

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 5, 1978.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN, COCKRELL; Absent: NONE.

78-1 The invocation was given by The Reverend Eldor Mickan, Pastor, Mount Olive Lutheran Church.

78-1 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-1 PRESENTATION OF CITATION TO THE
ROBERT E. LEE VOLUNTEERS

Councilman Pyndus read the following Citation:

THE CITY OF SAN ANTONIO
(State of Texas)

Hereby Presents This

CITATION

To

ROBERT E. LEE VOLUNTEERS

IN RECOGNITION OF THE DEDICATION, DETERMINATION, AND SPORTSMANSHIP EXHIBITED BY THIS TALENTED FOOTBALL TEAM. BY WINNING THEIR DISTRICT, REGIONAL AND QUARTER FINAL GAMES IN THE TEXAS INTERSCHOLASTIC FOOTBALL LEAGUE THEY HAVE AGAIN BROUGHT FAME AND RECOGNITION TO THEIR SCHOOL AND TO OUR CITY.

THE CITY COUNCIL PROUDLY COMMENDS THE VOLUNTEERS FOR THEIR HIGHLY SUCCESSFUL FOOTBALL SEASON AND EXTENDS VERY BEST WISHES FOR CONTINUED SUCCESS.

* * * *

Mayor Cockrell and Councilman Pyndus then presented the Citation to Mr. Bill Evans, Principal; and Mr. Tom Sawyer, Head Coach, who were representing the Lee Football Team. Each member of the team then introduced himself to the Council and audience.

78-1 RESOLUTION OF RESPECT
THELMA TRAFTON ANDRICKS

Mayor Cockrell read the following Resolution:

January 5, 1978

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WHEREAS, Life came to a close for Thelma Trafton Andricks on December 15, 1977, AND

WHEREAS, Mrs. Andricks was an illustrious and respected citizen of San Antonio who participated in many civic endeavors such as the San Antonio Conservation Society and the Violet Green Garden Club, AND

WHEREAS, She devoted much of her time to the organizing and promotion of the Fiesta Flambeau Parade and its companion event the selection of Miss Fiesta, AND

WHEREAS, Mrs. Andricks left her mark on our great City and all of our citizens profit from her efforts, NOW, THEREFORE:

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

SECTION 1. That this Council, on behalf of the City Officials and employees as well as the citizens of this great City, does hereby express profound regret on the passing of Mrs. Reynolds Andricks.

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

* * * *

On motion of Dr. Cisneros, seconded by Mr. Steen, the Resolution was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

78-1 The minutes of the meeting of December 22, 1977 and the minutes of the Special meeting of December 29, 1977 were approved.

78-1 The Clerk read the following Resolution:

A RESOLUTION
No. 78-1-2

AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LEASE WITH SAN ANTONIO RIVER HOTEL COMPANY UPON THE TIMELY FULFILLMENT OF CERTAIN CONDITIONS.

* * * *

Mr. Pyndus moved to approve the Resolution. Mrs. Dutmer seconded the motion.

City Attorney, Jane Macon, asked that the Council go into executive session prior to the vote being taken on this matter.

Mr. Pyndus asked that in the future, Council be advised of executive session meetings prior to any motion being made.

At this point in the meeting, the Council went into Executive Session at 1:15 P.M., and reconvened at 1:35 P.M.

Councilman Alderete and Eureste both stated that although they had not been in favor of the Marriott proposal they will now support the Resolution in favor of demonstrating solid Council support for this project.

On roll call, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: Ortiz; ABSENT: Webb.

78-1 The following Ordinance was read by the Clerk and after consideration, on motion made by Mr. Pyndus, and seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,888

ABANDONING A PORTION OF A CERTAIN WATER PIPELINE EASEMENT NO LONGER REQUIRED BY THE CITY WATER BOARD AND AUTHORIZING THE GENERAL MANAGER OF THE WATER WORKS BOARD OF TRUSTEES OF SAN ANTONIO TO EXECUTE A RELEASE OF EASEMENT THEREFOR.

* * * *

78-1 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Alderete, Hartman.

AN ORDINANCE 48,889

PERMITTING PLACEMENT OF D'HANNIS TILE ON A SECTION OF SIDEWALK AT 140 E. HOUSTON.

* * * *

AN ORDINANCE 48,890

PERMITTING CONSTRUCTION OF APPROXIMATELY 120 LINEAL FEET OF 10' HIGH CHAIN LINK FENCE TO ENCLOSE A TENNIS COURT AT 12707 OLD WICK ROAD.

* * * *

AN ORDINANCE 48,891

PERMITTING THE ERECTION OF APPROXIMATELY 61 LINEAL FEET OF 7' HIGH CHAIN LINK FENCE ALONG THE REAR PROPERTY LINE AT 710 W. FRENCH PLACE.

* * * *

78-1 The Clerk read the following Ordinance.

AN ORDINANCE 48,892

ACCEPTING THE PROPOSAL OF KANSAS-DENVER ASSOCIATES TO CONDUCT A CLASSIFICATION AND PAY STUDY FOR THE PERSONNEL DEPARTMENT, AND PROVIDING FOR PAYMENT.

* * * *

Mrs. Dutmer moved to approve the Ordinance. Mr. Steen seconded the motion.

Mr. Pyndus asked for a staff explanation as to the need for such a study.

City Manager Huebner stated that the City's Classification Plan has not been reviewed by any outside consultant for over twenty-five years, and after all this time, they see a need for an unbiased party to review the matter.

In response to Mr. Pyndus' question about comparison of City salaries, Mr. Clyde C. McCollough, Director of Personnel, stated that the consultant for the most part will compare salaries on a local scale, but since many jobs are particular to municipal government they will have to be compared to other cities of comparable size wherever they might be, but the whole matter will be the responsibility of the Consultant.

On roll call, the motion, carrying with it passage of the Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Steen, Cockrell; NAYS: None; ABSTAIN: Pyndus, ABSENT: Cisneros, Alderete, Hartman.

78-1 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Alderete, Hartman.

AN ORDINANCE 48,893

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH TEXAS A & M ENGINEERING EXTENSION SERVICE PROVIDING FOR LEASE OF SPACE AT HEMISFAIR PLAZA FOR A PERIOD OF ONE YEAR.

* * * *

AN ORDINANCE 48,894

MANIFESTING AN AGREEMENT WITH HART & JOHNSON AIR TERMINAL ADVERTISING COMPANY, TO EXTEND THE AIRPORT ADVERTISING CONCESSION CONTRACT FOR AN ADDITIONAL TERM OF FIVE YEARS, COMMENCING JANUARY 1, 1978, WITH CONSIDERATION TO THE CITY TO BE \$30,000.00 OR 50% OF GROSS RECEIPTS PER YEAR, WHICHEVER IS GREATER.

* * * *

AN ORDINANCE 48,895

AUTHORIZING EXECUTION OF A SUPPLEMENTAL AGREEMENT TO THE INTERNATIONAL AIRPORT LEASE WITH THE U.S. DEPARTMENT OF TRANSPORTATION SO AS TO LEASE AN ADDITIONAL 400 SQUARE FEET IN THE TERMINAL

* * * *

AN ORDINANCE 48,896

MANIFESTING AN AGREEMENT WITH MR. PHILIP POLICE FOR A TWO YEAR EXTENSION OF THE PRESENT LEASE AGREEMENT OF CERTAIN SPACE IN THE PUBLIC TERMINAL BUILDING AT INTERNATIONAL AIRPORT FOR USE AS A BARBER SHOP.

* * * *

AN ORDINANCE 48,897

AUTHORIZING EXECUTION OF AN AGREEMENT WITH SANCHEZ AND HAMLET, A PARTNERSHIP, FOR LEASE OF SPACE AT INTERNATIONAL AIRPORT FOR USE AS AN AIRCRAFT SALES, MAINTENANCE, STORAGE, AND MODIFICATION BUSINESS.

* * * *

The Clerk read the following Resolution:

A RESOLUTION
NO. 78-1-3

SETTING PUBLIC HEARINGS ON THE 4TH
ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK
GRANT APPLICATION AND ON AN AMENDMENT
TO THE CURRENT GRANT AGREEMENTS ON MONDAY,
JANUARY 23, 1978, AND THURSDAY, FEBRUARY
9, 1978.

* * * *

Mr. Pyndus moved to approve the Resolution. Mr. Steen seconded the motion.

Mr. Pyndus asked when the Council would receive the staff recommendations on the allocation of the Community Development Funds.

City Manager Huebner stated that the Council will be briefed at a "B" Session on January 11, 1978, on staff's recommendation, and the first Public Hearing will be heard on the 23rd of January, 1978.

On roll call, the motion, carrying with it passage of the Resolution, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Alderete, Hartman.

GOVERNMENT CLASS FROM PROVIDENCE HIGH SCHOOL

Mayor Cockrell welcomed a government class from Providence High School who were visiting the Council meeting.

The following Ordinance was read by the Clerk and after consideration, on motion made by Mrs. Dutmer, and seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: Pyndus; ABSENT: Alderete.

AN ORDINANCE 48,898

AUTHORIZING CONTINUATION OF THE DRUG ABUSE
CENTRAL PROJECT ON A MONTH-TO-MONTH BASIS.

* * * *

The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, PYNDUS, HARTMAN, STEEN, COCKRELL; NAYS: NONE; ABSENT: Alderete.

AN ORDINANCE 48,899

AUTHORIZING THE CITY MANAGER TO EXECUTE A
SPECIAL WARRANTY DEED CONVEYING A TRACT OF
SURPLUS CITY-OWNED PROPERTY, WITH NO DIRECT
ACCESS NOR CURB CUTS TO GENERAL McMULLEN
DRIVE, TO MARVIN MILLER FOR A CONSIDERATION
OF \$3,625.00.

* * * *

AN ORDINANCE 48,900

CLOSING AND ABANDONING AN ALLEY IN NEW CITY
BLOCK 12789, AND AUTHORIZING A QUITCLAIM DEED
TO SAM JORRIE FOR THE CONSIDERATION OF \$1.00.

* * * *

AN ORDINANCE 48,901

CLOSING AND ABANDONING A 22.0 FEET ALLEY
IN NEW CITY BLOCK 541, AND AUTHORIZING
A QUITCLAIM DEED TO THE SALVATION ARMY
FOR THE CONSIDERATION OF \$2,350.00.

* * * *

AN ORDINANCE 48,902

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS
IN THE TOTAL SUM OF \$1,344.00 IN PAYMENT
FOR EXPENSES INCURRED IN CONNECTION WITH
YOLANDA DRAINAGE PROJECT #58G, 36TH STREET
IMPROVEMENT, WEIR AVENUE DRAINAGE PROJECT
#39G, UNSEWERED AREA #52 SANITARY SEWER
SYSTEM, UNSEWERED AREA #61 SANITARY SEWER
PROJECT, AND INSPIRATION HILLS SUBDIVISION
SANITARY SEWER PROJECT.

* * * *

AN ORDINANCE #48,903

APPROPRIATING THE SUM OF \$26,641.25 OUT OF
VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING
TITLE AND/OR EASEMENTS TO CERTAIN LANDS;
ACCEPTING THE DEDICATION OF EASEMENTS TO
CERTAIN LANDS; ALL TO BE USED IN CONNECTION
WITH CERTAIN RIGHT-OF-WAY PROJECTS.

* * * *

78-1 The following Ordinance was read by the Clerk and after
consideration, on motion made by Mr. Hartman, and seconded by Mr. Steen,
was passed and approved by the following vote: AYES: Cisneros, Webb,
Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None;
ABSTAIN: Dutmer; ABSENT: Alderete.

AN ORDINANCE 48,904

MANIFESTING AN AGREEMENT BETWEEN THE CITY
OF SAN ANTONIO AND THE COUNTY OF BEXAR
FOR THE CONTINUANCE OF A JOINT BOARD OF
EQUALIZATION ADMINISTRATIVE STAFF AND
ESTABLISHING A BUDGET THEREFOR.

* * * *

78-1 The following Ordinances were read by the Clerk and after
consideration, on motion made and duly seconded, were passed and approved
by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz,
Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 48,905

ACCEPTING CERTAIN HIGH BIDS FOR CITY
FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-
BEARING CERTIFICATES OF DEPOSIT.

* * * *

AN ORDINANCE 48,906

AUTHORIZING ADJUSTMENTS IN THE TAX ROLL
AS RECOMMENDED BY THE TAX ERROR BOARD OF
REVIEW.

* * * *

The Clerk read the following Ordinance:

AN ORDINANCE 48,907

AUTHORIZING THE RENEWAL OF THREE LIABILITY POLICIES COVERING CITY-OWNED STREETS AND ACTIVITIES IN GENERAL, THE CONVENTION CENTER COMPLEX INCLUDING THE TOWER, AND THE EL MERCADO MARKET AREA.

* * * *

Mr. Steen moved to approve the Ordinance. Mr. Pyndus seconded the motion.

In response to a question by Mr. Wing, Mr. Carl White, Director of Finance, explained that the City does not deal directly with individual insurance companies but works through the San Antonio Insurance Exchange.

After consideration, the motion carrying with the passage of the Ordinance prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

78-1 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 48,908

AUTHORIZING THE RENEWAL OF INSURANCE RELATING TO THE SENIOR CITIZEN LUNCH PROGRAM INCLUDING BOTH COMPREHENSIVE GENERAL LIABILITY INSURANCE AND SPECIFIED HAZARDS ACCIDENT POLICY.

* * * *

AN ORDINANCE 48,909

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT PERTAINING TO A TEMPORARY CROSSING AT ROTARY STREET WITH THE MISSOURI-KANSAS-TEXAS RAILROAD COMPANY.

* * * *

AN ORDINANCE 48,910

GRANTING THE PLAZA NACIONAL GROUP PERMISSION TO CLOSE THE 200 BLOCK OF ARCINIEGA STREET UNTIL MAY 1, 1979 AND WAIVING THE STREET USE FEE FOR THIS CLOSURE.

* * * *

AN ORDINANCE 48,911

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 24, IN THE AMOUNT OF \$5,310.00, TO THE CONTRACT FOR CONSTRUCTION OF THE VISTA VERDE TEX R-109 PROJECT.

* * * *

AN ORDINANCE 48,912

ACCEPTING THE LOW QUALIFIED BID OF MISSION CONTRACTORS, INC. IN THE AMOUNT OF \$24,705.43 FOR WORK ON THE CAMINO REAL OFF-SITE SANITARY

SEWER, PROJECT NO. 003120, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT COVERING SAID WORK.

* * * *

AN ORDINANCE 48,913

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH LACKLAND CITY WATER COMPANY FOR REGIONAL TRANSPORTATION AND TREATMENT OF SEWAGE FROM MEADOW VILLAGE SUBDIVISION; AND FURTHERING DECLARING ANY AND ALL SUCH PRIOR CONTRACTS BETWEEN THE PARTIES NULL AND VOID.

* * * *

AN ORDINANCE 48,914

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE SALE OF LAND WITH THE SAN ANTONIO DEVELOPMENT AGENCY FOR A PARCEL OF LAND LOCATED AT 302 DORA STREET, BLOCK 8 N.C.B. 7309 FOR A CONSIDERATION OF \$11,900.00.

* * * *

78-1 The following Ordinance was read by the Clerk, and after consideration, on motion of Mr. Steen, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,915

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THEOREM CORPORATION TO PROVIDE CONSULTING SERVICES TO THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$35,950.00.

* * * *

Later in the meeting, Councilman Cisneros stated that he hoped this study will focus on neighborhoods where elderly people tend to reside since they are the ones most frequently victimized.

Councilman Pyndus asked that a report be made to Council after the study is completed and that it also be made public.

Mayor Cockrell also asked that the group work closely with Councilman Steen and Wing who will be working with the Advisory Committee on Crime Prevention.

78-1 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,916

ACCEPTING THE PROPOSAL OF CARRIER AIR CONDITIONING FOR MAINTENANCE OF THE CARRIER 19C MACHINE IN THE TERMINAL BUILDING AT INTERNATIONAL AIRPORT FOR A NET TOTAL OF \$3,984.67.

* * * *

AN ORDINANCE 48,917

ACCEPTING THE LOW BID OF ALAMO IRON WORKS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS SEWER DEPARTMENT WITH A SELF-PRIMING CENTRIFUGAL PUMP FOR A TOTAL OF \$5,500.00, LESS 2% - 10 DAYS.

* * * *

78-1 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,918

ACCEPTING THE LOW BID OF STATION EQUIPMENT AND MAINTENANCE, INC. TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION WITH GASOLINE DISPENSERS FOR A TOTAL OF \$6,090.00 LESS 1% - 10 DAYS.

* * * *

AN ORDINANCE 48,919

ACCEPTING THE LOW QUALIFIED BID OF HEFFERNAN SCHOOL SUPPLY CO., INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH CREPE PAPER FOR A NET TOTAL OF \$7,102.00.

* * * *

78-1 The Clerk read the following Ordinance:

AN ORDINANCE 48,920

ACCEPTING THE LOW BID OF SUGARMAN'S UNIFORMS TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH CROSSING GUARD UNIFORMS FOR A NET TOTAL OF \$7,656.60.

* * * *

Mr. Steen moved to approve the Ordinance. Mr. Eureste seconded the motion.

Mr. Webb stated that there is no School Crossing Guard at the corner of Gevers and Houston and expressed concern due to the fact that Booker T. Washington School is located in the vicinity.

Chief Emil Peters stated that evidently a replacement has not been found to serve this location but will investigate the matter.

In response to Mr. Alderete, Chief Peters stated he will make a report to Council identifying the elementary schools where there are no School Crossing Guards.

On roll call, the motion, carrying with it passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

78-1 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved

by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,921

ACCEPTING THE LOW QUALIFIED BIDS OF CAPITAL AMBULANCE, DIXIE U.S.A., INC., EMERGENCY MEDICAL SUPPLY CO., HOPE MEDICAL SUPPLY AND LIFE SUPPORT, INC. TO FURNISH THE CITY OF SAN ANTONIO EMERGENCY MEDICAL SERVICES WITH EMERGENCY MEDICAL EQUIPMENT FOR A NET TOTAL OF \$8,347.00.

* * * *

AN ORDINANCE 48,922

ACCEPTING THE LOW BID OF VULCAN SIGN & STAMPINGS, INC. TO FURNISH THE CITY OF SAN ANTONIO TRAFFIC AND TRANSPORTATION DEPARTMENT WITH ALUMINUM SIGN BLANKS FOR A NET TOTAL OF \$9,110.20.

* * * *

AN ORDINANCE 48,923

ACCEPTING THE LOW QUALIFIED BID OF THE PLANK COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS SEWER DEPARTMENT WITH HYDRAULIC SHORING FOR A TOTAL OF \$18,608.08. LESS 2% - 10 DAYS.

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78-1

The Clerk read the following Ordinance:

AN ORDINANCE 48,924

ACCEPTING THE LOW BID OF ANCIRA WINTON CHEV., INC., GRANDE FORD TRUCK SALES INC., INTERNATIONAL HARVESTER CO., JORDAN FORD, INC., O.R. MITCHELL MOTORS AND SAN ANTONIO TRUCK SALES TO FURNISH VARIOUS CITY DEPARTMENTS WITH TRUCKS THROUGHOUT THE 1978 MODEL YEAR.

* * * *

Mr. Webb moved to approve the Ordinance. Mr. Steen seconded the motion.

Mr. Brooks explained the proposed Ordinance and stated that on Item 4C of this bid, identical low bids were received from Grande Ford Truck Sales, Inc., and O.R. Mitchell Motors. He stated that it would be necessary for the Council to cast lots to break the tie.

Thereupon, Mayor Cockrell announced that the low number drawn would be the winner. Number 69 was drawn for Grande Ford Truck Sales Inc., and Number 10 was drawn for O.R. Mitchell Motors. O.R. Mitchell Motors was then declared the winner and the award was made to same.

In response to Mr. Ortiz' question, Mr. Brooks reported on the procedure used by the Purchasing Department in determining the replacement of vehicles for each department. He also reported on the number of vehicles required by different departments and the mileage.

On roll call, the motion, carrying with it passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

78-1 The following Ordinance was read by the Clerk and after consideration, on motion made by Mr. Steen, and seconded by Mr. Eureste, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 48,925

ACCEPTING THE LOW BID OF R.D. WILLIAMS TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION WITH AN AUTOMATIC VEHICLE WASH FOR A NET TOTAL OF \$24,750.00.

* * * *

78-1 RESOLUTION REAFFIRMING THE NAMING OF THE CONVENTION CENTER BUILDING AS THE HENRY B. GONZALEZ CONVENTION CENTER

Mayor Cockrell distributed a copy to each Council member of a Resolution approved by the last City Council which named the Convention Center Building as the Henry B. Gonzalez Convention Center. She asked that the Council approve a Resolution at its meeting next week reaffirming this action. She then announced that an appreciation dinner will be held on January 16, 1978 to pay tribute to Congressman Gonzalez.

Council concurred with the Mayor's request and the Resolution will be placed on next week's agenda.

78-1 The meeting was recessed at 2:15 P.M., and reconvened at 3:10 P.M.

78-1 OMNI HOTEL DEVELOPMENT PLAN

Mayor Cockrell reported that the City Manager and City Attorney had briefed the Council on the memorandum of understanding with the Omni Hotel Developers. She stated that the Council has given its consensus for them to proceed with the finalization of those documents which will be brought forward to Council for final action. She then commended the City Manager on behalf of the Council for his efforts in this matter.

78-1 3:00 P.M. - PUBLIC HEARING ON THE MAJOR THOROUGHFARE PLAN

Mayor Cockrell declared open a Public Hearing on the Major Thoroughfare Plan.

The Clerk read the following Ordinance:

AN ORDINANCE 48,926

ADOPTING AN AMENDMENT TO THE MAJOR THOROUGHFARE PLAN CHANGING THE RIGHT-OF-WAY REQUIREMENTS ON THOUSAND OAKS DRIVE BETWEEN HENDERSON PASS AND SAN PEDRO AVENUE FROM 110' to 86'.

* * * *

Mr. Steen moved to approve the Ordinance. Dr. Cisneros seconded the motion.

No citizen appeared to speak.

Mayor Cockrell declared the hearing closed.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Eureste, Alderete.

78-1 The following Ordinance was read by the Clerk and after consideration, on motion made by Dr. Cisneros, and seconded by Mr. Webb, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Alderete.

AN ORDINANCE 48,927

APPOINTING AND REAPPOINTING MEMBERS TO THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE.

* * * *

1. Reappoint Mr. William Ochse as a representative of the Hotel Industry for a term ending November 30, 1980. (Who shall continue to be designated Chairman)
2. Reappoint Mr. Manuel Amestoy as a representative of the Motel Industry for a term ending on November 30, 1980.
3. Reappoint Mr. Arne Klendshoj as a representative of the San Antonio Restaurant Association for a term ending November 30, 1978.
4. Reappoint Mr. Frank Phelps as a representative of the Paseo Del Rio Association for a term ending November 30, 1978.
5. Reappoint Mr. James L. Hayne as a representative of Downtown, Inc., for a term ending November 30, 1978.
6. Appoint Jesse Castillo as a representative of the Airline Industry for a term ending November 30, 1978.
7. Reappoint Mrs. Pam Wilkinson and Mr. Arthur Villarreal as representatives of the General Community for terms ending November 30, 1978.
8. Appoint Mr. K.W. Houston, 730 Sterling, as a representative of the General Community for a term ending November 30, 1978. Mr. Houston is replacing Mrs. Joyce Haywood whose term has ended.
9. Appoint Mr. Rodolfo T. Ramirez, 2042 LaManda (78201) as a representative of the General Community for a term ending November 30, 1978. Mr. Ramirez is replacing Mr. Alfonso Alonso whose term has ended.

78-1 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Steen presided.

78-1 The following Ordinance was read by the Clerk and after consideration, on motion made by Dr. Cisneros, and seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Euresete, Alderete, Cockrell.

AN ORDINANCE 48,928

APPOINTING AND REAPPOINTING CERTAIN PERSONS TO THE CENTRO 21 TASK FORCE STEERING GROUP FOR TERMS ENDING DECEMBER 31, 1980.

* * * *

The following persons are hereby reappointed as members for terms ending December 31, 1980:

Mr. Richard Calvert (who shall continue to be designated as Chairman)

Mr. Juan Patlan

Mr. Kenneth F. Wiley

Rev. Adolph Windisch

The following persons are hereby appointed as members for terms ending December 31, 1970:

Mr. Don B. Harrell (801 N. St. Mary's St. to replace Lt. General Alan Burdette, who was unable to accept the appointment)

Mr. William Sinkin (Texas State Bank, 811 So. W.W. White Road, to replace Mr. Alex Caragonne whose term has ended)

Mr. Robert Alterman (123 Beechwood Lane, to replace Mr. William McCormick whose term has ended)

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CITIZENS TO BE HEARD

MR. CONRAD TRUSS

Mr. Conrad "Connie" Truss, Executive Secretary of the San Antonio Building and Construction Trades, distributed to each Council member a critique on the Sun Oil Contract which the City Public Service Board entered into May of 1974. They are of the opinion that the City Public Service Board rushed into this contract. He also stated that the Council should have more direct control on City Public Service Board.

At this point, Mrs. Dutmer made the following statement:

"Connie, you make some very, very good points, and at this point I'd like to bring up another matter that has occurred today. I know that you have conferred with different Council people concerning the appointing of Richard Solis to the Water Board. I also had reservations about it, but now it seems like the criteria that they want to put on the selection of the Water Board be that it be a southsider and a labor man. And, Connie, I'll tell you here publicly, I am not going to go for that kind of pressure. I think that we should be free to select the people that we want on these boards, the people who are going to do the job for the City. And, I just want to make it public right now that they can politic all they want to. They can pull all the strings they want to. They can hear all the pressures they want to, but I, for one, am going to do what is best for the City of San Antonio, political withstanding not taken into consideration. I also want to make this statement now, that, I, in no way blame you for fighting for your labor, this is your livelihood and we fought many a political battle together. We fought many a one on a different plane, and I, in no way would hold you responsible or anything else for fighting for your labor union. That is your livelihood.

MR. LOUIS CARDENAS

(At the request of Mr. Pyndus, the following discussion is included verbatim in the minutes).

MR. LOUIS CARDENAS: Mr. Steen and Members of the Council.

MAYOR PRO-TEM JOHN STEEN: Let me ask you to identify yourself, if you will, please.

MR. CARDENAS: I was just going to do that. My name is Louis Cardenas.

MAYOR PRO-TEM STEEN: All right, sir.

MR. CARDENAS: I'm a citizen here in San Antonio. I had been in contracting for the past seventeen years, and unfortunately, I've gotten messed up with a bunch of liars, if you'll pardon the expression, the Mexican-American Unity Council. The purpose today is to let you know what has been going on over there, what has transpired with certain contracts and certainly where the Mexican American Unity Council is concerned. Yesterday, I invited them to be here so that they could possibly defend themselves if they thought they could because I specifically called Mr. Patlan a liar.

MR. PHIL PYNDUS: May we have these remarks go into the record for Council investigation. Thank you.

MR. CARDENAS: I was hoping that they would show up because I specifically referred to Juan Patlan as a liar. Leo Ramos as a bigger liar and the poor old Gabriel Tafolla.

MR. STEEN: Mr. Cardenas, could I interrupt you just a second for Mr. Eureste.

MR. CARDENAS: Sure.

MR. BERNARDO EURESTE: I'd like to know what Mr. Pyndus mean by that statement that he made?

MR. PYNDUS: I'll tell you specifically, Councilman. There's some accusations about contracts to an organization that we fund. An organization that got over \$100,000 more because of Council action by certain members. I'm most interested to know whether or not these contracts are being handled accurately, according to public law and without any - these are strong accusations. If they have grounds, I think this Council should take some action if they have grounds and are proven, then it's our obligation to take some action with reference to these funds. That's why I'm asking for it to go in the record.

MR. EURESTE: You mean in the written record.

MR. PYNDUS: Yes, in the official record of this Council. So, it can be reviewed and followed up. I intend to follow them up.

MR. EURESTE: Good.

MR. CARDENAS: And I am also insinuating that one of the clerks or one of the inspectors working over there along with someone else and I'm not accusing, I said I'm insinuating that they're definitely getting kickbacks, and it is up to you to decide after you have heard me.

MR. STEEN: Mr. Cardenas, let me interrupt you one second. Who is back there as City Attorney, Mrs. Macon or Mr. Alex Briseno. She'll be down in a minute, Councilman.

MR. STEEN: I don't- Mr. Cardenas, what I'm worried about, I don't want you to get into any legal trouble because you are standing up there making some very personal accusations. I want to be sure.

MR. CARDENAS: I didn't say that I had accused anybody.

MR. EURESTE: You're accusing people of receiving kickbacks.

MR. STEEN: Here is Mr. Reeder, let's ask Mr. Reeder, he's one of our City Attorneys.

MR. CARDENAS: I said that I was implying that one of the two of the workers are getting kickbacks. Implying, not accusing. I have no proof. That would be determined by them.

MR. CRAWFORD REEDER: I just stood up because Mrs. Macon told me to answer any questions that might ordinarily be directed to her, and she wasn't here. I don't see a legal question here. This is a legislative meeting and a public meeting. They might sue him for liable, but I don't think they'll win.

MAYOR PRO-TEM STEEN: Thank you, Mr. Reeder. Mr. Cardenas, excuse me for interrupting you, you go right ahead.

MR. CARDENAS: I'd like to say with regard to what I have sounded like I'm actually here asking for your help. Very briefly, I've got most of my stuff written out here. I started my first job sometime in June of 1977 for a Mrs. Alvarado at 116 Del Valle. And that job was completed approximately the sixth of August of 1977. And some of the extras that were not on the contracts that are not on any of my four contracts that I was forced or made to put in the extras if I wanted my money. Work that was not on the contracts, and I have them here for your examination when I get through, for instance, and this is not too much, inclose a porch and put the new facings around the front windows. These are old windows that were there before I did my new work, and none of this was mentioned in the contract. And after I finally got the completion certificate signed, I got my check approximately 60 days after I finished the job. Now, you'll find this conglomeration of stalls consistently, somebody would have referred you to a title company, the title company referred you to Mr. Herschal Bernard. Mr. Bernard to Mr. Ortiz of Alamo Title, and then back to the organization. It's obvious they do not have a system. There is expertise, and they don't know what's going on half of the time. The minute you start a job, the paper work should commence and that won't mean a thing unless everybody's happy, unless the City Inspector is happy. But they don't, for some reason I don't know why.

Next, an incredible situation of July of 1977. I was the low bid for a Mrs. Mauricia L. Elizondo of 2518 Saunders. The complete work and the completion certificate was signed after we put a post and a new sill under the porch, which was not on the contract. It was on there to level it, but it could have been easily fixed with a brace. So, consequently, I still had to do that. Three weeks later, I asked about my check, and listen to this. Believe it or not, they told me they were sorry, but due to a mistake that they made, the Board at the Mexican-American Unity Council had not even approved this job. After I was a low bid and did the job, it had not been approved. However, they said not to worry that Mr. Patlan was going to Washington to get the money. A month or so later, I got my money when I said I was going to City Hall.

While I was completing this job, I started the job at 2021 San Luis Street for Mr. and Mrs. Adolfo Kara. After various delays, due to my not having sufficient money, and trying to get more money from the bank, I finished the job about two months later. Well, I needed more money, so the owner signed an extension to the First State Savings and Loan, so I could get more money. By the way, all these people so far are very old people are widows, or what have you. These people here have been very nice and wonderful people. So, before that, I got out of there, the man put all of his furniture from the big house into one room, consequently we got through there, and he said that, "well your painter claimed that he would be willing to paint this room for \$30.00, why don't you give me the \$30.00 and the paint," which was wholesale for \$14.00 for two gallons which we have to guarantee everything for one solid year. So, I was ready to do that, naturally, to get my money. But here comes our dear Mexican-American Unity Council, and they said you're supposed to replace the window glasses and two or three aluminum screens in the back. I said that they are not in the contract. Well, I don't know what to tell you that is what they want. I said, look how much money you want total. They said \$110. I gave them a \$110 and got out of there fast. If you passed by there today, they're there but they haven't been installed. The aluminum screens have not been installed and the glasses have not been installed. Naturally, those items were not on the contract. They told me the customer needed them, and it would cost me the \$110 if I did the work including the painting. I finally got my check minus the \$110. January 3, 1978, and as I just told you none of that work has been done.

During all of this time, I had also started the work at 2403 W. Durango and ladies and gentlemen, that is why I am here now. The owner of this home is Moses Gonzales and wife. Believe me, I've never known a man that wants everything for nothing because the Mexican-American Unity Council is backing him 100% and I'll show the statements in a minute. So, you be the judge. The owner has not signed a completion certificate to this day because he keeps wanting more and more things that are not on the contract. It's obvious what he is doing. He figures that as long as he doesn't sign, he doesn't have to pay, which is in a way, right. And the Mexican-American

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Unity Council knows that if he doesn't sign, they don't have to pay me. It just goes around in nice little circle. He didn't have the money once before, I doubt it they have it now.

MAYOR PRO-TEM STEEN: Mr. Cardenas, are you nearing the end of your speech? You have very much more?

MR. CARDENAS: I want to show you the affidavit.

MAYOR PRO-TEM STEEN: All right sir, your time is just about up, really.

MR. CARDENAS: I didn't know I was here on time. Okay, let me get down to the - This is one of the first lists that I got of work that had to be done there. The circle here where they're not on the contract and if anybody wants to check the contract, I have them here. I want to know why the Mexican-American Unity Workers make these recommendations. There is a kickback they're not doing it out of health.

Last - on the 22nd of last month, I was here to complain and Mr. Juan Patlan caught me outside while you all took the break. He said, "Louis, please don't go and say anything about that to the Council." I said, "Look, I'm not here to attack anybody personally," I said, "I haven't got my money before Christmas and you haven't had the decency to give me the money to let my men have a decent Christmas. To make the story short, he said "I'm begging you for the third time," out there at the steps. To make the story still shorter, he said, "Let me call my attorney, Mr. Herchal Bernard" and he did it in front of me and he promised me the check the next day. I went the next day, and he wasn't anywhere around. They sent me to Leo Ramos. Leo Ramos said the work is terrible on the inside and on the outside. I went immediately to the City of San Antonio and I got my inspection and here is a copy of it, gentlemen, right here, and it says OK on final floor addition. Yesterday, they didn't send me this, The Mexican-American Unity Council signed by Gabriel Tafolla. Very briefly, "This letter will serve as official notice giving you ten days to have, your crew report to 2403 West Durango and start completing the work you started. If the job is not completed, we will have to take further action." And stuff like that. Now, watch this attachment here, this is not from the Mexican-American Unity Council but they sent it.

MR. FRANK WING: In the interest of time, if the gentlemen put all the information together and let Council see it because if there are any more citizens to be heard - we don't extend the same privilege to everyone.

MR. CARDENAS: I can close in one minute flat.

MAYOR PRO-TEM STEEN: What we're doing, Mr. Wing, Mr. Cardenas started, and we interrupted him so many times that we got lost in his time.

MR. CARDENAS: I'll close in one minute flat. The last list I received was not from them, but they sent it, and the owner still is asking for more though it's not on the contract. Why are they doing it? I say there's a kickback. Thank you, sir.

MAYOR PRO-TEM STEEN: Mr. Eureste.

MR. EURESTE: Well, I thought it was more serious than this, especially when you started talking about kickbacks, without qualification, and after hearing the story, I can tell that he's a contractor like we have many contractors that are working with this one particular program that is run by SADA. I am a member of the Housing Task Force for the City Council, Councilman Ortiz is the Chairman, and Councilman Alderete is also a member of that. And I can tell you that we get many cases like that where the client is dissatisfied with the job, and they get our committee all in embroiled in trying to figure who is right and wrong.

We have a case right now on that committee that has been pending for at least six months. It involves a contractor, there are City departments and sections and units that have given approval on certain aspects of the job. The client is dissatisfied; the contractor has said that he's done the best he can. Winston Martin and the people from SADA are involved in conducting an inquiry in trying to satisfy the client, and the Housing Task Force is caught in the middle trying to figure out who is right and who is wrong. I can tell you, I don't know where the word kickback comes from, but you know we have had situations over there where toilets have had to be replaced because they weren't satisfied with a certain brand. Where they're making a special arrangement right now on this particular house where the water heater was supposed to be removed to an outside storage, to an outside shed, it was left in there. Coming before our Committee the arrangements have been made so that water heater probably can be taken care of. This is way after and the check has not been released to the man. And the final approval on that job has not been countersigned by the customers, by the clients. And that job, I don't know what the total amount of dollars involved in these particular contracts that are cited here, but in this one that we're dealing with, you know we're talking about 7 or 8 thousand dollars of work. There was skirting that was done on the side with mortar and that mortar is cracking. Rudy Ortiz and I went out there to inspect all the complaints they had. They must have had 25 complaints on that one job. And this is very typical. You're going to find this situation when you're doing rehabing on older homes. You're going to find this. What is good work on skirting with you know, concrete or mortar on the side of a house, what is the best job. You know how much paint you scrape off a wooden house. This is a problem that has been debated back and forth between the client and the contractor and SADA and ourselves. The customer says we want more scraping done on that paint, it's already painted, but we wanted more scraping done. SADA says that's about as much as you can do for the amount of money that's involved. The contractor apparently feels satisfied that he did enough scraping or that his people did enough scraping. We're looking from the outside saying "Boy, that's a lot of money to pay for a paint job and not get a good scrape job on that surface". And I think, you can investigate it - you'll enjoy it because you'll never find a good solution to it. You'll never find a good solution to it. Because it's just a matter of contention. I think it's wrong though, I think he has every right, however, I guess he wants to do it. I don't think it's right to accuse in an open forum like this, people of kickbacking here and there. I think if you've got your check that hasn't come to you because there's not a satisfactory agreement, I think that's one thing, but to come in here and run accusations of kickbacks, I think that's pretty heavy and I don't think that's right. I think I would be willing to work with him, sir.

MR. CARDENAS: We're talking about over \$12,000, \$11,156 for the permit and the other lien that I'm filing tomorrow for all the extra work that I've done, and I'm also going to see Mr. Henry B. Gonzalez on this no matter what you take.

MR. EURESTE: Sir, we have a man that has a \$400,000 contract for about the time that he's been working with SADA who is about to lose his contract because we can't get a satisfactory agreement, and we're preferring right now to side with the client than to side with the contractor.

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I mean you know, the point is to get a satisfactory resolution, I think you can get it.

MR. STEEN: Benny, thank you very much. Benny, I thought we were going to get through today without one of your speeches. But we didn't quite make it. At any rate, it was pretty good. Let me say this, as long as I'm sitting up here, hold up your hand and put it back down. I caught your name and I'm going to call on you. It will save you a lot of armwear at the end of the day. So, Mr. Cardenas, if you'll just wait a second, I want to call on Mrs. Dutmer, she had her hand up there first, and then Mr. Wing we'll get you.

MRS. HELEN DUTMER: Yes, I think the difference here and since you referred to Helen and investigations. Yes, Benny, I am going forward with investigations, because this man coming up here today, I didn't know was going to be here, contrary to what you may have in your own mind. However, it is only one of the small symptoms of a bigger cancer that is in MAUC, and it will surface, it will come out and you're knit picking because what you're doing on the San Antonio Housing Authority is dealing with an agency of the City by an agency of the City. This is an agency using public dollars on a contract to the City, which makes it an entirely different ball game of the whole situation.

Now, the fact that this man hasn't got his money as yet, does come from one of the complaints that I have come across my desk, and it just so happened that I took a contract on a builder out there. We checked that contract out. Everything that was on the contract was done. The things that allegedly were not done did not appear on the contract. When it was discussed, there were a thousand reasons why this man has not gotten his check particularly before Christmas. Because he couldn't pay his workers. I remember having a taxicab driver here who everybody was bleeding all over the floor for him because he wasn't going to have any Christmas. So, this man here had a whole crew who didn't have any Christmas simply because the check was held up on a small technicality that the people didn't like the work that was done. And I mean you might bring me a cadillac and because I don't like the color of the thing, I'm not going to sign the papers. That's immaterial. I just don't see your line of reasoning - I do see your line of reasoning, let's put it that way. But your reasoning is completely off base as far as I'm concerned.

MAYOR PRO TEM STEEN: Mr. Wing.

MR. FRANK WING: I yield to Mr. Eureste.

MR. EURESTE: Yes sir, I think my line is pretty solid. I think on this particular case I have more experience with it than Councilwoman Dutmer. Much more experience, much more experience. We had sat on this Committee and dealt with this very problem, and I can tell you that we could have brought another contractor to look at this particular job that we were looking at and that contractor would have come up with a different story. The more people you bring on to a job, you're going to have different interpretations and different views. That's all there is to it. The Unity Council operates a program very similar to SADA. As a matter of fact, there are monies that go to the San Antonio Development Agency approved by the Housing Task Force as we approved other things in there. Funds that go to the Unity Council, and this is not something that was initiated by the Council or this committee. It's something that has been initiated in prior years. The programs are similar, the difference is the dollar match. The Unity Council uses more private sector dollars to mix with public sector dollars, than SADA does. SADA is doing it mostly with public sector dollars. They award contracts; they have contractors they work with. The contractors do the job and then pending approval from various agencies of the City, the people that are involved,

the recipients of the service, the providers of the service, the intermediaries, etc., the deal is closed out, and if you've got problems somewhere in between this thing can be held up. And I think this is normal. But, I think it's wrong to look at this problem, you know, as a problem that is unique to the Mexican-American Unity Council, when you're in housing and rehabing you're going to have these kind of problems.

MAYOR PRO-TEM STEEN: Thank you. I think we're getting a little repetitious. If we're going to make various speeches, let's change them a little bit as we go along. Mrs. Dutmer is next. Then Mr. Pyndus.

MRS. DUTMER: I want to make one more statement, and that this is not the first time the Mexican-American Unity Council has been defended by certain members of this Council. The fact is there is an investigation that is going to be implemented and anything you do is not withstanding it's not going to stop that investigation one way or the other, not withstanding myself or any member of this Council or anything else. The investigation is going forward.

MR. EURESTE: I would like a clarification on that, sir. Is this an investigation on this particular complaint by a Council member or is this going to be an inquiry that's going to be conducted by departments that have the responsibilities to carry out such inquiries.

MAYOR PRO-TEM STEEN: Benny, I hate to do this to you because you're Mr. Robert's Rules of Order on this City Council, but you're out of order.

MR. EURESTE: Point of clarification can be raised at any time.

MAYOR PRO TEM STEEN: Not without the chairman's recognizing you.

MR. EURESTE: Yes, sir, it has precedence over any other hand that is being held up at that point.

MRS. DUTMER: I'll be glad to clarify the point. It's common knowledge that I have asked for a federal investigation of MAUC because of some of the affidavits and other sworn testimonies that I have by people who have dealt with the Mexican-American Unity Council, and the investigation is going forward.

MAYOR PRO-TEM STEEN: I think Mr. Pyndus is next and then Joe, you're next.

MR. JOE ALDERETE: I just have a point of information. There is a representative here from MAUC who could probably defend the organization.

MR. PYNDUS: Well, I think from the time that's involved - I would like to take an approach to it. First of all, we must encourage people to come before the Council and we must not shut them off. And we must not get into an inter-Council spat, so that we lose credibility. Now, MAUC received funds to go into the Housing Business there was some opposition to it because they had to have another staff - they had to have administrative costs that if SADA had handled it this cost would not be involved.

Now, Mr. Cardenas has come before the Council and mentioned the fact that the staff doesn't know what they're doing. And that he had words with some of the MAUC staff and I think that this bears with the Housing Committee a look - see - to see how they process applications - I think it's the Council responsibility to see that it's running smoothly. And, so, in that respect it should go to the full Council, to see if they're running a credible program.

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And, then, secondly the very strong accusation of alleged kickbacks is a criminal offense and if names are mentioned and if these alleged kickbacks can be proven, then the Council should do something about it.

So, my request that it go into the record so that we would follow up later and get some credibility and some proof and then we could move with it. And this is what I would recommend to the Council that we give it to the Housing Committee and have them investigate the fact and bring it back to full Council.

MAYOR PRO-TEM STEEN: Joe, you were next. I don't know if you were finished or not.

MR. ALDERETE: No, it was just a point of information. There is a representative from the Mexican-American Unity Council here that could probably speak to some of the points raised by Mr. Cardenas, and that was my only point.

MAYOR PRO-TEM STEEN: Benny, you were next.

MR. EURESTE: Well, the strong statement was made about kickback. There was never anything said about amount. I heard one amount, \$110.00, but that \$110.00 involved apparently the purchasing of some material. And the material apparently was purchased. Now, I don't know what the agreement called for as to who was going to place that material on the house, or in the room, or whatever. Now, how much money are we talking about kickback. You talk about kickbacks, I want to know how much money are you talking about when you say kickbacks. Give me a total.

MR. CARDENAS: I don't have the least idea. That's become a City question. The man that I invited here has not shown up yet. I want him to answer the question.

MR. EURESTE: Mr. Cardenas, you come in here and accuse somebody of receiving kickback, I think the least you can do without telling us who gave what to whom. How much money are you talking about? Give me a total.

MR. CARDENAS: How in the world can I possibly know if this goes on consistently, and they keep backing the owner. The man is standing right here, I invited him here, I invited him here, not you, I invited him here.

(At this point Mayor Cockrell returned to the meeting and presided.)

MR. EURESTE: You make a lot of very strong statements.

MR. CARDENAS: You want me to say \$100,000, I'll say it.

MR. EURESTE: Well, that's for the record. You just said it.

MR. CARDENAS: I want to know why this man wrote this letter to me, recommending that these things that are not in the contract be put in by me. This is Mr. Tafolla.

MR. GABRIEL TAFOLLA: My name is Gabriel Tafolla, Director of the Neighborhood Housing Services of the Mexican-American Unity Council, and I have heard Mr. Cardenas' accusations, and I think they are completely unfounded and I do not want to get into a lengthy discussion. I do want to make a few statements. First of all, our checks for this amount of money, were made on December 2, 1977 to a Mr. Cardenas. We have released our checks to the title company. The checks are not in our office, the title company, Alamo Title Company has the checks. They cannot release them until the people sign. The bank cannot release the money. Our money cannot be released. No one's money can be released until the owner signs that they are satisfied. Now, what I am prepared to do and have always been prepared to do is to sit down with Mr. Cardenas and the homeowners and try to reach some compromise. We are merely in the middle.

The contract is between Mr. Cardenas and the homeowners. We are trying to get technical assistance. We have private money involved. Our interest is great. We have given a part of our monies approximately 1/3 of the \$11,000 involved, and we're interested in paying this money. And our record, we want the record to show that our interest is making as many loans as possible. We're under pressure to put loans out. We wish we could settle this tomorrow. We wish we could have done it 30 days ago, but Mr. Cardenas and the homeowner have not been able to get together, and I'm here pleading with Mr. Cardenas to come into our office and set a meeting with the homeowner and possibly if we could have some assistance from the Housing Committee. So, that we can pay Mr. Cardenas, I want to pay Mr. Cardenas. That is all.

MAYOR COCKRELL: Yes, Mrs. Dutmer.

MRS. DUTMER: Madam Mayor, these people have had months to set up a meeting of this sort and haven't even attempted to. Now, all of a sudden everything is moonlight and roses.

MAYOR COCKRELL: Well at any rate, I know we can't settle it right here, because the Council is not the authority to be the one to settle this. I do think that the suggestion that was made that there be a meeting between you and the homeowner to see if it can be adjudicated is probably the best thing at this point.

MR. CARDENAS: Your honor, he didn't answer my question.

MAYOR COCKRELL: Well, sir...

MR. CARDENAS: Just like Mr. Eureste over here. I was talking about... extras that the owner wants, and he comes out with not being satisfied. They twist the things around. He didn't mention - he didn't answer my question.

MAYOR COCKRELL: Mr. Cardenas, you understand that this Council was not a party to the contract, and we have not been involved in any of the inspections. And really there is not a direct jurisdiction over the settlement of this issue. You have used this as a forum, an opportunity to present your concerns and certainly we have been happy to hear them. And I would just recommend to you that you go ahead with the next step which I think is to go to that meeting. Mr. Eureste.

MR. EURESTE: While you were out, Madam Mayor, I don't know if you heard the discussion.

MAYOR COCKRELL: I heard some of it, yes.

MR. EURESTE: Do you know what I had to say?

MAYOR COCKRELL: I didn't hear it all.

MR. EURESTE: Well, I don't want to repeat it for you.

MR. PYNDUS: Don't repeat it.

MR. EURESTE: I won't repeat it. I'll just let the matter drop.

MAYOR COCKRELL: I had received a long distance call. Is that fine? Thank you, Mr. Cardenas.

MR. CARDENAS: The only reason I was here, Mrs. Cockrell, is because the project is funded by you all. And I did put my point over to you, and it wasn't answered and I thank you all very much.

MAYOR COCKRELL: Fine, thank you. Mr. Pyndus.

MR. PYNDUS: Mayor Cockrell, I'm not particularly happy with the way we're handling this, and I think that it bears looking into without wild accusations. But I do think that some of the complaints that have been filed with us publicly, I think that we should look at them rather than place him back to the people he's complaining against. This involves a lot of dollars in the housing program, and I know that we have a lot of red tape, a lot of knit picking, but there are several things that were mentioned here that I think bear looking into, and I feel...

MAYOR COCKRELL: All right, let me make this suggestion then. I think there is a matter of sort of due process in the settlement of claims. And I think one step if I have heard correctly, that there has not yet been a meeting formally between the contractor and the homeowner and the Housing Committee. That this has not yet taken place, and this would sort of be the next step in the due process. And that I think the Council would certainly want to get a report, and if this is not successful in resolving the issue, in getting it cleared up, then I think the Council can then review if there's any further role for the Council or its staff to play. Yes, Mr. Eureste.

MR. EURESTE: Madam Mayor, I don't know how long this gentleman has been in the business, but I think that any contractor who knows the business understands that there are this type of delays that you incur. I think that's what has happened here, I mean the check is with the title company. You have to have a sign off from the clients and from the contractor. SADA has the same arrangement, and if Council wants to start hearing the complaints we get on the Housing Task Force which are very similar to this, and we haven't turned around and said that SADA is crooked and that SADA is dirty. You know these are very normal things that happen in this type of business. Very normal, and I don't think it's rights for us to launch investigations on matters that are as complicated as this, and I think part of the answer was provided here. The check is with the title company.

MAYOR COCKRELL: All right, Mrs. Dutmer.

MRS. DUTMER: I think we've gotten to the bottom of the matter. My motivation for this - asking for investigation of MAUC is not because it's the Mexican-American Unity Council, but because I feel that public dollars that were alloted to an agency for the help of people that need help, are not going to the people who need the help. And any time that we do give the public dollars to an agency, I want to see those dollars get down to the people that need the help. I know - I think we're taking the wrong angle in again having Mr. Cardenas go back to the people he has the grievance with. I have no quarrel with it, however, if he has someone there that will arbitrate this thing and get it off the ground. As I said it's been going on for months and they never made any attempt as yet to alleviate the man's condition. And I hope and I'm very happy, I don't care what method they take as long as they get it off the ground and do some acting. This isn't the only complaint that I have. And they all involve the same agency and that is where my concern lies, not in any other direction.

MAYOR COCKRELL: All right, Mr. Eureste.

MR. EURESTE: I don't like those kind of statements that are made. I don't like to sit by here and see this agency or any other agency accused in like manner. Funds that are awarded by this City which are public dollars which should go to agencies, which are supposed to get down to the people. In many cases the type of dollars that we award as a City aren't intended to get down to the people. We don't provide monies to agencies to do cash handouts. Most of the funds are for salaries of people that work in those agencies. Any social service agency that we're

support. [redacted] the free clinics, etc., [redacted]; the Family Services Association of San Antonio, the Boys Club is to pay for administrative cost and other amenities. There's not one dollar, not one red cent that goes to the recipient of service from that agency. We have different funds for the Unity Council. We have revenue sharing funds. We also have funds to SADA that are used for loans and to package loans for rehabing houses, and I just don't like those kind of accusations.

MAYOR COCKRELL: Allright, I think Mr. Steen had his hand up.

MR. STEEN: I think we're turning into Council to be heard, and I'd like to hear from the next citizen. * * * *

Later in the meeting, Councilman Eureste asked to be recognized and the discussion continued:

MAYOR COCKRELL: Those are all the persons registered to be heard, and I think now that Councilman Eureste asked for recognition.

MR. EURESTE: I wanted just to bring back a part of the discussion that we had a little while ago with Mr. Cardenas, I think, that was concerned with some difficulties that he was having with the Mexican-American Unity Council and the release of a check for contract work that he had done. These are some pictures on some of that work. What you see here is foundation work right here. There's a boulder and on top of it is a piece of board for spacing and on top of that is a girder for the house. One of the clients, the owner of this house went underneath and that's what he found. An owner will not release papers on a contract or for this type of work. This is paint on a window, and if you'll notice, you know, when you're painting windows from the outside you have to, you have to lower your top window to the bottom and raise your bottom window so that you can paint that little strip that's always hidden. This part was raised and this is what was discovered, a part that was not painted. And, I don't know exactly what this shows, but I have a couple of more on this.

MAYOR COCKRELL: Some of them have notes on the back, too.

MR. EURESTE: These are the addresses. This shows a girder that is not connected and what you have there is a weak hollow flooring. The girder as it comes in from the flooring, that rests on top, there's a spacing in between. That means that the girders have not been connected to one another. I'm not in the construction business, but I do a little work like this for extra money on the side, and this is how I know about these things. The other is, this is mold, mildew that shows on the false wall next to a bathtub. The plumbing is leaking, that's basically what happens, and the moisture gets back there and then through condensation or whatever it goes to the other side of the wall you've got mildew coming on the other side of the wall. And this one here will show the sash, the window sash work that was done, it is not even.

Now, I'm not going to say who's at fault here or what but these are some of the problems that you run into. The reason I said that you, on the committee that Rudy, myself and Joe sit on the Housing Task Force. We get complaints like this and it's very difficult, you know, for us to say this person is at fault, or it's over here. It's very difficult and we have to do, we have to take time and look into the matter. I think what clouded the whole situation was that there were allegations of kickbacks which I just do not like. I think that if we had dealt with the problems, I think we could resolve them and then we would be willing to work on them.

Let me give you some examples of three cases that had come before our Committee. The pump plumbing - this is on one construction on one rehab., dissatisfaction with installation of new commode which apparently does not drain properly and water is coming out of the base of the commodes. Number Two: Complaint of an odor emanating from the shower water. Three: Faucets and fixtures of inferior quality. Four Aluminum screen doors. They asked for wooden doors. Five: Front door unacceptable because of condition-

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there's a crack on that front door. Six: Questions regarding sheetwork installation. Seven: Light fixtures on porch do not match. One was a brass plated, the other had black paint on it. Eleven: Failure of the subcontractor to clean up each job that he finished. Thirteen: The skirting on this particular house was very thin, apparently, he had a poor mixture and it was cracking. Now, there are some people who say that the skirting will crack. There are others that say that if it is a good job, it will not crack. All right, here is another case. There is no toe space under the kitchen cabinet. Well, when SADA went back and checked it, they said you didn't have toe space when we started, and you don't have toe space when you finish. You know there was nothing in the contract that said we were going to give you toe space. Doors do not close properly and here the contractors and SADA will tell you if you've got a shifting house you're going to have problems with that. Anybody that has cedar post foundation is going to have a shifting house with doors and windows that stick. The kitchen window needs paint; gutter in the front not complete, and one last one this one has 16 complaints. Caulk and renail quarter round the porch. This is what SADA is saying.

Here's another one - it appears that the screws used to secure the hinges on the exterior door are not long enough, and will eventually pull out the door frame. We are requesting the contractor to use longer screws in its installation, and it goes on and on. Here's three complaints for three houses, and you've got a total of 34 complaints, and anyone of those could hold up the countersigning that goes on between the contractor and the owner of that house. Those are the problems that we deal with in our committee and Rudy and Joe are there to testify that these are the types of cases that we hear. And this is not to accuse SADA, though, of being crooked, of being corrupt or having a cancer in them. These are normal problems that you have when you get into this kind of business.

MAYOR COCKRELL: And you all would be willing to help sit down in that meeting and try to adjudicate it.

MR. EURESTE: Sure.

MRS. DUTMER: This is fine. I agree to it, Mayor, but what I see here is a group of pictures of an underside of a house with no addresses, no identification of the house whatsoever. Other than the underside of the house and in one instance there it's not even the same house. It's the two other contracts that the man held, and both of those were paid off. So, I think that's beside the point. This other home here - the one that's in question now was started some months ago. There's been a couple of months in between there where it wasn't paid up. Now, I know that I went there a few weeks ago with the builder and none of these problems were pointed out. The people didn't even complain about these problems that they have here that they are complaining about now. And, it's just a very ticklish situation and as I said before, and I'll restate it - it's fine, the Housing Authority and the rest of them want to get together so long as you start doing something and look into these problems. This is what I asked for in the beginning and no one made a move. So, I went further.

MR. ORTIZ: Madam Mayor, we have had a number of cases, and we haven't heard all of them, but we have had a number of cases of homeowners that have had their houses remodeled or rehabilitated who have come - with a number of complaints, and some of them are rather serious in that the amounts that are charged for remodeling and rehabilitating are very hefty sums of money, and, of course, it affects the family financially and it affects the quality of their living in those houses.

It might be that this Housing Task Force might have to consider going into a series of hearing and accept the different complaints

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that are coming in from the different homeowners and then come back to this Council with a full fledged report as to the extent of the problem. And perhaps it might have to come down with the Housing Committee recommending to this Council that we go ahead and have the licensing of contractors, and sub-contractors and homebuilders and rehabilitators and remodelors and what have you - if the problem is that big and serious. As Chairman of the Task Force, I haven't perhaps pursued this as strongly as I would want to, but, perhaps, if the problem seems to be that serious I'm sure that the rest of the committee members would have no problem with opening up some full fledged hearing on this matter.

MAYOR COCKRELL: Mr. Ortiz, I was going to say that part of the problem may get down to when the contracts are written. Perhaps, there are things that are in the mind of the homeowner assuming that they will be done as a part of this whole package and yet they are not put into the contract and the contractor then is not going to do anything but what is actually written down, and there may need to be some help - more help given in consultation with homeowners entering into these contracts to be sure to get everything written down in the contract that they really feel is supposed to be included.

MR. ORTIZ: Right, and if I may respond to that. We've been working with the San Antonio Development Agency, their staff and other interested people that have come up to our Committee, and this is one of the approaches that we have taken. That there should be a lot more clarification and for instance when the inspector is out there to go and inspect the job that there should be a countersignature so that we can be sure that the owner, the homeowner, will be there whenever the inspector goes to check whatever foundation, electrical whatever kind of work is being done. I think it would help cut down on some of the complaints and some of the misunderstandings. However, at anytime that this Council feels that the problem is great enough - I would hate for this Committee to get bogged down with a lot of individual cases, and we went through one of these cases and it was long and drawn out and I just dislike tying down the committee to individual little cases like this. Although, I can sympathize with the people. But, if the Council feels that this is of a serious enough nature and wants to direct the Housing Committee to go into a series of investigative hearings or whatever you would like to call them - I would be glad to do that for the Council, and I'm sure that the rest of the members will also, and all I'm saying is that we are at the disposal of this Council whatever your pleasure is.

MAYOR COCKRELL: Thank you. Mr. Alderete.

MR. ALDERETE: I just have one point that I'd like to emphasize is that this home received our inspection - our City inspection, and I'd like to know how in the world a block of cement and a 2 X 6 got passed our inspectors, and I would like Mr. Vann, George Vann or whoever and the inspector that certified this to come before us and really explain this. Madam Mayor, this is not just going on in this situation it's going on in a lot of other situations. I'm not trying to pick on a department, but the fact that it needs to be either strengthen - somewhere there's a fault there, and it needs to be reviewed and carefully examined and something done - some appropriate action taken so that the consumer is no longer ripped off. That's my only point.

MAYOR COCKRELL: Are these pictures that Mr. Eureste, perhaps, make available to the City staff, Mr. Briseno, and ask that we follow through with getting a specified report on the inspection that was taking place on this property.

MRS. DUTMER: I want to say thank you, Rudy, for being so level-headed about this. In the beginning all I did was ask this City to look into these infractions, and I got a memo back from the Manager saying that the City does not have the jurisdiction to look into an agency that we give money to. So, therefore, I was forced to take every avenue of redress that I had until I got to the top echelon. Had this been done in the beginning, but I don't know that the San Antonio Housing Authority or the Housing Committee would have the authority to go into a private agency that we contract with. I don't know what the jurisdiction is here, but I do thank you for being so reasonable and level headed about it.

CAMINO REAL HEALTH SERVICE SYSTEMDR. JOSE SAN MARTIN, III

Dr. Jose San Martin, III, President of the Camino Real Health Service System, explained to the Council the function and duties of this system which became an entity in August of 1976. He stated that their Board of Directors consists of 30 members and explained their health system development plan.

At the request of Mrs. Dutmer, Dr. San Martin explained to the Council the topic of flouridation and its part of their health plan.

A discussion then took place on flouridation and its association as claimed by some groups with it being a cause of cancer.

DR. WILLIAM THORNTON

Dr. William Thornton stated that although flouridation is part of their health plan, there are many other areas that they are involved with. He also stated that every group involved in health care is in support of the use of flouride. He also explained the amount which is planned to be used and the purpose for its use.

MR. OSCAR ROBLEDO

Mr. Oscar Robledo, representing El Centro Inc., asked that his organization be allowed to paint murals in the inner City district. He stated that their organization is a minority enterprise, and this project could provide employment for many youths. They plan to submit a budget and a plan to Council at next week's Council meeting.

A discussion then took place on possible funding sources including CETA monies, Community Development funds, and revenue sharing funds.

Mayor Cockrell stated that this is a very interesting project and asked the staff to comment.

Mr. Alex Briseno, Assistant to the City Manager, stated that Mr. Skip Noe of the City Manager's Office works with the Fine Arts Commission and is familiar with similar projects.

Mr. Skip Noe stated that the Fine Arts Commission has expressed an interest on this type of project and he further stated that the National Endowment of the Arts does fund these types of projects. He has spoken to the Arts Council about this matter and will be glad to speak with the Fine Arts Commission.

Mr. Rudy Ortiz asked that a report be prepared for Council.

Mayor Cockrell asked that the Fine Arts Commission can be asked to identify the possible sources of funding and asked for a progress report in 30 days.

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MR. THOMAS HILL

Mr. Thomas Hill, Principal of Guerra Elementary School in the Edgewood Independent School District, stated that their community is desirous of having the area across the school be made into a park. He then detailed the work done by the community in cleaning up the vacant lot. He stated that they have met and discussed this matter with the School District, and the School District has already approved the release of this land to the City so that it can be used as a mini-park

Mr. Alderete stated that he is very familiar with this area and emphasized the need for a park. He further stated that the size of the land is not that large and, therefore, the Operation and Maintenance cost to the City would not be very much.

Mayor Cockrell stated that this is a very worthwhile proposal and then asked that the Staff give the Council a report on this matter with special emphasis on the funding and a plan for the development of this park within two weeks.

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78-1 At this point in the meeting, Councilman Eureste asked to be heard with reference to the discussion brought up by Mr. Louis Cardenas. See page 23 of these minutes.

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78-1 The Clerk read the following letter:

December 30, 1977

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

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

December 29, 1977

Petition submitted by Mr. Charles E. Mayes, requesting permission to erect a seven foot, six inch (7'6") fence on the east side of his property located at 4606 Briardale Dr.

December 29, 1977

Petition submitted by Mr. Everett Alcocer, requesting permission to erect a seven foot (7') fence behind his property located at 714 W. French Place.

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

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There being no further business to come before the Council,
the meeting was adjourned at 5:00 P.M.

A P P R O V E D

Lela Lockull

M A Y O R

ATTEST:

G. V. Jackson
C i t y C l e r k

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