Ordinance be placed on next week's agenda and whatever increase is granted that the rate structure then be on the agenda for the following week. The motion was seconded by Mrs. Cockrell.

Mr. Morton asked that the motion be amended to include an X surtax on the rates to be charged to any user outside the City of San Antonio with the understanding that this surtax would be used to minimize the impact of the rate increase on the minimum user.

Dr. San Martin accepted the amendment to his motion.

Mr. Padilla said that Mr. Centeno had discussed a situation whereby one of the military installations is getting a more favorable rate. He asked that care be taken in structuring the new rate ordinance to eliminate pockets of this type.

Mr. Morton asked that the real facts in this matter be determined and reported to the Council.

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

74-22 Mayor Becker returned to the meeting and presided.

74-22

FUEL ADJUSTMENT CLAUSE

Dr. San Martin said that based on a legal opinion that foregoing of the 14 percent payment on the fuel adjustment charge is not permissible under the indenture and he moved that an Ordinance be on next week's agenda to repeal that resolution passed on January 31, 1974 whereby the Council requested that the City Public Service forego payment of the City's 14 percent share of the fuel adjustment pass through charge. The motion was seconded by Mrs. Cockrell and carried by the following roll call vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla; NAYS: None; ABSENT: Mendoza.

74-22 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Dr. San Martin, seconded by Mr. Padilla, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Beckmann, Padilla; NAYS: None; ABSENT: Lacy, Morton, Mendoza.

## AN ORDINANCE 43,785

ACCEPTING THE LOW BID OF R. B. BUTLER, INC.  
FOR CONSTRUCTION OF THE RILLING ROAD WASTE-  
WATER TREATMENT PLANT, SECTION IX, PHASE C,  
WPC-TEX-828, SAID ACCEPTANCE TO BECOME  
EFFECTIVE UPON APPROVAL OF THIS PROJECT BY  
EPA, AND UPON EXTENSION OF A GRANT INCREASE

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FROM EPA IN THE AMOUNT OF \$992,240.00;  
AUTHORIZING EXECUTION OF A STANDARD PUBLIC  
WORKS CONTRACT FOR THIS PROJECT, UPON  
APPROVAL OF EPA; INCREASING THE AUTHORIZED  
COST OF THIS PROJECT AND APPROPRIATING  
NECESSARY ADDITIONAL FUNDS; ACCEPTING A  
GRANT INCREASE FOR THIS PROJECT FROM EPA,  
IN THE AMOUNT OF \$992,240.00; AUTHORIZING  
PAYMENT TO THE CONTRACTOR, PAYMENT OF  
ADDITIONAL ENGINEERING FEES AND EXPENDITURE  
OF ADDITIONAL FUNDS FOR MISCELLANEOUS CON-  
TINGENCIES, AND APPROPRIATING ADDITIONAL  
FUNDS FROM REVENUE BONDS FOR THIS PROJECT.

\* \* \* \*

74-22 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Mr. Padilla, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Morton.

AN ORDINANCE 43,786

AUTHORIZING EXECUTION OF A LEASE TO THE  
UNITED STATES OF AMERICA OF CERTAIN CITY  
PROPERTY ALONG LEON CREEK.

\* \* \* \*

74-22 The following Ordinance was read by the Clerk and explained by City Attorney Crawford Reeder, and after consideration, on motion of Mr. Beckmann, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Morton.

AN ORDINANCE 43,787

DECLARING A PUBLIC NECESSITY FOR THE  
ACQUISITION OF EASEMENTS ACROSS CERTAIN  
PRIVATELY OWNED REAL PROPERTY IN SAN  
ANTONIO, BEXAR COUNTY, TEXAS, FOR PUBLIC  
PURPOSES, TO WIT: THE LOCATION, CON-  
STRUCTION, RECONSTRUCTION, IMPROVEMENT,  
REPAIR AND MAINTENANCE OF SALADO CREEK  
SANITARY SEWER EXTENSION; AND DIRECTING  
THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE  
TO CONCLUSION CONDEMNATION PROCEEDINGS TO  
ACQUIRE SO MUCH THEREOF AS CANNOT BE  
ACQUIRED THROUGH NEGOTIATION.

\* \* \* \*

74-22 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Becker, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: San Martin, Morton.

AN ORDINANCE 43,788

ACCEPTING THE LOW BID OF A-1 FIRE AND SAFETY TO FURNISH THE CITY WITH BREATHING APPARATUS PARTS FOR A TOTAL OF \$1,495.52.

\* \* \* \*

AN ORDINANCE 43,789

ACCEPTING THE LOW QUALIFIED BIDS OF OVERHEAD DOOR CO. OF SAN ANTONIO AND ALAMO OVERHEAD DOOR, INC. TO FURNISH THE CITY WITH CERTAIN OVERHEAD DOORS FOR A TOTAL OF \$2,306.00, AND AUTHORIZING PAYMENT.

\* \* \* \*

74-22 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: Morton.

AN ORDINANCE 43,790

ACCEPTING THE LOW QUALIFIED BID OF "A" BUILDING MAINTENANCE FOR FURNISHING THE CITY WITH CERTAIN JANITORIAL SERVICES FOR THE PARKS AND RECREATION DEPARTMENT AND THE MONITORING AND EVALUATION DIVISION FOR A TOTAL OF \$655.00 PER MONTH.

\* \* \* \*

AN ORDINANCE 43,791

AUTHORIZING THE PAYMENT OF \$1,946.80 TO CITY PUBLIC SERVICE BOARD FOR EXTENSION OF ELECTRICAL SERVICES TO THE POLICE RADIO TOWER AT 6250 NORTH F. M. 1604.

\* \* \* \*

AN ORDINANCE 43,792

AUTHORIZING THE PURCHASE OF CERTAIN MICRO-FILM COLLECTIONS FROM THE PEMBERTON LIBRARY SERVICES FOR A TOTAL OF \$5,200.00 FOR THE SAN ANTONIO PUBLIC LIBRARY.

\* \* \* \*

AN ORDINANCE 43,793

AMENDING THE CURRENT CONTRACT WITH OLMOS  
ROCK PRODUCTS /DBA/ VULCAN MATERIALS  
COMPANY TO FURNISH THE CITY WITH CERTAIN  
ASPHALTIC MATERIALS BY ALLOWING CERTAIN  
PRICE ESCALATIONS.

\* \* \* \*

74-22

S. A. INTERNATIONAL AIRPORT

City Manager Granata advised the Council that there had been a breakdown in the air conditioning system at the airport today and informal bids were taken as an emergency measure. The expenditure has been authorized in the amount of \$3500. Approval will be asked at a later date.

74-22

The Clerk read the following Resolution:

A RESOLUTION  
NO. 74-22-33

JOINING BEXAR COUNTY IN REQUESTING  
A REHEARING ON TEXAS WATER QUALITY  
BOARD PERMIT NO. 11554 TO DENTON  
DEVELOPMENT COMPANY AUTHORIZING  
DISCHARGE OF TREATED SEWAGE INTO  
WEST ELM CREEK.

\* \* \* \*

Mr. Stanley Rosenberg, Attorney for Lloyd Denton, explained that he was familiar with the Resolution. He assured the Council that Lloyd Denton does not wish to be painted as an adversary of anyone. He said every effort is being made and offered to meet with any one, pro or con, so that things can be ironed out before meeting with the Texas Water Quality Board so that there will not be an adversary presentation made.

Mr. Rosenberg said that Mr. Denton would be happy to pipe the sewerage off of the area and get it off of the recharge zone.

Mayor Becker assured Mr. Rosenberg that the City is not attempting to paint Mr. Denton as a scoundrel at all, simply trying to get an agreement with the Texas Water Quality Board.

In answer to Mr. Morton's question, Mr. Sueltenfuss said that a rehearing would not be held next Wednesday - just a request for a rehearing. A request for a rehearing must be made within 30 days.

City Manager Granata read a letter received today from the Texas Water Quality Board saying that the Board will meet on May 22nd to discuss with the City and County the request for a rehearing.

Mr. Morton made this statement:

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"I'm saying to this Council and I'm going to continue to say it over and over and over again that you cannot disassociate the question of water purity and sewage. Until we take the initiative to say that we are going to have the authority over sewer treatment in all watersheds in Bexar County, we are not taking the responsibility that really we should. Just as you pointed to the West this morning and said this affects us, I can assure you that until we have authority, and we can get it if we would ask for it. When we do that, Mr. Mayor, I assure you that the questions that we have out at Randolph would be much easier to settle".

There was a discussion concerning Mr. Morton's statement and the fact that much money would be required.

After consideration, Mrs. Cockrell moved that the Resolution be adopted. The motion was seconded by Mr. Morton and carried by the following roll call vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

Mrs. Cockrell then moved that the staff be instructed to work with Lloyd Denton and company as closely as possible to resolve any differences. The motion was seconded by Mr. Morton and passed by the following roll call vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton, Beckmann, Padilla, Mendoza; NAYS: None; ABSENT: None.

74-22

THEATER SMOKING

Dr. San Martin said that twice recently he has been in theaters where the smoke has been terrible. It also constitutes a serious fire hazard. He asked that the City Manager and City Attorney contact all theater managers and owners of theaters in San Antonio to reemphasize the need for enforcing the "no smoking" rules in the theaters.

City Manager Granata said that he would instruct the Fire Chief and take the necessary additional steps.

74-22 The Clerk read the following letter:

May 10, 1974

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

Gentlemen and Madam:

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

May 6, 1974

Petition of Mr. Ramon E. Carrillo, 927 East Sunshine Drive, requesting permission to build a back stop approximately fourteen (14) feet high on his property located at 927 East Sunshine Drive.

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May 9, 1974

Petition of Mrs. Loy Tingley, 10906  
Lazy Oaks, signed by 429 persons,  
requesting that certain improvements  
be made in the Nacogdoches Road area.

May 9, 1974

Petition of Reverend R. A. Callies,  
Sr., 1211 Pecan Valley Drive, re-  
questing certain improvements in the  
Eastside community.

/s/ J. H. INSELMANN  
City Clerk

\* \* \* \*

There being no further business to come before the Council,  
the meeting adjourned at 4:05 P. M.

A P P R O V E D

A large, stylized handwritten signature in black ink, appearing to read 'C. L. Becker'. The signature is written over the printed name 'Charles L. Becker'.

Charles L. Becker

ATTEST:

*J. H. Inselmann*  
City Clerk

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