

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 3, 1975.

* * * *

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

75-38 The invocation was given by The Reverend Warren Larck, Allena Baptist Church.

75-38 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

75-38 The minutes of the meeting of June 26, 1975, were approved.

75-38 Mayor Cockrell read the following Resolution, and after consideration, on motion of Mr. Billa, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

A RESOLUTION OF RESPECT
NO. 75-38-59

WHEREAS, James Elden Anderson joined the San Antonio Police Department on August 19, 1957 and served honorably and well, and

WHEREAS, Jim, as he was affectionately known by his brother officers and friends, was a dedicated police officer who gained the admiration and respect of the entire Department with his devotion to duty and his desire to serve, and

WHEREAS, he was a Past President of the San Antonio Police Officers' Association and currently was serving on the Police Welfare Board and had risen to the rank of Police Detective Investigator, and

WHEREAS, life came to a close for James Elden Anderson on July 1, 1975, while carrying out his duty in responding to a citizen's call for help; NOW, THEREFORE:

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

SECTION 1. That this Council, on behalf of City officials and employees as well as the citizens of this great City, does hereby express profound regret on the occasion of the death of Detective James Elden Anderson and tenders to his family our heartfelt sympathy.

SECTION 2. That this Resolution be spread upon the minutes of this meeting and a copy thereof be sent to the bereaved family.

* * * *

Members of the City Council, City staff and those present in the audience stood in silent prayer in memory of Detective Anderson.

75-38

REPORT BY POLICE CHIEF EMIL PETERS

MAYOR LILA COCKRELL: At this time, I would like to call on City Manager Sam Granata. I had made a suggestion to Mr. Granata that he ask the Chief of Police to come and review the tragic events of night before last.

CITY MANAGER SAM GRANATA: Yes, I will call on Chief Peters to brief you fully on what happened. If you have any questions he will be happy to answer them.

CHIEF EMIL PETERS: I appreciate the opportunity to report to you on this especially since there are naturally many questions and there is lot of criticism, some from within our own department, on how it was handled and why the reason was for this, that or the other, or what we missed on. I think first of all, I'd be remiss not to seize on the opportunity to take this experience and critique it, and perhaps profit by mistakes made in the future. This is what we term an unusual occurrence. Around the country they happen - just rarely and so every plan that you have falls a little short of what you would desire. I have talked to the Chief personally, listened to his summation of what happened in New Orleans and Chief Davidson in L. A. They've had these things occur and when it's all over, well, of course, there's always a lot of things that they think about that should have been done, that could have been done. One of the principle errors in Louisiana, was very tragic. They had much to much gunfire and loss of control and consequently three men died by their own people's bullets.

All right, what happened to us. This call went out as frequently of a man shooting, a man with a gun. Normally, the district officer, with some help, of course handles that. This didn't go out as a sniper. We didn't know that he was going to shoot our people. We thought there was a family disturbance and it was handled that way for the time being. The first officers arriving at the scene were shoed away by the neighbors and told that he was shooting out of the house. He had already shot his son, of course. He had shot at his son as he tried to flee. One of the officers taking cover behind a tree was shot at. So from that point forward the officers put out the emergency for more help and Det. Anderson, being assigned to homicide, was sent because of the shooting that had already occurred. He arrived there and the alarm was already out that he's shooting at anybody approaching the house. So Anderson took cover next to Sgt. Porter behind a police car. It was shortly after this that either he exposed himself or he tried to see what was occurring because it was hard to see. The distance from the house to that car was quite great and he must have raised up exposing just a little bit of his forehead and this man with a deer rifle shot inflicting the wound which killed Anderson of course right between the eyes at the bridge of the nose.

Then the officers knew, of course, that they had a real sharpshooter here with the type of firepower that's capable of picking off people at some distance. Gas was called for. It was sent out but the officers could not get in good position to put this gas into the house. For the next few hours, of course, there was a lot of tension. Seemingly it sounded to people listening in or at the scene that there was considerable chaos. There was actually some confusion. Capt. Anton was relief Captain for the patrol division so he took the position of being the Squad Commander. The Officer of the Day, Inspt. Martinez was summoned and he made the scene. I of course, was summoned too and eventually made the scene after making the hospital since Martinez was at the scene.

They did get in position to throw some gas at the house, they weren't sure if any of it penetrated. Time was passing, of course. Anderson was killed around 7:51, and time was going on and they were seeking to procure an armored car in order to get up close.

Men were in position at rooftops at - in the rear of the house, across the street, behind cars, and what have you, but all at too great a distance to effectively get the gas projectiles into the house. Some may have penetrated but the canisters would not and some of the projectiles wouldn't. While they were waiting for the Armored car which was procured from Purolator to reach there which had to be refueled and called for more gas and during this time, of course, there were many calls that they were out of ammunition. Were they out of ammunition or not, well that's a good question. The Captain at the scene and the inspector were trying to hold the fire and shoot only if shot at because again, I say too much fire power at a scene does not accomplish anything. It just increases the danger to the men at the scene. We were hoping that we could get the man out alive. In the meantime other devices were exhausted. They got his family to talk on the loud speaker to try to coax him out. They got a chaplain who knew him. One of our detectives who heard the name mentioned remembered him as an old friend. He came to the scene and he in turn talked over the PA system trying to coax him to come out. Many similar instances or cases like this, not reaching this point where he was sniping and ambushing police officers, have been talked out of the houses. People who are deranged don't always necessarily end in self destruction which was the case in this one.

When finally more gas was secured and brought to the scene the armored car with the squad moved in close and they made a complete circle of the house shooting in every window and of course that should have brought him out and didn't so it was suspected that he was dead. However, this was not known. Now, to aggravate the situation the dispatcher had received four calls from cranks between 7 and 11 saying that "I'm taking one more with me." This apparently was not the man, maybe the first one could have been, we doubt it but this could not be set aside. Loss of life are costly and so every caution was used and, of course, darkness was on our side too eventually because this made it more difficult for him to pick off police officers trying to move from one position to the other.

We've been criticized about lack of communication and it's true. The PA system had to be used in some instances because we had only a limited number of walkie talkies which the men could take and once they leave their automobiles normally they're out of communication. I think this points up exactly the direction we're going in our new communication system with the grant that you approved some time back to purchase - to accept the grant rather to purchase these new carry along radio devices that a man will never be away from his car and be out of communication here - after but we don't have them yet.

All right, there was also some criticism about the armory being hard to get to. - The Patrol Captain has the key to the armory. We have a primary and secondary armory. The primary armory, of course, was emptied immediately. That's where the scope rifles are. That's where the gas is and that was taken to the scene. Now, in the secondary armory we have other things such as gas masks, additional gas and this was opened to them. Now, in this secondary armory and this is where some of the confusion and misunderstanding occurred, there is a screen between what's current stock and what should not be used or without the help of the armorer who was assigned to training. We use this because our training division separates and checks the gas stock to use off the old stock because gas deteriorates very rapidly so we, in our training courses, try to use the older ammunition and the older gas. Also weapons are there that need repair and ironically, two AR15's were there which has just been received and were still plugged. They are part of a package that we have just recently ordered under a grant that we just recently received. You probably recall passing on a resolution to accept that, which will, of course, provide sophisticated equipment for a SWAT team which we were moving toward trying to get the package complete and then begin the training course on. The word was out that it was locked, you couldn't get there but finally, well, we pulled the screen loose. It's just to separate the packaging and he scooped up the AR15's which were not really ready, had not been range tested and still had some of the packing around them. Well this was brought to the scene and as you know shortly after 11 they entered the house and found the body of the man that had been doing the shooting.

This is certainly a project that fell short of many desirable goals, but, as I said before, it's an unusual occurrence, and I think from these things we can learn how to plan for the future. We are in the process of developing a S.W.A.T. team. They have become more and more a part of police work in this day and time when seemingly more and more snipers appear on the scene and that's exactly what they're for, nothing else. Sometimes they're a little hard to sell, and sometimes the special equipment isn't the easiest thing to come by either. But we are on the way. We have received this grant. The Council approved it. So, we have already sent a year and a half ago some men for special training and selected 24 others who will be trained once we have the equipment, but training is expensive to us so we held off on the special training until we had the whole package which will include a portable shield that can be moved in with bullet proof glass and so forth.

Some suggestions, of course, have been put forth that why don't we have an armored car. No, I don't want one really. There's a liability because you use them so rarely. This would have been the first occasion in many, many years that we would have had to use them. Cleveland, for instance, spent \$30,000 for a real sophisticated armored motor car made exactly for that. We had at one time just a panel truck which was packed with some equipment which could be used, and it was a liability because it could not be kept in shape. Somebody has to be assigned to get in that car every week and crank it up and make sure that the tires are inflated, the batteries are up, and the equipment is still intact and, as I mentioned before, gas deteriorates very rapidly under less than ideal climatic conditions. It's not good to carry it around in the trunk of a car where the intensified heat from the locked car will deteriorate it, and when you go to use it, it's not ready. So, other suggestions, of course, are that we should have packaged in cars, around and ready. Our problem wasn't too great in getting it to the scene. It was a little bit slow, but in the meantime the scene can be held, that's important. Life is important. We could have rushed the house. Capt. Anton was in charge. Inspt. Martinez was really in charge at the scene. I had the right to countermand it if I didn't think his plan was moving all right, but in view of the fact that we knew the fellow was inside. He wasn't going anywhere, any rush of the house, of course, exposes other people's lives and possibility of additional loss of life is something that you have to consider. I thought about that and I thought it wouldn't hurt to go a little bit slower, be a little bit surer, and maybe the next day have less bodies to count. I think in the final analysis, I think we accomplished the objective. We did not lose any additional lives. I'm sorry that it couldn't have been smoother. I think the next one could be, and I hope we don't have a next one.

MAYOR LILA COCKRELL: Thank you very much, Chief.

MR. HARTMAN: Chief Peters, first of all, what I'm about to say, I'm not implying in any way that Officer Anderson's life could have been saved, if we had acted differently. I think reviewing the circumstances under which, you know, apparently, it was a case of his head becoming exposed and then the sniper taking aim and so on. I'm not saying that the procedures that I'm about to ask about in any way were at fault in Officer Anderson's death. But I am - what I do have a question about is the matter of people knowing what they're supposed to do when something happens. I'm particularly heartened by the fact that you say we are developing a S.W.A.T. team, like this apparently seems to be the way to take care of this type of a situation. But I am concerned about the fact that from what I understand thus far, there is no contingency plan, or no check list or no knowledge in a concise form except through familiarity with what is supposed to be done under certain circumstances. I think that's perhaps the area that concerns me most in this case - the fact that apparently was an effort at the spur of the moment to acquire an armored car from I understand military facilities in this area. I understand this was a noble type effort. It had not been done before there was no pre-arranged situation. It would appear to me that this is a type of thing that we can have prearranged, we could have pre-established so that when situations like this occur we know what to do and the people who are to do certain things are aware of what they're supposed to do and can react without apparently doing it by what would appear in some

cases sort of a trial and error, I think that's the area that concerns me. I'm not saying that and thank God we didn't lose any more lives than we did. I'm very thankful for that. I'm just concerned, though, about the fact that there doesn't seem to be a clear cut contingency plan, if you will, that says this is what is done under these conditions and these conditions and these are the people and these are the resources that will be brought into the act.

CHIEF EMIL PETERS: Yes sir. That is an area that we need to dress up, improve. We have had these from time to time, but they get old they get dusty, and need to be rehearsed in this. We had, when riots and these types of things were more prevalent, we had worked up a pretty good plan, and it gets old and it needs adjusting and it needs rehearsing

MR. HARTMAN: Right. Rehearsal, I think, is the key point. A plan isn't worth anything if it's written and put aside. I think it needs to be exercised. I think it would have to be

CHIEF EMIL PETERS: We probably would embody that along with our special tactical squad training as we reach that point. It's caught us a little bit early, but again when you look back, well it hasn't happened for years, and so we didn't realize we were moving slow. But certainly we want to

MR. HARTMAN: What sort of a deadline are we looking at in terms of developing a S.W.A.T. team?

CHIEF EMIL PETERS: I should think that either 30 to 60 days ought to be the maximum. We've received of the equipment, one-third of it, but the other ought to be on the way.

MR. HARTMAN: But couldn't we perhaps at least have a concept established without the full load of equipment so that we can make sure....

CHIEF EMIL PETERS: Oh yes, that's right particularly the check list, the assignment, the delegating of the authority to whoever is in charge of this and so forth... that I mentioned will meet. We're having everybody analyze what they saw, what they thought was missing or what they did and then have a get together or series of them maybe.

MR. HARTMAN: And it would seem that some (inaudible) is perhaps available in the area and we can make arrangement with the military authorities.

CHIEF EMIL PETERS: That will go like next week. We should think of a time frame of 30 to 60 days maximum before this unit is ready to go.

MAYOR LILA COCKRELL: Yes, Reverend Black.

REVEREND CLAUDE BLACK: I would like to comment on this primarily because the way in which I see it over against the way in which the Los Angeles police handled the Hearst case. I do think that the Department is to be commended for the way in which it did approach. I am aware that we are concerned about time but if time saves lives, if you can save lives as a result of taking the necessary time and not endanger neighbors - innocent neighbors - because this is one of the problems. This is also one of the problems I understand in developing their special teams. They have special fire power. They tend to identify themselves in terms of a kind of expression of really taking over in a short time. I think that your primary commendation is that in the face of this loss, which was not as I see it identified with any failure in your operation but one of the casualties that go with this kind of risk, that you then took the time to be sure that nobody else's life was endangered and with the motivation that you might be able to save the man's life that was responsible for the death of the policeman. As I listened to the orders being given by the officer in charge I felt that they were to be commended.

I hope that in the development of our special team that, that quality of concern will be a part of the training. When I say this I'm not after any unnecessary risk on the part of the policemen of his life. I think this must be understood and this is not what I am saying. I am simply saying that here you have control of the individual, the individual is isolated in the house, you know where he is and the matter of time does not have the high priority. The matter of saving the life has high priority and it seems to me that's what your group gave was the high priority the saving of the life.

In addition to this all of these matters are not simply identified with the revolutionary type of concern that was related to the Hearst case. What we have here is a man who's backed by his employers as a responsible citizen. I think we've got to almost assume that in many of the cases that we are going to have that the persons are just caught up in an urban society that turns them off in a variety of ways and when I say this I hope it is not understood that I am saying that the policeman must take unnecessary risks. I think we must be prepared to deal with it and give the same kind of security to the life of the individual policeman as I address the security for the life of the person we are trying to take.

I want to commend the Police Department for what I think was good judgement in the way in which they approached this case. I think they did it with having life as the greatest priority in enforcing the law and also trying to take care of the individual that was charged with the shooting. Certainly this does not minimize my sympathy for the family of our policeman. I have the greatest sympathy for them and because I don't tie the things together. I don't state that your operation was in any way responsible for his death.

MAYOR LILA COCKRELL: Mayor protem Teniente.

MR. RICHARD TENIENTE: Yes, Mrs. Cockrell, I to want to commend the Police Department because it seemed to us quite a long time when we were there for about three hours listening to the reports and the happenings but in this particular case I have to agree that time was not a factor but there might be incidents where time will be a factor. For this reason I would certainly go along and certainly work through the Council with the City Manager in whatever area you see fit that needs the tactical team, these specialists, because this can be a situation where time would be a factor. There are times where you would need the teams with the proper armament and proper wear. I don't know if there is anything like this, that would protect the policeman not only with the shield, with the bullet proof vest but with everything. I think that noticing that we did have difficulty - it took 45 minutes to find the armored vehicle - we ought to not necessarily purchase one but have some check point, again check list, where we know that there is one available for 8 hours period and kind of go into the whole thing as you have addressed yourself to. I think perhaps decentralization of equipment might be an answer. It took the helicopter about 6 trips to go make different trips to the armory and to the station and all this was time. In this particular incident as we say, time was not a factor but there may be instances when time is a factor. So then I still think that the plan that you will be presenting and working on should consider this, Chief.

Again, I do want to commend the police on their actions as they handled this. We read through the newspapers that the neighbors were notified. They were taken care of to make sure that nobody else was involved in this. It showed a good approach by the police.

MAYOR LILA COCKRELL: I'd like to just add some comments. It was an unusual circumstance that several members of the City Council and the City Manager had the opportunity to hear the entire event unfold by listening to the police radio. This happened because there was an evening affair that evening sponsored by the Bicentennial Commission and I happened to be enroute to this function at 7:30 when the event began happening and on arriving at the place where the party was to be held I notified the members of the Council who were there and the City Manager what was transpiring and they then spent

the entire evening listening to the event. Everyone was very concerned and therefore we did have the opportunity to be much more involved personally in hearing the event unfold than we would have otherwise.

I would like to add to what Rev. Black has said, I was tremendously impressed during the evening, as I heard those broadcasts, I heard over and over and over the caution "hold your fire", "hold your fire give the man the opportunity to surrender alive." I think this was note worthy. I think it expresses a sense of compassion even in the face of the tragic loss of a brother officer. I really want to commend the Police Department for this emphasizes that came through over and over and over on that police radio about the approach - do not fire unless the subject comes out shooting at you first. I do want to thank our Police Department and our Police Chief for in the midst of a tragic situation of having the kind of compassion and attitude toward the event that was expressed. Are there any other Council members that would like to add any comments?

MR. BOB BILLA: I'd just like to say if I may that I have complete confidence in Chief Peters. I wasn't here during the happening but again reiterate that I'm sure he acted wisely and was concerned for life and property. Thank you Chief.

MAYOR LILA COCKRELL: Thank you very much.

MR. PYNDUS: I feel it be remiss if all of us didn't feel the same way and even though some of us haven't spoken I think we have the feeling that the containment was good and we certainly are behind you for any improvement you may make and we look forward to your approach to it.

MAYOR LILA COCKRELL: Thank you, Mr. Granata.

MR. GRANATA: Madam, just one comment. I too Chief want to commend the Department very highly. I heard it all and I agree with everything the Council has said. There was only one other criticism that I heard. As the radio messages went over everyone could hear. I would like to mention to the Council that possibly when we go to UHF with the new walkie-talkie that we are going to put on we can insert the ear pieces so that an occasion like this again and the people that are closest can put the plug in and put it in the ear so that the..... Mr. Keck could hear everything that was being told to our officers if he were alive at the time. That is one thing we've got to work on too and I think we can with our UHF new walkie-talkie.

CHIEF EMIL PETERS: And again I think this helps justify our need for this equipment.

MR. GRANATA: That's correct.

MAYOR LILA COCKRELL: Thank you very much.

75-38 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-38-60

GIVING NOTICE OF A PUBLIC HEARING ON THE BUDGET OF THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1975-76, TO BE HELD IN THE CITY COUNCIL CHAMBER, CITY HALL, AT 10:00 A.M., JULY 24, 1975.

* * * *

The Resolution was explained by Mr. Carl White, Director of Finance, who said that the City Charter requires that a public hearing be held on the annual budget prior to adoption. This Resolution establishes the time and place for the hearing.

Councilman Cisneros stated that he felt a public hearing of this nature should be held at a time more convenient to the public. He suggested that the hearing be held in the evening or on the weekend.

Mayor Cockrell suggested that the hearing could take place at its usual time of 10:00 A. M., and then be recessed and continued at an evening hour. This would make it convenient at either time.

Mayor Pro-Tem Teniente said that copies of the budget will be on file with the City Clerk and may be examined there prior to the hearing. He agreed with Mayor Cockrell regarding the continued evening session.

After consideration, Mr. Teniente moved that the Resolution be approved with the condition that the meeting be recessed and then reconvened at 7:00 P. M. to continue the hearing. The motion was seconded by Mr. Billa and was passed and approved by the following roll call vote: AYES: Pyndus, Billa, Black, Hartman, Teniente, Cockrell; NAYS: Cisneros; ABSENT: Rohde, Nielsen.

75-38 The Clerk read the following Ordinance:

AN ORDINANCE 45,428

AMENDING CHAPTER 34 OF THE CITY CODE, SO AS TO PROVIDE ADDITIONAL NOTICE AT CERTAIN COMMERCIAL PARKING LOTS, AND TO PROVIDE FOR NOTICE TO THE SAN ANTONIO POLICE DEPARTMENT PRIOR TO THE TOWING OF VEHICLES FROM COMMERCIAL PARKING LOTS.

* * * *

The Ordinance was explained by Mr. Stewart Fischer, Director of Traffic and Transportation, who said there continues to be some problem with cars being towed off of parking lots without knowledge of the owner of the vehicle. This Ordinance would require that the operator of a commercial parking lot either have an attendant present or that the entrance to the lot be blocked to prevent entry when he is not open for business. It would also require that the police message center be advised before any vehicle is towed away.

Councilman Cisneros questioned whether the Ordinance was strict enough. He also questioned whether the Ordinance could be enforced. He asked that this matter be postponed until the matter of enforcement could be enforced.

After consideration, on motion of Mr. Teniente, seconded by Mr. Billa, the Ordinance was passed and approved by the following vote: AYES: Billa, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: Pyndus, Cisneros; ABSENT: Rohde.

75-38 The following Ordinance was read by the Clerk and explained by Mr. Stewart Fischer, Director of Traffic and Transportation, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

AN ORDINANCE 45,429

AMENDING ORDINANCE 43862 PASSED AND APPROVED JUNE 6, 1974, TO PROVIDE FOR ELECTRIC RATE APPLICATIONS TO CERTAIN STREET LIGHTING IN SUBURBS, SECURITY LIGHTING AND EXPRESSWAY LIGHTING.

* * * *

75-38 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

AN ORDINANCE 45,430

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE GOVERNOR'S OFFICE OF TRAFFIC SAFETY FOR \$9,340.00 GRANT TO PAY THE COST OF A TRAINING TEAM FROM NORTHWESTERN UNIVERSITY TO CONDUCT AN EIGHTY HOUR COURSE IN SAN ANTONIO FOR FORTY SELECTED POLICE OFFICERS IN TRAFFIC LAW ENFORCEMENT.

* * * *

AN ORDINANCE 45,431

ACCEPTING A GRANT FROM THE GOVERNOR'S OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF \$5,900.00 TO FUND 50% OF THE COST OF PURCHASING EQUIPMENT TO AID IN ASSESSING LOCATIONS OF COLLISIONS AND MOVING TRAFFIC VIOLATIONS, AND AUTHORIZING A CONTRIBUTION FROM THE GENERAL FUND.

* * * *

AN ORDINANCE 45,432

GRANTING PERMISSION TO THE SAN ANTONIO
BREWERS BASEBALL CLUB TO CONDUCT A
FIREWORKS DISPLAY ON JULY 4, 1975.

* * * *

AN ORDINANCE 45,433

GRANTING ST. PETER AND ST. JOSEPH ORPHANAGE
HOME PERMISSION TO HAVE A BONFIRE AT 919
MISSION ROAD ON FRIDAY, JULY 4, 1975, AT
7:00 P. M.

* * * *

75-38 The Clerk read the following Ordinance:

AN ORDINANCE 45,434

ACCEPTING A GRANT OF \$3,130,963.00 FROM
THE U. S. DEPARTMENT OF LABOR MANPOWER
ADMINISTRATION UNDER TITLE III OF THE
COMPREHENSIVE EMPLOYMENT & TRAINING ACT
OF 1973 (CETA) FOR THE CITY'S 1975
SUMMER YOUTH EMPLOYMENT PROGRAM; APPROVING
A BUDGET; AUTHORIZING CONTRACTS WITH
DELEGATE AGENCIES FOR CARRYING OUT THE
PROGRAM, AND AUTHORIZING A REVISION IN
THE FUNDING OF THE PROGRAM FROM CETA
TITLE I FUNDS, PREVIOUSLY.

* * * *

The Ordinance was explained by Mr. Sam Dominguez, Director of Manpower Program, who said that the current summer program will be reduced by \$1 million. This amount will be transferred to fiscal year '76 Manpower Program which will enable a like amount to be set aside for next year's summer youth program.

Mr. Pyndus said that he does not feel comfortable with the current summer program. There are many non-skilled tasks which could be done by the youths in this program. He suggested that next year consideration be given to cleaning up brush throughout the City. Perhaps trucks could be rented from private concerns for this purpose. Other tasks of a similar nature would more effectively utilize these funds.

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

75-38 The following Ordinance was read by the Clerk and explained by Mr. George Vann, Director of Building and Planning Administration, and after consideration, on motion of Mr. Teniente, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Hartman, Rohde.

AN ORDINANCE 45,435

GRANTING THE PETITION OF MRS. ELVIA T. PEREZ TO ERECT AN 8' HIGH PRIVACY FENCE ON HER PROPERTY AT 203 MONTICELLO.

* * * *

75-38 The following Ordinance was read by the Clerk and explained by Mr. George Vann, Director of Building and Planning Administration, and after consideration, on motion of Mr. Billa, seconded by Mr. Teniente, was passed and approved by the following vote: AYES: Pyndus, Billa, Black, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman, Rohde.

AN ORDINANCE 45,436

CHANGING THE NAME OF NEBRASKA STREET (BETWEEN HOEFGEN STREET AND SALADO CREEK) TO MARTIN LUTHER KING DRIVE.

* * * *

75-38 The following Ordinance was read by the Clerk and explained by Mr. George Vann, Director of Building and Planning Administration, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Teniente, was passed and approved by the following vote: AYES: Pyndus, Black, Teniente, Nielsen, Cockrell; NAYS: Billa; ABSENT: Cisneros, Hartman, Rohde.

AN ORDINANCE 45,437

CHANGING THE NAME OF WATERGATE DRIVE AND CERTAIN OTHER STREET NAMES IN THE RAVENWOOD SUBDIVISION.

* * * *

Richard Wagner Drive to Shingle Oak Drive
Hamburg Drive to Old Field Drive
Reingold Drive to Floral Way Drive
Haldeman Drive to Wakeman Drive
Ehrilichman Drive to Abercorn Drive
Hofmeisler Drive to Modesta Place
Wolfgang Drive to Pembridge Drive
Siegfried Drive to Walmer Drive
Munich Drive to Little Leaf Drive
Heimler Drive to Corktree Court
Watergate Drive to Big Tree Drive
Frankfort Drive to Floral Ridge Drive.

* * * *

75-38 The following Ordinances were read by the Clerk and explained by Mr. George Vann, Director of Building and Planning Administration, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Black, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman, Rohde.

AN ORDINANCE 45,438

GRANTING THE PETITION OF MR. MICHAEL T. EVANS TO ERECT AN 18" HIGH DECORATIVE FENCE ON CITY RIGHT-OF-WAY UNDER CERTAIN CONDITIONS.

* * * *

AN ORDINANCE 45,439

GRANTING THE PETITION OF MRS. MARY MARGARET GOLEMAN TO ERECT AN EIGHT FOOT HIGH PRIVACY FENCE ON HER PROPERTY AT 802 TAMWORTH.

* * * *

75-38 The following Ordinance was read by the Clerk and explained by Mr. George Vann, Director of Building and Planning Administration, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Teniente, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Hartman, Rohde.

AN ORDINANCE 45,440

GRANTING THE PETITION OF MR. RICHARD D. STRATTON TO ERECT A 10' SECURITY FENCE ON HIS PROPERTY AT 722 PARKRIDGE.

* * * *

75-38 The following Ordinance was read by the Clerk and explained by Assistant City Attorney Jim Parker, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Teniente, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Hartman, Rohde.

AN ORDINANCE 45,441

APPROPRIATING THE SUM OF ONE THOUSAND FIFTY SIX AND 50/100 (\$1,056.50) DOLLARS OUT OF DRAINAGE IMPROVEMENT BONDS, 1970, FUND NO. 409-01, IN SATISFACTION OF AWARD AND COSTS IN CONDEMNATION CAUSE NO. C-1250 AND DIRECTING PAYMENT BE MADE TO THE COUNTY CLERK OF BEXAR COUNTY.

* * * *

75-38 The Clerk read the following Ordinance:

AN ORDINANCE 45,442

APPROPRIATING THE ADDITIONAL AMOUNT OF \$47,000.00 IN THE CONVENTION AND VISITORS FUND TO PROVIDE ADDITIONAL FUNDS FOR NEEDED ADVERTISING EXPENDITURES.

* * * *

The Ordinance was explained by Mr. Henry Nussbaum, Director of the Convention and Visitors Bureau, who said that collection of the hotel-motel tax is ahead of the budgeted amount. He would like to put the additional money in the advertising fund so that no bills will be held over to next year.

Mr. Teniente commended Mr. Nussbaum on his presentation made in Austin this week. Mr. Teniente said that Mr. Nussbaum did an excellent job.

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

75-38 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Dr. Nielsen, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Black, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman, Rohde.

AN ORDINANCE 45,443

ACCEPTING THE LOW QUALIFIED BID OF
FILTROS PLANT - FERRO CORPORATION,
TO FURNISH THE CITY WITH DIFFUSER
TUBES FOR A NET TOTAL OF \$10,920.00.

* * * *

75-38 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Hartman, Rohde.

AN ORDINANCE 45,444

ACCEPTING THE LOW QUALIFIED BID OF BETTS
& MAJORS, INC., TO FURNISH THE CITY WITH
BREATHALYZER TEST KITS FOR A NET TOTAL OF
\$3,040.00.

* * * *

AN ORDINANCE 45,445

ACCEPTING THE LOW QUALIFIED BID OF CLOSNER
EQUIPMENT CO., INC., TO FURNISH THE CITY OF
SAN ANTONIO WITH AN ASPHALT STORAGE TANK FOR
A NET TOTAL OF \$7,925.00.

* * * *

75-38 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

AN ORDINANCE 45,446

ACCEPTING THE LOW QUALIFIED BID OF RUFUS A. WALKER & COMPANY TO FURNISH THE CITY WITH STEEL STRAIGHT SIDEWALK FORMS AND FORM PINS FOR A NET TOTAL OF \$3,880.20.

* * * *

AN ORDINANCE 45,447

ACCEPTING THE LOW BIDS OF TOM FAIREY COMPANY, GIRARD MACHINERY & SUPPLY COMPANY AND THE TORGERSON COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH TRACTORS AND RELATED EQUIPMENT FOR A TOTAL OF \$27,139.30.

* * * *

AN ORDINANCE 45,448

AUTHORIZING THE PURCHASE OF CERTAIN REPLACEMENT PARTS FOR THE SAN ANTONIO RIVER FLOOD CONTROL GATE FROM ARMCO STEEL CORPORATION FOR A NET TOTAL OF \$5,858.00.

* * * *

AN ORDINANCE 45,449

ACCEPTING THE LOW QUALIFIED BID OF SOIL AIDS, INC. TO FURNISH THE CITY WITH ORGANIC SOIL AMENDMENT FOR \$5.45 PER CUBIC YARD.

* * * *

75-38 The Clerk read the following Ordinance:

AN ORDINANCE 45,450

ACCEPTING A GRANT OF \$17,904,000.00 FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 FOR THE FIRST YEAR OF THE SAN ANTONIO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; APPROVING A BUDGET FOR EXPENDITURE OF SAID FUNDS; APPROPRIATING FUNDS THEREFOR; AUTHORIZING ADDITIONAL POSITIONS; AND AUTHORIZING EXECUTION OF CONTRACTS WITH DELEGATE AGENCIES.

* * * *

The Ordinance was explained by Mr. Cipriano Guerra, Director of Planning and Community Development, who explained the objectives of the Community Development Act for the benefit of the new Council members. He noted that emphasis is directed to housing problems in communities.

Mr. Guerra then used slides to indicate the various programs and projects which are to be funded by CDA funds which may be released about July 14th. He discussed individual projects with Council members and answered their questions. He also said that funds can be reallocated at any time.

Mr. Pyndus asked that the Monitoring and Evaluation Division report to the Council on a quarterly basis on the projects covered by this grant.

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

75-38 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. Pyndus, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

AN ORDINANCE 45,451

ACCEPTING THE LOW BID OF W. R. GRIGGS CONSTRUCTION CO. OF CASTROVILLE, TEXAS, IN THE AMOUNT OF \$920,119.00 TO CONSTRUCT THE LAS PALMAS YWCA RECREATIONAL FACILITY; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT THEREFOR; APPROPRIATING FUNDS FOR SAID PROJECT, AND AUTHORIZING PAYMENT OF SAID CONTRACT, ADDITIONAL ARCHITECT FEES AND MISCELLANEOUS CONTINGENT EXPENSES IN THE PROJECT.

* * * *

75-38 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-38-61

SUPPORTING THE NOMINATION OF SAN ANTONIO AS A UNITED STATES PASSPORT, REGIONAL OFFICE LOCATION TO SERVE THE STATES OF TEXAS, OKLAHOMA, ARIZONA, NEW MEXICO, COLORADO AND KANSAS.

* * * *

The Resolution was explained by Mayor Pro-Tem Teniente who said that he has been working with a group of San Antonio businessmen in urging the federal government to place a passport office in San Antonio. At the present time the nearest passport office is in New Orleans. It appears that there is a possibility of San Antonio being designated for this service.

Mayor Cockrell expressed her appreciation to Mayor Pro-Tem Teniente for his leadership in this undertaking.

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

75-38

FEDERAL OFFICES

Councilman Cisneros stated that the Council should have a report as soon as possible on the question of federal offices being moved out of the downtown area. He said that General Services Administration is about ready to make decisions in this matter. He said that if the Council wished he would prepare a Resolution asking GSA in their bid consideration to put a premium on sites that are downtown as opposed to those sites away from town.

75-38

CITY-COUNTY BUILDING

Councilman Pyndus asked about the status of the City-County building.

City Manager Granata said that this project is in a very preliminary stage at this time, and he has nothing to report on it.

75-38

CITIZENS TO BE HEARD

SAN ANTONIO APARTMENT ASSOCIATION

Mr. Cliff Middleton, President of the San Antonio Apartment Association, said that in December, 1973, his Association began its effort to save energy. In that program, letters were written to residents, and it was effective until about midsummer last year when energy usage began to rise again. With the increased cost of energy, apartment owners have been hard pressed to hold rent increases to a minimum.

Mr. Middleton stated that as a continuation of this effort he had prepared a letter to be mailed over the Mayor's signature to apartment owners pointing out ways of conserving energy. A letter signed by all Council members would also be sent to each apartment resident. He asked for Council authorization for this effort which would be done at no cost to the City.

After discussion, Dr. Nielsen moved that the plan submitted by Mr. Middleton be approved. The motion was seconded by Mr. Cisneros and passed by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde, Teniente.

MR. KARL GRANATO

Mr. Karl Granato, representing Associated Employers, Inc., consisting of over 400 varied businesses in the San Antonio area, spoke with reference to the minimum wage Ordinance No. 45,412 which was adopted by the City Council on June 26, 1975. He said that the data presented to the Council was not complete and that the rates were not representative of the San Antonio construction industry. The continued wage price spiral in the building trades could price the community out of the market for essential services affecting all persons in the community. He asked to rescind its decision in adopting the Ordinance.

Mayor Cockrell explained that there has not been a change in the wage rates for over two years and there has been a lengthy delay in getting a wage survey completed by the Department of Labor. When the wage survey is completed, the Council will review the Ordinance and make whatever adjustments are called for.

MR. PLEAS NAYLOR

Mr. Pleas Naylor spoke to the Council concerning a proposed site for a major league sports complex. He said that the group he represents owns some 600 acres of land located at the intersection of I. H. 10 and Loop 410. In November, 1974 the group offered to give the County 104 acres of this land for development as a recreation center. He displayed an architect's concept of what such a development could look like. He said the offer is still open.

The legislature has passed a bill authorizing the sale of revenue bonds for the construction of a sports complex. There are individuals interested in leasing such structure if the City and/or County should build it.

In answer to Rev. Black's question, Mr. Naylor said that Harvitz and Harvitz have made a feasibility study of the colliseum grounds. The final report has not been made.

After discussion, Mayor Cockrell asked that the City Manager have his staff take a preliminary look at this project.

75-38

REV. VAN G. GILL

Rev. Van G. Gill, 4842 Highway 90 East, spoke concerning the shooting of Richard Jenkins by Police Officer Jack Kraus on May 26, 1974. On May 23, 1975 the same patrolman, while off duty, injured another person. He said that he felt that patrolman Kraus should be suspended from the Police Department.

Rev. Gill said that he felt that an independent and impartial party should review these cases and take appropriate action. He also said that police officers should not be permitted to wear firearms into a bar when they are off duty and drinking.

City Attorney Crawford Reeder said that his office is preparing a case against Officer Kraus but until today was unable to find a witness other than police officers. Two witnesses have been located so the case should move ahead.

Mayor Cockrell asked that the Council be kept advised concerning the status of this case.

MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, said that last week he had pointed out how far apart the City Planning Department and the Urban Renewal Agency are in their approach to land use. Since one must be right and the other wrong, he suggested that the entire staff of one or the other be discharged. He pointed out areas of disagreements between the two agencies.

Mayor Cockrell stated that the studies being made of the planning capability of the City and any steps the Council may take to strengthen the role of the Planning Commission will be very helpful in minimizing the number of outside consultants used by the City.

MR. HENRY MUNOZ

Mr. Henry Munoz, Business Manager of Public Employees Local 2399, said that he had mailed the Council invitations to attend a meeting on Monday night, July 7, 1975, at 7:00 P. M. The purpose of the meeting is to discuss the need for a pay increase for City employees. He assured the Council that they would be treated as guests and urged them to be present.

MR. JOSE CHAVEZ, JR.

Mr. Jose Chavez, Jr., 133 Hess, said that San Pedro Park is not illuminated very well, and the lighting is not adequate to have a picnic at night. He said that there is a creek that runs perpendicular to his street which floods everytime it rains. It affects Hess, Heckman, Kremkau, Weymouth Streets. He asked that drainage be improved and that additional street lights be installed on the four streets mentioned.

Mayor Cockrell said that San Pedro Park and surrounding area is under study now. She suggested that Mr. Chavez discuss these matters with Mr. Ron Darner, Mr. Stewart Fischer, and Mr. Mel Sueltenfuss. Mr. Joe Madison will assist him in contacting the proper people.

75-38 The meeting recessed for lunch at 12:35 P. M., and reconvened at 2:15 P. M.

75-38

EDWARDS AQUIFER

Item 25 of the Agenda being a proposed resolution adopting Council policy regarding zoning over the Aquifer was distributed by Mr. Mel Sueltenfuss, Director of Public Works. (A copy of the proposed resolution is included with the papers of this meeting.)

Mayor Cockrell stated that the City Council has no stated policy at the present time concerning the Aquifer and it would be good to have one. She said that she felt that any policy the Council had should be under continuing review and evaluation.

Mr. Sueltenfuss read the proposed resolution paragraph by paragraph. Members of the Council suggested changes or additions and paragraph additions.

After considerable discussion, Mr. Pyndus moved that the resolution be adopted and that certain changes suggested by Mr. Cisneros be added at a later date by ordinance. The motion died for lack of a second.

A suggestion was made that this matter be referred back to the Aquifer Task Force for study and recommendation.

Council members felt that the Task Force had already studied the matter and felt that finalization of the Council's position should be done by the City Council.

After consideration, Mr. Pyndus moved that the matter be referred to the Council's Policy and Planning Committee to study and report back to the full Council. The motion was seconded by Mr. Cisneros and passed by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Cockrell; NAYS: None; ABSENT: Teniente, Nielsen.

PATROLMAN JACK KRAUS

City Manager Sam Granata said that he had been notified by Police Chief Emil Peters that Officer Jack Kraus had been indefinitely suspended from duty. Officer Kraus has 10 days to appeal this suspension to the Fire and Police Civil Service Commission.

75-38 The meeting recessed at 3:00 P. M.

75-38 The City Council then conducted an informal work session and then went into Executive Session to consider board appointments.

75-38 The meeting reconvened at 5:20 P. M.

75-38 The Clerk read the following Ordinance:

AN ORDINANCE 45,452

APPOINTING MEMBERS TO THE EODC BOARD
OF DIRECTORS FOR ONE YEAR TERMS ENDING
JUNE 30, 1976.

* * * *

Roland Castaneda
John E. Burke
Olga Kouchoukos
Max Navarro

Alvis Hodge
Joe Snider
Al Abe
Angie Salas

* * * *

Councilman Pyndus stated that every appointment of each Council person was approved but his was not. He stated he will seek every means to see if this person can be appointed.

Councilman Nielsen stated that in line with regulations and by-laws, the green amendment, and the relationship this Council has to EODC, it is also the responsibility of the City Council to make appointments.

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

75-38 The Clerk read the following Ordinance:

AN ORDINANCE 45,453

REAPPOINTING MEMBERS TO THE PLANNING
COMMISSION FOR TWO YEAR TERMS EXPIRING
JULY 31, 1977.

* * * *

Mr. Joe B. Machado
Mr. Carl McNamee

Mr. Anthony Specia
Mr. G. E. Harrington

Mr. Dario Chapa

* * * *

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

75-38 The Clerk read the following letter:

June 27, 1975

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

Madam and Gentlemen:

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

June 20, 1975

Petition submitted by Mrs. E. Rakoski, 3115 Maribelle, requesting permission to erect a seven foot fence at her residence, 3115 Maribelle. (On June 26, 1975, the petitioner advised the City that she has decided to erect a six foot fence. Since this does not require Council action, her petition was withdrawn.)

July 3, 1975
nsr

June 24, 1975

Petition submitted by Ms. Barbara Trueblood, Designer-Builder, Hillman Oil Company, P.O. Box 20067, requesting permission to install a seven foot privacy fence at 1581 Austin Highway, adjacent to the Lamp Post Inn, together with a variance in the setback of the fence on both the Austin Highway and Eisenhower Road sides.

June 24, 1975

Petition submitted by Mrs. Delora Duke Shaw, 1806 Adamston, requesting the City to take action to have the lots and/or easements adjacent to 1806 Adamston and across the street therefrom cleared and cleaned.

June 24, 1975

Petition submitted by Mr. Lee S. Fountain, Jr., 2315 Camelback Drive, requesting permission to install a fence eight feet in height on the east property line of his residence at 2315 Camelback Drive.

June 27, 1975

Petition submitted by Reginald Roberts Associates, AIA, 3830 McCullough, on behalf of the Hertz Corporation, requesting permission to construct additional fencing to a height of seven feet around the Hertz Service Center located at International Airport.

/s/ J. H. INSELMANN
City Clerk

* * * *

There being no further business to come before the Council, the meeting adjourned at 5:30 P. M.

A P P R O V E D

Lila Cockrell
M A Y O R

ATTEST: *JH Inselmann*
C i t y C l e r k

July 3, 1975
nsr

