

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 26, 1976.

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The meeting was called to order at 9:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN, COCKRELL; Absent: PYNDUS.

76-9 The invocation was given by The Reverend Stanley F. Hauser, St. Mark's Episcopal Church.

76-9 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

76-9 CORRECTION TO MINUTES

Mayor Pro-Tem Teniente called attention to the misspelling of the name, Dorsey Hardeman.

With this correction, the minutes of the meeting of February 19, 1976, were approved.

76-9 EASTER SEAL MONTH

Mayor Cockrell asked Councilman Henry Cisneros, Honorary Chairman, to read the Easter Seal Proclamation.

Councilman Cisneros read the following Proclamation:

PROCLAMATION

WHEREAS, the Bexar County Easter Seal Society provides rehabilitation services for the handicapped, and

WHEREAS, there are now in Bexar County thousands of crippled children and adults requiring rehabilitation services, and

WHEREAS, the funds raised during this once yearly campaign for Easter Seals yields almost the total sum necessary to provide therapy vital to our community's children and adults suffering under serious handicaps enabling them to become useful and productive citizens filled with a sense of accomplishment and not dependent on government aid, and

WHEREAS, helping crippled and disabled persons overcome their defects requires the patient efforts of skilled therapists and necessitates the use of expensive equipment costing considerable amounts of money, and

WHEREAS, such important health services must keep pace with the increasing population and the attendant problems it brings, and

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WHEREAS, the responsibility of giving each child or adult a chance at health and happiness and possible self reliance is a responsibility we must all take upon ourselves to maintain and assure future economic strength and social security for our City and its citizens, and

WHEREAS, the annual Easter Seal Campaign of the Bexar County Easter Seal Treatment Center will begin March 1 and end April 18, 1976.

NOW, THEREFORE, I, LILA COCKRELL, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim the period of March 1 to April 18, 1976, to be

"EASTER SEAL MONTH"

in San Antonio, Texas, and urge all citizens to support the Bexar County Easter Seal Society in its work.

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Mayor Cockrell and Councilman Cisneros then presented the Proclamation to Miss Laura Rudy, Poster Child, and Mr. Cliff Anderson, President of the Easter Seal Society.

Mr. Anderson thanked the Council for the Proclamation.

Councilman Cisneros then invited the Council Members to participate in the Easter Seal Telethon on March 27-28, 1976.

76-9

PRESENTATION BY BOYS CLUB OF SAN ANTONIO

Mr. Jack Pitluk, representing Boys Club of San Antonio, introduced Mr. Sam Jorrie, President; Mr. Manuel Calderon, Past President; Mr. Clem Jilek, a Past President; and Mr. Ed Narro, Executive Director.

Mr. Pitluk then invited the Council Members to attend the opening of the Golden Gloves this evening, and Mr. Jorrie passed out complimentary tickets to all Council Members. All proceeds of the Golden Gloves will go to the Boys Club of San Antonio.

Mayor Cockrell and Council Members thanked them for the tickets.

76-9

Councilman Bob Billa read the following Resolution of Respect for Mr. Gilbert Lang:

RESOLUTION OF RESPECT
NO. 76-9-11

WHEREAS, life came to a close for Gilbert Lang on Tuesday, February 17, 1976, and

WHEREAS, Mr. Gilbert Lang was an illustrious and respected citizen of San Antonio for over eighty years, and

WHEREAS, Mr. Lang retired as Chairman of the Board of Frost Bros. in 1967, and was a world-known merchandiser and businessman, and

WHEREAS, Mr. Lang served as a member of the San Antonio Public Library Board of Trustees and was associated with the United Way, Southwest Research, and Better Business Bureau for many years; 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 as well as the citizens of the community, does hereby express profound regret on the occasion of the death of Mr. Gilbert Lang 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 delivered to the bereaved family.

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

76-9 Councilman Rohde read the following Resolution of Respect for Mr. Koon Yen Lim:

RESOLUTION OF RESPECT
NO. 76-9-12

WHEREAS, life came to an end for Koon Yen Lim on February 21, 1976, and

WHEREAS, Mr. Lim was a resident of San Antonio for forty-five years and was the owner of the Golden Star Cafe, and

WHEREAS, San Antonio has lost a valued friend; NOW, THEREFORE:

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

SECTION 1. That this City Council on behalf of City officials as well as citizens of this community does hereby express profound regret on the occasion of the death of Mr. Koon Yen Lim and tenders to his family our heartfelt sympathy.

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

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

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CITATIONS TO COUNCILMEN HARTMAN AND ROHDE

Councilman Bob Billa stated he had been asked to present Citations to Councilman Glen Hartman and Councilman Al Rohde on behalf of the Veterans of Foreign Wars. He then proceeded to read the Citations and presented them to Mr. Rohde and Mr. Hartman.

Councilman Billa also presented Mr. Rohde and Mr. Hartman with Citations of Merit on behalf of the Ladies Auxiliary to the Veterans of Foreign Wars.

Councilmen Hartman and Rohde expressed their appreciation to the members of the Veterans of Foreign Wars for this recognition.

76-9 The Clerk read the following Ordinance:

AN ORDINANCE 46,346

APPROVING AND SETTING THE ADJUSTMENTS
TO CHARGES FOR ELECTRIC AND GAS SERVICE
PURSUANT TO ORDINANCE 43862, AS AMENDED,
FOR THE MARCH, 1976, BILLING CYCLE AND
DECLARING AN EMERGENCY.

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Mr. Don Thomas, City Public Service Board, explained the proposed ordinance which approves the monthly fuel rate adjustment.

Councilman Cisneros stated that he would like the Council to pass a Resolution banning automatic pass through charges and to continue to review the fuel rate adjustment month-by-month.

Mayor Cockrell asked that the City Attorney study the suggestion made by Councilman Cisneros and report back to the City Council.

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

76-9

O'BRIEN AND GERE

Dr. Nielsen asked the City Manager to confer with Mr. Jack Spruce, General Manager of City Public Service, on the questions of the lignite availability and the alternate Wyoming coal situation. He said that the firm of O'Brien and Gere needs the answers to questions on these two subjects. They would also like to see a copy of the contract that Houston Power and Light has with Brown and Root.

City Manager Granata advised that he will do so.

The Clerk read the following Resolution:

A RESOLUTION
NO. 76-9-13

URGING THE CITY PUBLIC SERVICE BOARD
TO HOLD IN ABEYANCE FURTHER COMMITMENTS
TOWARD THE SOUTH TEXAS PROJECT PENDING
INVESTIGATION OF THE POSSIBILITY OF
WITHDRAWING FROM SAID PROJECT.

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The following discussion took place:

MR. GLEN HARTMAN: Madam Mayor, first of all as a technical matter, the caption that was read just now is slightly different wording from the caption that was posted but I've been assured by the City Clerk that inasmuch as the meaning in essence is the same, that this does not provide a problem. I just want to make it a matter of record.

Madam Mayor and Members of Council, we have been discussing over the past few minutes, 10 or 15 minutes, a subject that has, of course been uppermost in everyone's mind in San Antonio for now several years and that is the very high cost of energy. We have been plagued by this problem as I say for several years. We have reached the point where there are many families within San Antonio who simply cannot any longer afford what has now become the luxury of electrical energy. They have been forced to make other arrangements, some of them often quite uncomfortable and quite crude.

During the, or at the beginning of the, what has been referred to as the energy crisis in San Antonio, action was taken by this Council to seek other supplies, other sources of energy, recognizing the fact that the cost of petroleum products would continue to rise and one result of that surge was to engage in a nuclear project that has been, or that is known as the South Texas Project, the purpose of becoming a participant in the activity that would produce electrical energy with the use of nuclear reactors. Now, one of the prime basis for engaging in that joint project was the fact that by so doing we could look forward to a less comparable costly rate of energy from nuclear fuel through the use of nuclear power than we could foresee with continued use of petroleum products, and that was a prime factor that motivated the entry of this City through the City Public Service Board in that project. It was certainly at the moment an action that had every earmark for logic, and we have continued to participate in that project.

Perhaps the time has now come in view of events over the past several weeks and several months to review the wisdom of continuing in that project. The costs that were quoted initially have for that plant, and our portion of it and our 28 per cent has skyrocketed. Not only have we heard of spiraling costs increases for operating the plant once it's built such as the cost of nuclear fuels. In fact, the nuclear fuel itself we've seen quoted rising several hundred per cent above what it was originally indicated. But we've also seen other increases in costs in operating of the plant. The most recent of which has been the disclosure of the cost of the cooling water. In addition, we've also heard of the spiraling cost for the actual capital outlay itself.

So, it occurs to me, and I'm sure to a number of people in this community that the time has come to take stock of our continued participation in this project based absolutely, in my view, upon the sheer economics of the problem. Begin recognizing that we entered into it from the standpoint that this would provide us a long term saving for energy. This is now very, very questionable. It is because of that that I have for us today placed before the Council a Resolution, the caption of which was read by the City Clerk which would, in effect, say - which would, in effect, communicate to the City Public Service Board this Council has become sufficiently concerned as to the wisdom of our continued participation of this project. That we must now account or take stock of what continued participation would mean in terms of cost. And I have discussed this Resolution, not only with colleagues of the Council, but I've also discussed from the standpoint of what impact it would have in the desirability for it with certain members of the City Public Service Board, and management of the City Public Service Board. It is generally, I think, agreed that this is a proper time to take stock and that is the purpose of my Resolution which I would now like to read to the Council.

WHEREAS, the City Public Service Board has entered into an agreement with the City of Austin, Houston Lighting and Power Company, and Central Power and Light Company for construction of a nuclear power plant, and

WHEREAS, this project, known as the "South Texas Project", was inaugurated as a result of a growing shortage of natural gas and an acute escalation in price of all petroleum products, and

WHEREAS, full discussion of the project was had in public hearings, and in joint meetings of the City Public Service Board and the City Council of the City of San Antonio, and

WHEREAS, one of the principal arguments for nuclear power as a source of electrical energy for San Antonio has been the long-term lower cost advantages to the energy consumer, compared to the continued reliance on petroleum-fired power plants, and

WHEREAS, escalation of costs for nuclear fuel and anticipated high costs for cooling water and other operating and capital expenditures now appear to nullify the advantage which had been put forth; NOW, THEREFORE:

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

SECTION 1. That further effort on this project be held in abeyance until the City Council can be fully satisfied, in view of the changed conditions, that continued participation in this project would be in the best interest of the City of San Antonio.

SECTION 2. The City Council of the City of San Antonio requests that the City Public Service Board immediately determine actions necessary to effect withdrawal by the City Public Service Board from the South Texas Project and the anticipated costs that would be incurred by such action.

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Madam Mayor and Members of the City Council, what in effect I'm saying here is let's take a very careful look to see if this continued participation of this project is in the best interest of the community. Let us hold it. Let us take a look. In talking to people from City Public Service, the matter of, in effect, putting a halt momentarily while we take stock is not going to cause any phenomenal legal repercussions, and we would be in a position to take this action and everyone I have talked to feels this would be a prudent action and I recommend it to the Council at this time.

MR. AL ROHDE: I second the motion.

MAYOR LILA COCKRELL: All right, the motion has been made and seconded. As Mayor, I feel I do need to make some comments on this matter. I feel that the stated intent of feeling that it is necessary to stop and evaluate the cost is a very good one. However, I must say I feel the Resolution goes beyond that, and I feel that it may be a bit premature in that I believe it reaches certain conclusions upon which the Council does not at this time have all of the evidence. I would recommend very strongly that the Council not pass the Resolution in its present form today. The reason I say that is I concur that there does appear to be a trend which we need to examine very closely of higher cost. I think we have to look at the cost very closely in relationship to the benefits and to the final cost to the consumer. But I do not feel that this Council has, particularly since the cooling water situation has come into the problem, has had a complete report and briefing by City Public Service and evaluation of all of these cost factors. I think to pass a resolution that more or less states that we now wish for them to move toward withdrawing from the project is premature at this time. I would certainly support any move calling for a full and complete briefing, a full study of the cost benefits, but I would not support going as far as to suggest taking any steps at this point toward withdrawing from the project until we got all of the data that I think we need.

MR. HARTMAN: Madam Mayor, I would like to point out that the resolution in no way indicates that there would be any steps at this time to withdraw. We're merely saying that there should be a determination as to what actions would be necessary. These are all conditional. These are all conditional statements that what would be necessary if the City Public Service Board were to withdraw from the South Texas Project and what it would cost, and we're putting this condition on the outcome of our review. If, in fact, a review is made, as I've indicated here, and it is found that it continues to be in the best interest of the City of San Antonio to continue, then obviously, I think our action would be to continue. But, I think it is time that we at the same time we explore whether or not this is in the best interest of the City, we also see actually what would be the repercussions or the impact if we withdrew. This is a conditional thing, and the resolution is totally predicated upon the fact that we are taking a look to see whether it's still in the best interest. I think the resolution, in effect, is consistent with the public pronouncements that have been made by at least one member of the City Public Service Board, and as I stated earlier in my discussions of this resolution with the Manager of the City Public Service Board, he indicated that this would be, I read the whole resolution to him, we discussed it, and he indicated that this would be in order and that it would not be a problem as far as he saw it.

MAYOR COCKRELL: Dr. Nielsen.

DR. D. FORD NIELSEN: Let me say, Glen, I understand the spirit, and I'm with you. I think that one of the problems I have is, what do you

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mean by abeyance in Section 1, that the project be held in abeyance until the City Council can be fully satisfied? Does that mean we're not going to make payments or whatever else or what?

MR. HARTMAN: We're saying, in effect, that the earlier term has been used, make no further commitments with the idea that we do indeed have certain costs committed and those are legally binding, and there would be, of course, no alternative but to continue with those. I think this is something with regard to what expenditures would be held in abeyance, what could be held in abeyance and what should or should not be held in abeyance or continued would be a matter that has to be very closely judged in terms of making sure that we don't commit money that needlessly, that's exactly what I'm saying.

DR. NIELSEN: Madam Mayor, I talked to the O'Brien and Gere people Tuesday and Wednesday, and I didn't have this when I talked to them Tuesday, and I just sort of understood you were suggesting terminating. Their recommendation was they're going to be here on March 8 through the 11th, and since we've hired them to make these kind of recommendations, they were kind of suggesting to us can we just hold off on this until they get here which is about two weeks. Get our heads together, that'll give us some time maybe between now and then to meet on Section 2 with City Public Service and then with our consultants, we'll be, you know, in a much better position, I think to make a better determination at that time.

MR. HARTMAN: Your point is well taken, Dr. Nielsen, except that I would like to emphasize again that this is a resolution that does not take any precipitous action at this time. It is not a withdrawal action. It is not a termination action. It is merely a very precise cautionary statement.

DR. NIELSEN: It depends upon what you mean by abeyance though.

MR. HARTMAN: Well abeyance is, means to hold, to not commit more than you are legally and perhaps morally bound to commit. And I think this is a legal question that our legal attorney and our legal council has...

REVEREND BLACK: Mayor and Members of the Council, I don't think the Council has looked upon any resolution that had more significance than this one. Primarily because the great problems facing this City are related to energy costs to the consumer. There is no greater problem, no matter what other problems we resolve, and this touches every family in this community. I think the real critical issue related to this escalation of cost is that we have no control. This is exactly what happened to us in the fossil fuel area. That we were not only faced with an escalation of cost, but we had no control, no relationship of power related to that escalation of cost. Now, we're caught, it seems to me, we're moving in the same direction. Now it is extremely important that we begin to initiate some control of that escalation of cost. And all this seems to do is to be using what power we have. This is the only power we have and that is to call it under examination. It is the only power we have that we begin to initiate some steps of control in the escalation of cost. If we simply take a sort of study period atmosphere, say okay, we aren't really against this, but what we are really saying is that we are against the constant escalation of cost in which we have no control, you see. It seems to me that we got to say this firmly and I, therefore, I see that this does not overly bind us, it simply commits us to a kind of posture that says to those persons out there that this Council is not going to simply stand idly by and let the cost of energy escalate, the cost to the consumer escalate under the guise that we are going to get it cheaper only to find when it comes all out that it is costing us more and for that reason I certainly would support this resolution.

MAYOR COCKRELL: All right, we do have one citizen registered to speak.

MAYOR PRO-TEM TENIENTE: Madam Mayor.

MAYOR COCKRELL: Yes, Mr. Teniente.

MAYOR PRO-TEM TENIENTE: Mrs. Cockrell, in perhaps speaking, not in the spirit of the resolution, but against acting on it at this point, which should not be interpreted as a position that I would not be in the position in favoring any reduced utility rates. But I would certainly before I will introduce a motion to table this resolution until we get the O'Brien and Gere Report which will be coming in in a few weeks, and I think it is very important that we get these experts that look at this thing, and I am not satisfied with the wording on the motion here which perhaps would not mean much to begin with if we do hold something in abeyance, I have just not got a clear clarification on the thing, and I think what you explained was something that I would support.

MAYOR COCKRELL: All right, Mr. Hartman.

MR. HARTMAN: Madam Mayor, again, I have some difficulty understanding the logic of tabling only for this reason. A resolution of a Council is an expression of policy; it is not an ordinance; it is not an ordinance action. We are stating here a statement of policy. We are communicating in precise terms as we should be able to muster and perhaps if there is a word that bothers us here, you know, if we can get around that, fine. But the point is, we are communicating the policy of this Council saying this cost escalation is concerning us, and we have got to start acting with some degree of leadership. That is all that we are saying. We are not pulling out of the nuclear contract; we are not saying that we are going to pull out of the contract; we are not cutting any ties with the South Texas Project. We are merely saying that we are concerned, and that we want to stop and take a look at where we are before we throw good money after bad.

MAYOR COCKRELL: Mr. Hartman, would you entertain an amendment to your resolution that would simply state what you say and not make the motion - not include in it the taking of steps toward the withdrawal that are specifically mentioned here?

MR. HARTMAN: Madam Mayor, my only response to that is that to read again, Section 2. The City Council of the City of San Antonio request that the City Public Service Board immediately determine, determine, that means to find out, actions necessary to effect withdrawal. It doesn't say to take the initial steps of withdrawal. Determine the actions necessary to effect withdrawal of the City Public Service Board. There is no termination action there.

MAYOR COCKRELL: Mr. Rohde.

MR. AL ROHDE: Mayor, I will support Mr. Hartman's motion because it's leadership where the public now has distrust in this project. If this motion will pass, I will then make you a suggestion that the Council establish a blue ribbon committee of Council and citizen investigation committee under Section Number 48 of the City Charter. Because we have to have the mechanism if this thing does pass and the question would be, should we stay in the project or pull out? I have had second thoughts on this project lately. Is the project realistic and in the public interest? It is coming to light too fast. We just can't keep up with the evidence of troublesome and dangerous problems, and I will support Mr. Hartman's resolution.

MAYOR COCKRELL: All right, we have one citizen registered to be heard. Perhaps we can call on him at this point. Mr. Stephen Harvesty.

MR. STEPHEN HARVESTY: Thank you Madam Mayor. I don't have a prepared speech when I am called upon in this matter. But I would like to say in light of what has been happening throughout the Country and all of the news media are now concentrating on the nuclear accidents and the people who are in charge of these nuclear power plants, the engineers who are in charge of the safety features are resigning because they are not satisfied that these nuclear plants are in the public interest, and, of course, if those of you who did not see the TV broadcast about the fire that occurred in Alabama in one of the nuclear installations, the fire burned for seven and a half hours before it was put out. It was inches close to a melt-down which would have affected 11 million people according to the newspapers. If this City Council takes into account all this, and, of course, you are now confronted with a further problem of water cost, I am concerned with the water cost of course. We all are. But that doesn't guarantee that if we have a big drought, that we will have enough water to continue this, continue cooling this plant. What if the Colorado River runs short itself? They are now already talking about building dams because they know that there is not enough water in there. To fill those dams, they are going to have to have rain fall. If we have a large period of drought, we are in trouble. So it isn't only the cost that I am worried about. Nuclear power plants must have water, and if there is not enough water, it won't produce any electricity. So, let's think about it now realistically. I am for a study; I am for this resolution. If you need more information, I am loaded. I have got all kinds of data at home to help you. Thank you.

MAYOR COCKRELL: Let me summarize what I think is the feeling in the Council at this point. I think that all the members of the Council are agreed that we are very concerned about the apparent escalation of the cost of the project.

Second, we are all agreed that we want the City Public Service to review very carefully all of these costs and certainly we want to be fully informed and have a presentation made on just what the impact of the costs are on the consumer. The only point at which we seem to have a little bit difference is our understanding of perhaps what the resolution is saying in regard to either curtailing or holding in abeyance, the present relationship to the project pending the time when these studies are being made. Dr. Cisneros, did you have a

DR. HENRY CISNEROS: Madam Mayor, I agree that that seems to be the spirit of the Council and I would like to propose since no motion has been formally made.

MAYOR COCKRELL: He has a motion for adoption of the resolution.

DR. CISNEROS: Let me propose then a substitute motion or an amendment, but I'd like to do it in the language of a substitute motion because it would be difficult to do it in an amendment and I would like, if the Council would please read along with me in Section 1 the language of the substitute motion would be as follows: "That further effort on this project be immediately reviewed so that the City Council can be fully satisfied" and then the rest of it would remain the same, "in view of the changed conditions, that continued participation in this project would be in the best interest of the City of San Antonio". In effect what changes is the language that says, "held in abeyance until", it says, "immediately review so that the City Council can be fully satisfied", that is in Section 1.

In Section 2 it would read as follows: "The City Council of the City of San Antonio request that the City Public Service Board immediately" and this is where it would change, "hold a joint session with the City Council in order to determine such actions as may be necessary to remain or to effect immediate to either continue or effect withdrawal by the City Public Service Board from the South Texas Project", and the change there would be from "determine actions necessary to effect withdrawal", to the language that says "hold a joint session with the City Council in order to determine such action that may be necessary to continue or to effect withdrawal from", the City Public Service Board from the

MAYOR COCKRELL: Is there a second to that motion to substitute. Dr. Nielsen.

DR. NIELSEN: I would with the understanding too that we have already paid for, we are awaiting a final report sometime in April, is that right, Mayor, from O'Brien and Gere, do you know

MAYOR COCKRELL: Yes, very shortly by late March or early May

CITY MANAGER SAM GRANATA: Yes, and if I may, we're awaiting that, but I wonder, if Mr. Cisneros says immediate meeting, then this is where we are having problems, we had scheduled a meeting for March 5th, a joint meeting as you requested, but Mr. Berg can't make that meeting now. We can have it without Mr. Berg. Then if we don't, if he is not there, then we can't have it in the week of March 8th because our Mayor will not be here. If we wait until March 15, our Mayor Pro-Tem will not be here, so I am down to the week of March 22 now.

MAYOR COCKRELL: Yes, do you want to go ahead on the first date that had been established by, all right, we have the motion to substitute and a second. Now, then the discussion is on the motion to substitute, Mr. Hartman.

MR. HARTMAN: Madam Mayor, I have no great deal of heartburn with the change to Section 1. I do, however, fail to understand and let me read these words very, very carefully so that I can make sure I am not misunderstanding. I am saying "request that the", as it presently stands, "request that the City Public Service Board immediately determine actions", no, no, wait a minute, I am reading what's there now, "determine actions" if we want to say that would be necessary that if that would help people fine. But I am just saying let's get a feel to know exactly what it would mean to withdraw from this project. I am not saying to withdraw or anything else. And the substitute I don't think does that, it says let's hold a joint meeting with the City Public Service Board, I don't think that we can determine that in a single meeting. That is my only concern. I want to make sure that we get a clear understanding as to what it's going to take if, if, and I put that in big box car letters, if we decide to withdraw from this project. That's

DR. CISNEROS: The intent is the same, Glen, what I said was, "in order to determine such actions as may be necessary to effect continuance or withdrawal", of the Nuclear Project. It would just leave the option.

MR. HARTMAN: But, we're tying it to a joint meeting, and I have never seen a joint meeting where you accomplish much with anybody, is my only concern.

MAYOR COCKRELL: All right, is there any further discussion on the amendment. All right, yes, Mr. Rohde, did you wish to speak?

MR. ROHDE: I will vote no against the substitute because I always find Mr. Hartman's ordinances are realistic, clear, and down to earth, and I understand it.

MAYOR COCKRELL: All right, the Clerk will call the roll on the motion to substitute.

AYES: Teniente, Nielsen, Cockrell, Billa, Cisneros, Black; NAYS: Rohde; ABSTAIN: Hartman; ABSENT: Pyndus.

CITY CLERK: The motion carries.

MAYOR COCKRELL: The motion carried, we now vote on the main motion as substituted.

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

Mayor Cockrell recognized and welcomed a group of students from the Lackland Language School who were visiting the Council meeting.

Mayor Cockrell welcomed a group of government students from Providence High School, and their instructor, Miss Beth Goodell, who were visiting the Council meeting.

Councilman Cisneros introduced his wife, Mary Alice, and her two sisters, Mrs. Annie De Leon and Mrs. Virginia Castrejon, who were visiting the Council meeting.

Mayor Cockrell welcomed them to the meeting.

The following Ordinance was read by the Clerk and explained by Mr. Cipriano Guerra, Director of Planning and Community Development, and after consideration, on motion of Mr. Billa, seconded by Mr. Rohde, was passed and approved by the following vote: AYES: Billa, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Pyndus, Cisneros, Nielsen.

AN ORDINANCE 46,347

AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT INCLUDED IN THE LETTER FROM R. L. POLK & COMPANY SPECIFYING THE CONDITIONS WITH RESPECT TO THE CITY OF SAN ANTONIO'S USE AND RETURN OF A CERTAIN COMPUTER TAPE CONTAINING THE ADDRESS-BY-ADDRESS STATISTICAL COUNTS FROM WHICH THE PROFILES OF CHANGE INFORMATION PACKAGE WAS COMPILED; AND FURTHER AUTHORIZING THE CITY MANAGER TO REQUIRE AGREEMENT TO THESE SAME CONDITIONS PRIOR TO RELEASE OF THIS INFORMATION TO OTHER AUTHORIZED AGENCIES.

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

A RESOLUTION
NO. 76-9-14

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO JOIN ON BEHALF OF THE CITY OF SAN ANTONIO, THE LITIGATION BROUGHT BY THE ATTORNEY GENERAL ADJUDICATING THE LEGALITY OF THE SALE OF WATERS FROM THE COLORADO RIVER BY THE LOWER COLORADO RIVER AUTHORITY TO THE SOUTH TEXAS NUCLEAR PROJECT.

* * * *

76-9 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: Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Pyndus, Hartman, Nielsen.

AN ORDINANCE 46,348

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND MELBA AYLESWORTH TO EXTEND THE PRESENT LEASE AGREEMENT OF CERTAIN SPACE AT STINSON MUNICIPAL AIRPORT FOR A ONE YEAR TERM.

* * * *

AN ORDINANCE 46,349

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY AND THE WOODEN ROSE OF SAN ANTONIO SALES COMPANY, INC., FOR THE OPERATION OF A FLOWER CART IN THE MAIN TERMINAL BUILDING AT INTERNATIONAL AIRPORT.

* * * *

76-9 The Clerk read the following Ordinance:

AN ORDINANCE 46,350

REPEALING ARTICLE IV OF CHAPTER 18 OF THE CITY CODE AND ENACTING A NEW ARTICLE IV REGULATING THE MASSAGE BUSINESS AND MASSUERS; PROVIDING FOR PERMITS; ESTABLISHING HEALTH AND SANITATION REQUIREMENTS; ESTABLISHING HOURS OF OPERATION; PROVIDING A PENALTY FOR ANY VIOLATION BY FINE OF NOT MORE THAN \$200.00 AND BY SUSPENSION OR REVOCATION OF THE ESTABLISHMENT'S OPERATING PERMIT; AND PROVIDING FOR SEVERABILITY.

* * * *

The following persons spoke in favor of the proposed ordinance:

Mrs. Hattie Pool, President of the Citizens for Decency Through Law
 Mrs. Patti Patterson, Citizens for Decency Through Law
 Mrs. Ann Polunsky, Owner, Swedish Spa Massage Parlor
 Ms. Jonnie Petit, Owner, Babylon Gardens Massage Studio
 Mr. Wayne Pogue, Assistant Director of the Coffeehouse Ministry
 Mrs. Betty Spickler, Citizens for Decency Through Law
 Mrs. Mary Flynn, Representing the Archdiocesan Council of Catholic Women

Mr. John K. Courage said he was opposed to the wording of the ordinance and considered it unconstitutional.

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

Mayor Cockrell stated that an ordinance will be placed on the agenda next week regulating the solicitation of the purchase of food and beverages by entertainers in cafes from patrons. An ordinance imposing a particular zoning overlay on the River Walk area is in process and is being reviewed by the Planning Commission.

76-9 The Clerk read a proposed Resolution requesting the State Department of Highways and Public Transportation rebuild and widen Tuxedo Avenue from U. S. 281 Expressway to Nacogdoches Road and Nacogdoches Road from Tuxedo Avenue to Broadway Street.

Dr. Nielsen said that action on this ordinance should be postponed for one week because they have not been able to contact Mr. Travis Moursand, Attorney for San Antonio Portland Cement Company, for the purpose of negotiating additional right-of-way.

Councilman Hartman said that he together with Mr. Rohde and Dr. Nielsen have been working on this project and will make every effort to get it on next week's agenda.

Mr. Elkin McGaughy, Councilman of Alamo Heights, said he preferred the City Council to go ahead and pass the Resolution today, but he would not object to a one week postponement.

After further discussion, the Council agreed to postpone this item for one week.

76-9 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Teniente presided.

76-9 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: Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Pyndus, Cisneros, Cockrell.

AN ORDINANCE 46,351

GRANTING PERMISSION FOR A FIREWORKS DISPLAY TO BE CONDUCTED IN CONNECTION WITH THE 39TH ANNUAL BAND FESTIVAL OBSERVANCE.

* * * *

AN ORDINANCE 46,352

ACCEPTING THE LOW QUALIFIED BID OF MEADER CONSTRUCTION CO., INC. IN THE AMOUNT OF \$89,035.64 FOR CONSTRUCTION OF THE AUSTIN HIGHWAY SANITARY SEWER RELIEF MAIN; AUTHORIZING EXECUTION OF A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT; APPROPRIATING FUNDS AND PROVIDING FOR A MISCELLANEOUS CONTINGENCY ACCOUNT AND FOR PAYMENT OF ADDITIONAL ENGINEERING FEES.

* * * *

AN ORDINANCE 46,353

REPROGRAMMING \$173,100.15 OF FOURTH ENTITLEMENT PERIOD REVENUE SHARING PROJECT ACCOUNT FUNDS TO THE PARKS DEPARTMENT EQUIPMENT PURCHASE ACCOUNT AND ESTABLISHING A BUDGET FOR PURCHASE OF ELECTRIC GOLF CARTS AND ASSOCIATED EQUIPMENT AND TOOLS.

* * * *

76-9MR. RON DARNER

In response to a question from Councilman Rohde, Mr. Ron Darner, Director of Parks and Recreation, said that they will have a report this Friday on the First Kite Flying Contest, which will have a bicentennial theme. A report will also be forthcoming on the "Bicentennial Tree Week" Project.

76-9

The Clerk read the following Ordinance:

AN ORDINANCE 46,354

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH L. K. TRAVIS AND ASSOCIATES FOR A LONG-RANGE MANPOWER STUDY IN THE AMOUNT OF \$15,800.00.

* * * *

The Ordinance was explained by Mr. Sam Dominguez, Director of the Manpower Program Office. He stated that this contract agreement will provide a long-range plan for reviewing Manpower Program activities and developing related policy recommendations.

Mayor Pro-Tem Teniente read the following letter and asked that it be made part of the minutes of the meeting.

February 25, 1976

Mayor Pro-Tem Richard Teniente, Chairman
Manpower Planning Standing Committee
City of San Antonio
P. O. Box 9066
San Antonio, Texas 78205

Dear Mayor:

On behalf of Albert Bustamante and myself, we would like to recommend to you and the City of San Antonio the proposal of Bob Williams concerning the Manpower Policy Review, Long Range Proposal.

This is to try and achieve the goal of the MPSC committee to coordinate Cita activities and develop policy recommendations for such.

If the long range manpower proposal is adopted by the City of San Antonio, we will be more than happy to work with you and the other members of MPSC and Mr. Williams to see that our manpower programs serve the community needs in a most effective manner.

February 26, 1976

-16-

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We ask that you consider the long range plan.

With best wishes,

Sincerely,

/s/ Albert G. Bustamante
Sub-Committee
Chairman

/s/ Judge Blair Reeves
Co-Chairman, Manpower
Planning Standing Committee

* * * *

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

76-9 The following Ordinances were read by the Clerk and explained by Mr. Carl White, Director of Finance, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Pyndus, Cisneros, Cockrell.

AN ORDINANCE 46,355

AUTHORIZING THE EXECUTION OF INSURANCE CONTRACTS BY THE CITY OF SAN ANTONIO WITH THE UNITED STATES FIRE INSURANCE COMPANY AND THE ALLIANCE INSURANCE COMPANY, INC. AND AUTHORIZING THE PAYMENT OF INSURANCE PREMIUMS IN THE AGGREGATE AMOUNT OF \$35,300.86.

* * * *

AN ORDINANCE 46,356

AUTHORIZING THE EXECUTION OF AN INSURANCE CONTRACT BY THE CITY OF SAN ANTONIO WITH THE ROYAL INDEMNITY COMPANY AND AUTHORIZING THE PAYMENT OF AN INSURANCE PREMIUM IN THE AMOUNT OF \$7,698.00.

* * * *

76-9 Mayor Cockrell returned to the meeting and presided.

76-9 The following Ordinance was read by the Clerk and explained by Mr. John Miller, Assistant Director of Traffic and Transportation, and after consideration, on motion of Mr. Hartman, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Pyndus, Cisneros.

AN ORDINANCE 46,357

AUTHORIZING THE INSTALLATION OF FIFTEEN (15) THIRTY (30) MINUTE PARKING METERS AS DESCRIBED IN SECTION 38-73(a) OF THE CITY CODE ON A

PORTION OF THE PARKING LOT IN SAN PEDRO PARK
ADJACENT TO THE SAN PEDRO BRANCH LIBRARY AND
AMENDING THE CITY CODE TO INCLUDE THE AFORE-
MENTIONED LOT WITHIN THE PARKING METER ZONES.

* * * *

76-9

PARKING METERS

Councilman Hartman said that he was very impressed with the City of Miami's use of twelve hour parking meters.

Mr. John Miller said that all the parking meters in San Antonio are flexible and can be adjusted to make them twelve hour meters.

76-9 The following Ordinance was read by the Clerk and explained by Mr. John Miller, Assistant Director of Traffic and Transportation, and after consideration, on motion of Dr. Nielsen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Pyndus.

AN ORDINANCE 46,358

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF
THE CITY CODE: DESIGNATING STOP SIGN LOCATIONS:
DESIGNATING YIELD RIGHT-OF-WAY SIGN LOCATIONS:
SETTING MAXIMUM SPEED LIMITS ON CERTAIN STREETS:
PROHIBITING PARKING AT ALL TIMES ON CERTAIN
STREETS: PROHIBITING RIGHT TURN ON RED LIGHT AT
CERTAIN INTERSECTIONS: PROVIDING THAT VIOLATIONS
HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN
\$1.00 NOR MORE THAN \$200.00.

* * * *

76-9

The Clerk read the following Ordinance:

AN ORDINANCE 46,359

AUTHORIZING AND APPROVING A CHARTER FOR THE
CITY-COUNTY APPRAISAL BOARD; CONTINUING SAID
PROGRAM; AND REPEALING THE CHARTER OF THE
BEXAR COUNTY METROPOLITAN APPRAISAL BOARD.

* * * *

Councilman Billa said that Commissioners' Court has already approved this Charter and urged the Council to act on it favorably.

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

76-9 The following Ordinance was read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion of Dr. Cisneros, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Pyndus.

AN ORDINANCE 46,360

AUTHORIZING PURCHASE OF 16MM COLOR FILMS FROM MOTOROLA TELEPROGRAMS INC. FOR A TOTAL OF \$4,776.29 FOR USE BY THE POLICE DEPARTMENT TRAINING BUREAU.

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76-9 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: Billa, Cisneros, Black, Hartman, Teniente, Cockrell; NAYS: None; ABSENT: Pyndus, Rohde, Nielsen.

AN ORDINANCE 46,361

ACCEPTING THE LOW QUALIFIED BID OF W. S. DICKEY CLAY MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH STEEL MANHOLE FORMS FOR A TOTAL OF \$4,480.00, LESS 2%.

* * * *

AN ORDINANCE 46,362

ACCEPTING THE LOW QUALIFIED BID OF CONNCOR, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH TIMBER PLAY EQUIPMENT FOR A TOTAL OF \$3,797.30.

* * * *

AN ORDINANCE 46,363

TERMINATING THE CITY CONTRACT WITH LAROUSSE AND COMPANY, INC. FOR SPANISH LANGUAGE BOOKS.

* * * *

76-9 The Clerk read the following Ordinance:

AN ORDINANCE 46,364

ACCEPTING THE LOW QUALIFIED BID OF MOBIL CHEMICAL COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH TRASH BAGS FOR RESALE FOR A NET TOTAL OF \$106,780.00.

* * * *

Mr. John Brooks, Director of Purchasing, explained the proposed ordinance, and asked for the Council's favorable consideration.

In response to Councilman Billa's question with regard to the difference in the cost of the bags and the sale price, Mr. Brooks responded that this particular product is a by-product of oil. The bags that were brought 15 months ago cost \$123.00 a thousand as compared to \$53.00 a thousand that the City will pay now. There are still some high price bags in stock that will have to be sold at the same rate. When the supply is used up, it's the City's policy to review the service fee and make adjustments.

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

76-9

ALAMO PLAZA PROJECT

Item 20 on the agenda being an ordinance to consider bids on Dryden Stone was withdrawn. Mr. Brooks stated that no bids had been received and the City will need to re-advertise.

City Manager Granata stated that these are the stones to be used for the front of Alamo Plaza.

Councilman Hartman asked if this would delay the Alamo Plaza Project.

Mayor Cockrell suggested that if this would be the only thing delaying the project, perhaps something else could be substituted.

Mr. Ron Darner, Director of Parks and Recreation, said that this should not delay the project. Mr. Darner said that permission still has to be obtained from the Governor's Office in order to do any repair or modifications to the Alamo or grounds. Permission has been applied for, and it should be received soon.

76-9 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: Billa, Cisneros, Black, Hartman, Teniente, Cockrell; NAYS: None; ABSENT: Pyndus, Rohde, Nielsen.

AN ORDINANCE 46,365

ACCEPTING THE LOW QUALIFIED BID OF WATSON DISTRIBUTING COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH ELECTRIC GOLF CARTS FOR A NET TOTAL OF \$133,500.15.

* * * *

AN ORDINANCE 46,366

MANIFESTING AN AGREEMENT WITH REPUBLIC NATIONAL LIFE INSURANCE COMPANY TO EXTEND THE CURRENT CONTRACT, AS HEREBY AMENDED, WITH SAID COMPANY ON A MONTH-TO-MONTH BASIS WHEREBY LIFE AND HEALTH INSURANCE IS PROVIDED FOR CITY EMPLOYEES; AND AMENDING SAID CONTRACT TO REFLECT A HEALTH INSURANCE RATE INCREASE, A RETENTION CHARGE INCREASE, AND A LIFE INSURANCE RATE REDUCTION.

* * * *

76-9 The meeting was recessed at 11:45 A. M. for lunch and reconvened at 1:45 P. M.

CITIZENS TO BE HEARDMR. HENRY MUNOZ

Mr. Henry Munoz, Business Manager for San Antonio Area Public Employees Local 2399, said that he came before the last City Council complaining of discrimination in the City Water Board and asked that the City Council do something about it. Nothing was done. He said that then there was a hearing before the Equal Employment Opportunity Commission and the Commission subsequently agreed that discrimination did exist. The union then filed suit against the City Water Board for \$13,000,000.00.

Mr. Munoz said that recently a complaint to the present City Council that employment discrimination still exists at the City Water Board and cited several instances but nothing has been done by the City Council. He said that the Council should demand that the City Water Board negotiate these differences with his union before it is necessary to file another lawsuit.

Mr. Hartman stated for the record that he did attend this particular EEO hearing referred to by Mr. Munoz.

MR. STEPHEN HARVESTY

Mr. Stephen Harvesty, President of Involved Texans, read a prepared statement. He stated that the City Public Service Board has \$175,000 budgeted for researching the use of garbage and trash for generating heat. He said there is no need for research, because other cities have this type of operation in progress. He said that a nuclear plant is too rich for San Antonio, and urged the Council to withdraw from this project because of the cost and dangers involved.

MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, read a prepared statement on the bonded indebtedness of the City and its agencies. He objected to tax-free municipal bonds. (A copy of his statement is filed with the papers of this meeting.)

Mr. Carl White, Director of Finance, reviewed the current bond status of the City.

BROTHER FRED GELHARD

Brother Fred Gelhard read a prepared statement on urban runoff in San Antonio and the problems relating to the protection of the Edwards Aquifer. (A copy of his statement is filed with the papers of this meeting).

Mayor Cockrell stated that bids for consultant services have been advertised to study the urban runoff problem.

Mrs. Rowena Rodgers, President of the League of Women Voters, read a prepared statement, a copy of which is included with the papers of this meeting, stating that the City Council should declare a moratorium while the study of the Aquifer is being made.

EDWARDS AQUIFER MORATORIUM

The following discussion took place:

MRS. FAY SINKIN: The efforts to protect the Edwards Aquifer go back many years. There are those in our community who tried more than ten years ago to call public attention to the need to protect our water. In the last five years, these efforts intensified, culminating in the 1974 petition drive for purchase, the 1975 petition drive for referendum and the 1976 referendum election. Thousands of people believed the election last January 17, settled once and for all that the people of San Antonio believe protection of the Aquifer is of the greatest importance and should receive the highest public priority.

After the election, however, there were those - primarily those who lost the election - who attempt to interpret away the meaning of the referendum, to reduce the vote to a meaningless expression. We in the Aquifer Protection Association were shocked to see this thinking reflected in the City Council's vote two weeks ago to table the moratorium. In examining our options after that vote, we found only two possible avenues of action-go to court to achieve the moratorium or recall a member of the City Council whose actions showed a continual refusal to take protection of the Aquifer seriously. We want it known that neither legal action nor recall was considered by us until the tabling of the zoning moratorium gave a clear indication that members of this Council were not listening to the electorate they supposedly serve. We were not and are not enthusiastic about recall, but if the Council is going to treat the referendum as meaningless, then perhaps a successful recall would prove to the Council that the people of San Antonio want the Aquifer protected.

In announcing at a press conference last week our assessment of the situation, we called upon the Council to untable and pass the moratorium today. Since each member has heard or received a copy of our detailed reasoning on why there should be a moratorium and since we believe that reasoning to be valid, the two weeks to reflect on the motion to table seemed reasonable. Among the reasons presented were:

Deciding what can or cannot be zoned in the Aquifer area without polluting the water is precisely what you hope the multi-disciplinary team will give you guidance on. All eight members of the City Council present two weeks ago voted for the study. To do case by case zoning before the study even begins - or during the study-compromises the study itself and calls into question the purpose of the study.

Rezoning before the sensitive areas are identified may lead you to rezone an area later identified as sensitive and recommended for purchase. You will then have substantially raised the purchase price. The 129 acre mall site apparently increased in value 10½ times just by successfully getting a B2 and B3 zoning from this Council. At temporary R1 - it was worth not more than \$400,000. At B2-B3 they are asking 4½ million dollars in damages.

There are still no run-off regulations.
There is still no Master Plan for the Aquifer area.

These are a few of the reasons we call upon you to untable and pass the moratorium. An additional reason became evident yesterday when 7 members of the Planning and Zoning Commission faced a new zoning request in the drainage area and could not achieve a fifth vote. They postponed for three weeks their decision until all members are present. With the President of the Homebuilders as chairman, with three real estate agents and with a title company representative on this commission, we can reasonably expect them to pass on to this Council a case which will only reopen the whole question and promote further turmoil in our community. There is an undeniable contradiction in the position of the Chamber of Commerce which deplores the divisiveness caused by the Aquifer issue while at the same time opposing a moratorium which would prevent a new case from reopening the issue. The tabling of the moratorium only adds to the confusion.

As to our position on the moratorium, we do not want any zoning higher than R1 during the study - no high density housing - no commercial or industrial zoning. We are not saying the moratorium must be for a year. If the study can be completed and the policies adopted sooner - fine. Nor are we saying purchase is the only answer. Purchase is presently one option and may well prove the least expensive and most ethical option. We do not want that option foreclosed by zoning the land out of financial reach.

The City is now conducting a planning process which includes alternatives for the Aquifer and advertising for a special study on the Aquifer itself. We feel it is only reasonable to keep conditions stable while this work is underway so that all our options as a Community remain open. In addition - we understand the water tables are dropping rapidly. It is estimated that by December of this year - if we do not have substantial rains we will be at the same level as we had in '56 = all this in 18 months - when in the fifties it took six years. In light of the foregoing, it was interesting to note in the specs for the ad for "Proposals Wanted" - the elimination of the word QUANTITY. Surely, the study to be adequate needs to address both quantity and quality.

At any rate, we are approaching a long range solution to the whole Aquifer question. Let us not leave the door open for all this good work to come to nothing. WE ask this Council to exercise the leadership so badly needed at this time by untabling and passing the moratorium.

MAYOR COCKRELL: Thank you, Mrs. Sinkin. Mr. Hartman.

MR. HARTMAN: Madam Mayor. Fay, I'd like to, if I may, respond to your very complete statement. If I may, I'd like to just briefly recap in a very few minutes, in a very few seconds, as a matter of fact, what I think we have seen over the past ten months on the Council, and I do this only as a setting for what I think and what I'm going to say at the end of my statement.

We've been in office barely 10 months, and I don't mean this to be a breast feeding exercise but rather a statement of fact as to what we have seen happen during these 10 months. This Council was the first Council that really came to grips with the problem of - for example, the downtown rejuvenation problem although there is certainly not going at the full speed that we ultimately assumed it will be, at least there's an effort to start it.

This was the first Council that addressed the matter of cost of service for utility services and its telephone rate study.

This is the first Council that has come to grips with the problem of the planning process which I think we'll all agree underlies basically most of our problems in San Antonio. I think the desparate lack of a planning process, a real logical decision making process is probably one of our worst voids that needs to be corrected.

And last but not least, this is the first Council that can really come to grips in a determined fashion with the Edwards Aquifer question. I feel that I'm relatively familiar with this problem because as you know, I was a member of this Council who voted for the moratorium, together with two of my colleagues. I'm also the Chairman of the committee which first devised the Edwards overlay. Now, I grant you these are all pieces and if you look at them individually, none of them is particularly dramatic or startling. But I think taken in a total, I think considering the fact that this has been done in a period of 10 months is significant, and I think - and as I said at the beginning my reason for recounting this is strictly to sort of lay the basis for what I'm going to say.

As we all know, of course, on the 17th of January, there was an election, a referendum election, on the question of the zoning case that involved the matter of zoning over the Aquifer. I think the results of that election are, of course, well known in terms of the number of people that turned out and the results of the for and against. My point I'd like to make here is the fact that I think we're at the stage now where the citizens of San Antonio have a rather decidedly strong feeling with regard to the need to protect the Aquifer. That's the point I'd like to make. I think the feeling is relatively strong throughout our community. I think there is that feeling.

Now, as you have identified in your statement, this Council has taken action to initiate a study that will hopefully settle a once and for all the question to who is the authority on the Aquifer. I think we're at the point, though, where we're getting - where we must recognize some of the aspects of what are the mechanics are to complete the job as you pointed out here that in the end of your statement the fact that we are approaching a long range solution to the whole Aquifer question. I think this we've all got to agree to. And I couldn't agree more with that statement. I think we're finally getting down to the real nitty gritty.

Now, the question of the zoning moratorium I think is certainly a significant one but I'm not prepared to say that a legal or an action by the Council to establish a zoning moratorium is necessarily the only way that that objective can be accomplished, that is, to insure the minimal degradation of that Aquifer while the study is taking place. As I said a moment ago, I think the public opinion is rather strong with regard to the need to protect the Aquifer, and I think it's time where we, as a community, all factions began to recognize the importance of public opinion, and the role it can play as we complete our effort. I would suggest that now is the time that all factions in this argument over the Aquifer demonstrate their good faith in carrying out the wishes of the public. As you may recall, last week I released a statement which basically said that and called upon all factions to act together and try to work together in doing what I think needs to be done, and I think what we all realize needs to be done. I have suggested in that statement that perhaps the standards for Ranch Town could be used as the basis for an interim self-policing program by the developer-builder community. That was a suggestion as perhaps one way to proceed. I think there are others. My point is that I think there are alternatives to achieving what I think we must achieve, that is my main point. I think that we all recognize that we must minimize the degradation - the further degradation takes place in the water in the Aquifer, and I would hope that at this time, that we could call for a concerted effort by all elements in the community to begin working together in what I think is a commonly accepted effort to once and for all put this matter to rest. So, I would hope that we could see some movement in this direction from all factions of the developer-community, citizens who are interested in the Aquifer problem to sit down together and merely identify the things that need to be done in order to assure that the Aquifer is degraded no further while this very important study continues, and I would appreciate participants - all participants to put forth this effort, and I would certainly hope that the Council would strongly endorse that we pursue this matter in this fashion. In other words, I think the argument has been made rather precisely by all elements, and I think it's time that we sit down together and see if we can take steps mutually to insure that the Aquifer is protected in an adequate fashion while the study takes place.

MRS. SINKIN: May I respond. Thank you, Mr. Hartman, for those words. I think it would be fair to say that we have always been anxious to sit down. That we have in the past sat down. We did last spring sit down with developers and with land-owners and with speculators and that we came up a flat zero. We had hoped that yesterday the case on the Aquifer would not have come up, it did come up. It creates for us a very tenuous position because there is credibility at stake. Are the developers, are the speculators, are the homebuilders willing to sit down and listen and to wait for this study to be completed? We just don't have that answer, and we haven't seen any sign that there will be an answer. We have to go step by step beside coming down here every week to City Hall to talk to you. That shouldn't be necessary. There should be a moratorium. Give us a chance to have this study completed, and then we'll know what can be developed over the Aquifer. We're not at that point yet.

MR. HARTMAN: Madam Mayor, I would like to just respond very briefly finally by saying I would hope that the challenge would be picked up by all elements within the community to see if we can't begin working in this fashion. Thank you.

MAYOR COCKRELL: Thank you, Mrs. Sinkin.

MR. E. L. RICHEY

Mr. E. L. Richey spoke of the danger of pollution to the Edwards Aquifer. He suggested ways to reduce the use of energy.

MRS. DORIS JEAN BILLA

Councilman Billa introduced his wife, Doris Jean, who was visiting the Council meeting.

MR. CHARLES FRANZ

Mr. Charles Franz, Attorney, submitted a copy of a suggested ordinance to each Council Member which would amend the present wrecker ordinance by allowing a person to use the wrecker of his choice. Mr. Franz asked the Council to study the suggested ordinance and that it be placed on next week's agenda.

Mr. Jim Parker, City Attorney, stated that Mr. Franz is the attorney for Buddy Oeffinger who has a lawsuit against the City. The Judge in the case has ruled against Mr. Oeffinger, and this is an effort by Mr. Oeffinger to obtain the end result that he wanted to achieve through the lawsuit.

Mr. Franz said that the case is still pending.

Mr. Parker said that the Courts have denied a temporary injunction against the City.

Councilman Rohde introduced his brother, Fred Rohde, who was visiting the Council meeting.

76-9 The Clerk read the following letter:

February 20, 1976

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

Madam and Gentlemen:

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

February 9, 1976

Petition submitted by Mrs. Helen Garza, 6219 Macdona St., requesting action be taken on a depression caused by the construction of I. H. 35 South in 1960.

February 16, 1976

Petition submitted by Mr. Tommy Youngblood, Project Manager of Business World Centers, 11031 Wye Drive, requesting permission to install a handrail to assist the occupants at the Housing for the Elderly now under construction at 2001 North Flores Street.

/s/ G. V. JACKSON, Jr.
City Clerk

* * * *

There being no further business to come before the Council, the meeting adjourned at 2:50 P. M.

A P P R O V E D

Lela Cockrell
M A Y O R

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

February 26, 1976
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