

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 2, 1975.

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

75-1 The invocation was given by The Reverend Claude W. Black.

75-1 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

75-1 The minutes of the meetings of December 18, 1974 and December 19, 1974, were approved.

75-1 The following Ordinance was read by the Clerk and explained by Mr. Stewart Fischer, Director of Traffic and Transportation, and after consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy; NAYS: None; ABSENT: Morton, O'Connell, Padilla.

AN ORDINANCE 44,761

AMENDING ORDINANCE NO. 43935 BY ADDING
AN ADDITIONAL POSITION OF ADMINISTRATIVE
ASSISTANT I IN THE CARPOOL MATCHING
PROJECT.

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75-1 The following Ordinance was read by the Clerk and explained by Dr. William R. Ross, Director of the Metropolitan Health District, and after consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy; NAYS: None; ABSENT: Morton, O'Connell, Padilla.

AN ORDINANCE 44,762

ACCEPTING A GRANT FROM THE DEPARTMENT
OF HEALTH, EDUCATION AND WELFARE FOR
THE IMMUNIZATION MAINTENANCE PROJECT;
APPROVING A PERSONNEL COMPLEMENT; AND
APPROPRIATING FUNDS FOR THE PROJECT.

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January 2, 1975

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Rev. Black spoke to Dr. Ross regarding the closing of the Bexar County Clinic on the east side of San Antonio. He asked Dr. Ross what effect this closing would have on the City's facility at Lincoln Park.

Dr. Ross said that the County's operation being closed would have no effect on the City's operation.

Rev. Black asked Dr. Ross to keep him informed of any problem that might arise as a result of this situation.

75-1 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: Cockrell, San Martin, Becker, Black, Lacy; NAYS: None; ABSENT: Morton, O'Connell, Padilla.

AN ORDINANCE 44,763

AUTHORIZING THE CAMP FIRE GIRLS, INC., TO CONDUCT A BONFIRE ON THE DRILL FIELD OF THE SALVATION ARMY'S PEACOCK CENTER ON JANUARY 18, 1975.

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AN ORDINANCE 44,764

GRANTING PERMISSION TO MR. F. A. DINN, JR., TO ERECT A 10 FOOT HIGH CHAIN LINK FENCE ON PROPERTY AT 9103 AUTUMN LEAF, IN THE CITY.

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AN ORDINANCE 44,765

AUTHORIZING EXTENSION OF A CONTRACT WITH THE CITY OF ELMENDORF PROVIDING FOR THE CITY TO REPAIR AND MAINTAIN RADIO EQUIPMENT BELONGING TO THE CITY OF ELMENDORF FOR A ONE YEAR TERM COMMENCING JANUARY 1, 1975.

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75-1 The Clerk read the following Ordinance:

AN ORDINANCE 44,766

AMENDING THE CURRENT BUDGET BY ESTABLISHING A CENTRAL MAPPING SECTION WITHIN THE PUBLIC WORKS DEPARTMENT, ENGINEERING DIVISION, AND AUTHORIZING A TRANSFER OF FUNDS AND PERSONNEL POSITIONS TO SUCH SECTION.

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The Ordinance was explained by Mr. Carl White, Director of Finance, who said that establishment of the Central Mapping Section is one of the outgrowths of the Mayor's Committee on Inter-Agency Coordination. This Section will provide mapping services for all City departments and agencies. It will reduce costs for the City as well as the other agencies.

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

75-1 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: Cockrell, San Martin, Becker, Black, Lacy; NAYS: None; ABSENT: Morton, O'Connell, Padilla.

AN ORDINANCE 44,767

ACCEPTING AN ADDITIONAL AMOUNT OF \$253,328.00 FROM THE U. S. DEPARTMENT OF LABOR IN THE GRANT FOR THE ON-GOING COMPREHENSIVE TRAINING AND EMPLOYMENT PROGRAM PREVIOUSLY AWARDED THE CITY AS THE PRIME SPONSOR FOR MANPOWER PROGRAMS FOR THE ALAMO MANPOWER CONSORTIUM UNDER THE FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) TITLE I. THIS ORDINANCE APPROPRIATES FUNDS AND AUTHORIZES MODIFICATION TO PRESENT CONTRACTS WITH DELEGATE AGENCIES IN THE PROGRAM.

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AN ORDINANCE 44,768

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE U. S. DEPARTMENT OF LABOR FOR A GRANT UNDER TITLE VI OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973 FOR EXPANDING THE PUBLIC SERVICE EMPLOYMENT PROGRAM.

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AN ORDINANCE 44,769

AUTHORIZING THE ACCEPTANCE OF THE FY 1975 CETA TITLE II ALLOCATION OF \$672,136.00 UNDER GRANT #48-51-661-21; APPROPRIATING FUNDS, AND AUTHORIZING THE CREATION OF 119 NEW POSITIONS WITH THE CITY AND DELEGATE AGENCIES.

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75-1 The Clerk read the following Ordinance:

AN ORDINANCE 44,770

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH NOONAN, KROCKER, & DOCKERY, ARCHITECTS AND ENGINEERS, AND JOHNSON-DEMPSEY AND ASSOCIATES, INC., ARCHITECTS & PLANNERS, A JOINT VENTURE, TO PREPARE PLANS AND SPECIFICATIONS FOR ADDITIONS TO THE CONVENTION CENTER, AND APPROPRIATING FUNDS.

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The Ordinance was explained by Mr. Mel Sueltenfuss, Director of Public Works, who said that this Ordinance authorizes employment of architects and engineers for the planned Convention Center addition which was authorized last week.

Mrs. Cockrell said, "Mr. Mayor, on this, I would like to make a statement. I will vote for it. I am not opposed to the project itself. As I have said previously, I was opposed to using the particular funds from the fuel adjustment 14 percent for this purpose. I would like to see the project done with other funds. However, I won't vote against it and block the specifications and so forth."

DR. SAN MARTIN: I would like to express the same feelings. I can remember when this first came up, I certainly felt that the project was badly needed. I just felt that perhaps the use of bond issue money the way the Convention Center was built. I certainly would vote for it because I'm not going to stop the project at this time. I was just questioning the wisdom of using the funds that we used for it.

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

75-1 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Rev. Black, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy; NAYS: None; ABSENT: Morton, O'Connell, Padilla.

AN ORDINANCE 44,771

ACCEPTING THE LOW QUALIFIED BID OF MEADER CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF \$1,542,875.15 TO PERFORM WORK IN CONNECTION WITH THE WALTERS-MOORE STREET PROJECT, AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT WITH SAID CONTRACTOR; APPROPRIATING \$1,624,281.00 AND AUTHORIZING PAYMENT OF \$1,542,875.15 TO MEADER CONSTRUCTION COMPANY, INC.,

PAYMENT OF \$4,262.00 TO PFENNIG,
WEYMAN & ASSOCIATES, INC., AS
ADDITIONAL ENGINEERING FEES, AND
\$77,143.85 TO BE USED AS A MIS-
CELLANEOUS CONTINGENCY FUND.

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75-1 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-1-1

AUTHORIZING THE CITY ATTORNEY TO
FILE SUIT AGAINST DENTLER - FACS
SNACK FOODS DIVISION, PET INCOR-
PORATED TO RECOVER SUMS OF MONEY
DUE TO CITY FOR TREATMENT OF WASTE-
WATER DISCHARGES FROM ITS FACILITIES

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The Resolution was explained by Mr. Mel Sueltenfuss,
Director of Public Works, who said that this suit would be in con-
nection with a past due account. He said that Dentler-Facs has been
billed for waste water treatment in the amount of \$13,177.71. Dentler-
Facs feels that the charge is not in order.

Mr. Doug Ferguson, representing Dentler-Facs, addressed the
Council regarding this matter. He said that his company has complied
with the Ordinance, but was unable to comply in the time limit speci-
fied by the Ordinance. He said that he had tried to get a meeting
with the City Manager to discuss the matter. He said that the company
has invested over \$200,000 for a facility to treat waste water.

City Manager Granata stated that Dentler-Facs was given 18
months to install equipment and have already had a waiver of about
\$18,000 prior to this. In fairness to other businesses who have been
paying this charge, he felt that Dentler-Facs should also pay.

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

75-1 The following Ordinances were read by the Clerk and explained
by Mr. Archie Titzman, Assistant Director of Purchasing, and after con-
sideration, on motion made and duly seconded, were each passed and
approved by the following vote: AYES: Cockrell, San Martin, Becker,
Black, Lacy; NAYS: None; ABSENT: Morton, O'Connell, Padilla.

AN ORDINANCE 44,772

ACCEPTING THE LOW BID OF PYRAMID
STONE COMPANY TO FURNISH THE CITY
OF SAN ANTONIO WITH CONCRETE PLAY-
BLOCKS FOR A TOTAL OF \$7,425.00.

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AN ORDINANCE 44,773

ACCEPTING THE PROPOSAL OF, AND AUTHORIZING EXECUTION OF A CONTRACT WITH, GULF OIL CORPORATION, PROVIDING FOR SAID COMPANY TO FURNISH THE CITY'S TRANSPORTATION GASOLINE REQUIREMENTS FOR CALENDAR YEAR 1975.

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75-1 The Clerk read the following Ordinance:

AN ORDINANCE 44,774

AUTHORIZING EXECUTION AND SUBMISSION OF AN APPLICATION FOR A GRANT IN L.E.A.A. FUNDS, FROM THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR, TO BE USED IN CONNECTION WITH THE SAN ANTONIO RAPE CRISIS PROJECT.

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Mrs. Cockrell stated that this grant of \$49,926 would be used to set up some of the activities which have formerly been handled by volunteer workers in the community. It will provide professional supervision of the project and will provide informational services on the prevention of rape and self-defense instructions and other services. She recommended this as a constructive action the Council can take toward the problem of increase in reported rape cases.

Miss Jane Macon, Assistant City Attorney, spoke in favor of the Ordinance. She explained that this grant would enable San Antonio to be one of the first cities in the state to participate in a rape crisis center.

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

January 2, 1975
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The following conversation took place:

DR. JOSE SAN MARTIN: I would like to ask for the floor at this time for two items. The first one is, of course, in line with some of the comments that have already been made by Mrs. Cockrell with respect to the proposed settlement as reported in one of the newspapers, the San Antonio Light. I'd like to make the comment that this Council should ask City Public Service Board of Trustees not to make a final decision on this problem until the City Council has had the opportunity to meet with the Board of Trustees of CPS and discuss this matter to great depth. I'm not making any comments because I don't know all the details that are involved. I'm sure that many of them are probably of a confidential nature that were not divulged in the newspapers and for that reason I'm not prepared to say that I object to it 100 percent. I do object in principle to any settlement until we know absolutely sure what it involves.

I'm sure there are things to say for and against it. One, of course, would be that the citizens of San Antonio will never know the validity of their contract with Coastal States if we settle this before it even gets to trial. Then, of course, for it, you can say that if it assures the City of a supply of gas at a reasonable cost, certainly a settlement must be considered somewhere along the line. My personal feelings are that this Council has already devised a so-called strategy or game plan whereas using Mr. Crawford Reeder's words, we were supposed to apply pressure on Mr. Oscar Wyatt at all levels and I feel that this is an easing up of that pressure or pretty well relinquishing that pressure of the City on Oscar Wyatt. Then the fact that due to past performance of Coastal States, it is hard to trust those people again for our future supplies. At the same time, Mr. Mayor and Council, I don't want to throw cold water on any plan which perhaps may be the ultimate solution to our problem. So for that reason, I'd like to propose that the Council ask CPS for a joint meeting as soon as you feel it possible to discuss this matter in greater depth than I can gather from the newspaper reports.

MAYOR CHARLES L. BECKER: Doctor, what precipitated all of this was that Tuesday, I had three phone calls, one almost right after the other by different people. Each one of them asked me what they're going to do with their utility bills. Well, this isn't the first phone calls I've had. You've had countless, so has Lila, we all have. I just got to thinking, you know, reflecting back on what has transpired so far and to the best of my ability, all I can say is that what has transpired has been nothing and gas has now reached the point where it's beyond the \$2.00 per thousand cubic feet range, it's already going into \$2.50 and here we are still talking about going to court and all this sort of thing. One of these ladies asked me, she said, "I can't pay it, what should I do? What can I do?" I said, I wish I could help you but I can't tell you what to do, I have no way of telling you what to do.

Now, Judge Onion did hand down some type of decision that prevented the Public Service Company from turning off anybody's gas and electricity and all that, for a period of time here, but that's just an interim period that more or less tides these people over, I think.

It's one of these things that it's heck if you do and heck if you don't, and what I said was that certain people have indicated that they thought it was a good plan. They were going to support it publicly. Well, they haven't done it yet. One of the things that I find to be the most, well, the saddest portions in this whole situation is that people

January 2, 1975

-7-

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constantly have been told of the damage suits and how much they're entitled to and it's been pointed out here in this Council Chamber as recently, if not last meeting or meeting before last, I think it was, by Councilman Morton, and here we're talking about getting blood out of a turnip and water out of a rock and all these kind of expressions. We're discussing a billion dollars damages with a corporation with a net worth of \$400 million. Well, there's just no way to do those kind of things.

So, we watch gas go from 25 to 30 cents a thousand, up to over \$2.00. But how much longer are we going to have to watch this sort of thing and just sit by with our hands tied, so to speak, waiting for the courts, waiting for the lawfirms, waiting for the lawyers, waiting for all of this hocus pocus that's been going on, not for just weeks but for years now, finally evolved into something where we start seeing some daylight at the end of the tunnel. I can't help but wonder if it's people and the thing that makes me feel the way I feel about it, I'm not trying to issue or deliver any great eulogy or treatise on this subject here today. But the thing that's the most disheartening thing about the whole thing, the thing that's the most frustrating thing about the whole thing is that these poor people out here that are being victimized had absolutely nothing to do with creating the situation. That's the sad thing.

Now something that's been discussed just privately, it hasn't been discussed generally and certain of our own Council members have wanted to make moves in this direction and that is to take over the Public Service. Well, it's going to be taken over in time if the accounts receivable continue to escalate at the present rate. The last I heard of the accounts receivable it was \$1.8 million and I don't know what it finally is now but these people are either unable to pay or unwilling to pay, this thing is going to - this figure on accounts receivable is going to continue to get larger and larger and larger and it's much like the Emergency Medical Service ambulance thing. If I live next to you on the same street and we both live in identical houses and your income is approximately the same as mine and all of our situation is almost identical and you pay your bill to the Emergency Medical Service and I don't pay mine. How do we rationalize action on them. I mean, one man is willing to pay and the other isn't. Now, let's say that he can't pay, of course, that's another matter but in time, I wonder if the citizens aren't going to make and render the Public Service Company a non-viable, non-financial entity, if the attitude of continuing to withhold payment on these bills or just not recognize the debt at all continues. So we're not just addressing a situation here that has to do with the ability of the person to pay, it's going to finally affect the ability to issue bonds of the City Public Service Company. I'm not trying to make the day hard for you now, but there's just many facets of it that should be explored and gotten out in the open, I do believe, because we've danced around the maypole on this issue for years now and it's probably the most damaging thing that the City has to deal with.

DR. SAN MARTIN: Well, my only concern, Mr. Mayor, is at what point does the City Council have an input when according to the newspaper reports, one vote would probably turn it one way or the other. If what I heard or read in the paper yesterday, I think Mr. Centeno is the swing vote and he is on the fence. If he should make up his mind at the next Board meeting one way or the other, then a decision has been made for which this Council does not have any input or any comments to make. I feel that at this time before a decision is reached, that we should ask CPS to wait, not make a decision until we have had an opportunity to discuss this in depth even if we have to have one morning just dedicated to.....

MAYOR BECKER: Sam, would you ask Mr. Deely what morning would be convenient to the Council here to meet with the Board members and so forth and see if we can't get an answer to Dr. San Martin's.....

CITY MANAGER SAM GRANATA: I certainly will. Do you want me to set up a meeting or to just advise them that before the decision is made that a meeting be held?

DR. SAN MARTIN: Well, if it's the feeling of this Council that such a meeting be held, Mr. Mayor, then I think.....

MAYOR BECKER: I have no quarrel with that, Jose, I'm not - I just think it's time to get off dead center because the condition is not getting better, it's getting worse and I don't know how much longer the City can stand this really. If we do have a lawsuit that goes for five or ten years and let's say we win, I don't know what we'll win but let's just say we would win, I wonder if there's going to be anything left, you know, who's going to be around to pick up the prize is what I'm trying to say, and that's a pretty bleak picture but when you get down.....I had a fellow stop me in the parking lot yesterday or the day before, all this seems to happen on Tuesday for some reason and he said his cash flow and I know that this doesn't interest the poor people who can't pay their bills but this does affect a man's business and the desirability of trying to do business in San Antonio. He has apartment projects and some commercial properties and things and, of course, on most of your commercial properties on any type of leases, you know, you have a five year lease on most at the barest minimum term of most leasts with any major concerns are for at least 15, 20, 25 years is a primary term. His cash flow has just been cut to nothing. On his apartment projects, his rent is going to have to go up considerably to even service the debt because of the complete lack of ability to absorb this increase in the utility bills. Now, that's just one other instance you know of of the effect that it's having on the City and I don't know, I mean....

DR. SAN MARTIN: Well, I'd just like to go back just a little bit further back and at the time that the City Council appointed Mr. Morton and me to a special committee, at which time we worked to explore all possibilities of solving this problem, I believe it was back in June, wasn't it, Cliff? And at that time, we heard that there had been private negotiations with some of the top people at Coastal States as to whether they would be willing to sell to the City of San Antonio as a part of the settlement in the lawsuit. So I feel that this particular approach which hasn't been mentioned in the paper is certainly warrants that cannot be taken too lightly by the Council or by CPS or by the citizens. Some of the figures that Mrs. Cockrell has developed here certainly will stagger the imagination when the people are called to put another \$75 million. It's going to insure a supply of gas at a reasonable cost at least no higher than the price charged at the wellhead for interstate because it leaves the State of Texas.

MAYOR BECKER: Jose, what was being advocated in 1971 was hard to sell but had it been sold, we wouldn't have the problems we have today. We wouldn't be burning fuel oil. We wouldn't be burning \$1.50 cent gas today. I - just off the top of my head have to make an estimate that if a person's utility bill then was \$10, if we'd had paid 25 to 30 cents a thousand cubic feet for additional supplies of gas even though we had a contract price of 23 and 3/4 cents, I imagine and I'm just quoting something right off the top of my head and Cliff knows I do this all the time, it horrifies him, I imagine our bills would probably be at an increase of maybe three percent, instead of paying \$10, it might have been \$10.30 but today instead of \$10, it's \$30 and \$40. That's the part

that I'm concerned with. How much higher is this thing going to go and all this conversation that we get out of Public Service and they mean well, I know, but the utility bills with people going down in the winter because they're not burning their air conditioners. Then the utility bills are going down in the summer because they're not doing this and all the time the utility bills keep - seem to be getting higher and higher and higher. I don't think anybody in their right mind can promise the public any longer a decrease in their utility bills as long as the cost of fuel continues to escalate. So certainly these facts are just axiomatic and at this time, I'm ready to scrub floors or clean toilets or whatever is necessary to try to bring about some relief to the public. I'm not saying this because believe me, what was in the paper the other day is anything but re-election talk as you can well imagine. That's not popular campaign talk you know, to say what I said but I've gotten to the point where I think it has to come out. We're just going to have to get it out on top of the table and let it all hang out and let everybody look at it and see what is going on. I think we've been deluding the people, I really believe it, I've always thought it, I still am of that mind, and maybe I'm wrong, I probably am.

MR. GLENN LACY: Mr. Mayor, I want to thank you because I know and the public doesn't know that you've spent hours and hours on this thing and along with some other people that I know of and they are to be highly complimented because by golly they're doing something, they're not just sitting.....

MAYOR BECKER: Well, we haven't accomplished anything.....

MR. LACY: Well, I think you've probably got the skeleton, the foundation worked out, and that's a tremendous idea if it works.

MAYOR BECKER: Well, I just couldn't hold it in my craw any longer. It's been held in there for months now and it had to come out for New Year or else this 1975 was going to go down the tube for me, you know, it's just one of those things. Yes, Lila.

MRS. LILA COCKRELL: Mr. Mayor, I would like to read for the record a statement that I have on the subject.

"I have read with interest the newspaper accounts of the proposed settlement with Coastal States and Lo-Vaca which is being advocated by Mayor Charles Becker and Tom Berg, Chairman of the City Public Service Board.

Since the City Council has never been informed about these talks, I have no first-hand knowledge but will rely on the details as published in the newspapers.

Based on these accounts, my strong reaction is that the proposed deal is a real loser for the citizens of San Antonio.

1. Under the proposed deal, the City of San Antonio and other large litigants would drop their damage suits against Coastal States/Lo-Vaca and agree to the settlement. Damages claimed by CPS would probably total about \$200 million to this date and total claims for damages from all litigants at the present time would probably exceed \$1 billion.

2. In return for dropping the lawsuit for damages, Coastal States would put up \$85 million and the customers would put up \$75 million to explore for new gas in South Texas.

This is a perfectly marvelous deal for Coastal States. They are settling claims of over \$1 billion for a total of \$85 million.

Also, the customers who have already been greatly afflicted with high fuel adjustment charges have to put up \$75 million under the proposed settlement. Why on earth should the already over-burdened customers put up any money? Why should the customers pick up the tab to correct the errors made by Coastal States and Lo-Vaca in over-selling their deliverability?

3. Under the present arrangements, the Railroad Commission has already required that Coastal States pay Lo-Vaca \$2.5 million per month, or a total of \$30 million per year for the purpose of acquiring more gas. The amount which Coastal States would put up under the settlement (\$85 million) would be available to Lo-Vaca anyway in a period of 2 years, 10 months without dropping the damage suits.

4. The experience of Coastal States/Lo-Vaca performance under our present contract does not give these firms the credibility that would cause me to recommend that CPS go into "partnership" with them.

5. Certain aspects of the proposed settlement, including risking any City money for gas exploration, are probably illegal and should be referred to the City Attorney for comment.

6. Certainly, no thinking person would rule out the possibility of an eventual settlement of the lawsuit if the settlement were genuinely beneficial to our citizens. Since this settlement is beneficial only to Coastal States, I am strongly opposed to it and urge the vigorous prosecution of our damage suit until such time as a settlement might be reached that would genuinely benefit our citizens."

MAYOR BECKER: Well, Lila, I can only say this to you, of course, my interest in helping Coastal States and Lo-Vaca is absolutely nil. Now, if I thought we could win a billion dollars or \$10 billion or a trillion dollars, I'd do it and get immediate relief from the very problem that plagues the citizens, I'd say right on, let's get with it because I have the same interest that you have in this respect and I think we all do. The only thing I can see though is a long drawn out protracted lawyer's holiday and that's what I refer to any of these type of things as of going on for 5 or 10 years. In the meantime, the people still haven't been able to pay their gas bill and utility bills and they're going to be more unable to pay them as they get higher. Now as far as what Lo-Vaca and Coastal have done and how much they should be made to pay, if we can get the entire costs out of them, I find that very interesting and most desirable and highly palatable. As far as who is to pay back who, I could only suggest that some of the people that should be included on Coastal-Lo-Vaca side of the ledger of actually having owed a debt to the people of San Antonio, I'd like to suggest that certain people in the formation of the Alamo Gas Corporation, certainly the trustees that approved that sorry deal and others like them who have perpetuated that deal become a part of that group that owes the citizens of San Antonio something. This Council, and I can say this without any equivocation, did not cause this deal and yet we're the ones that are catching all the heat for it. Well, I don't mind heat as long as there is the possibility of arriving at a solution some day.

Now with respect to the partnership deal, that's the only partner that we have is Coastal-Lo-Vaca. Some years back when they knew of these gas deficiencies, if they didn't care to go out and buy the gas, then they should have gone out and asked other suppliers like Lone Star

or El Paso Natural or whoever they could possibly encourage to come to San Antonio to come into this City as a second and hopefully a third or a fourth supplier of gas to the City but that wasn't done either. In addition to that, to even show you how the whole thing was compounded from insult to injury, there was an ordinance passed - when was that ordinance passed - approximately that forbade any other gas lines or anything to go under the streets of the City of San Antonio?

ASST. CITY ATTORNEY LOUIS GARCIA: Mr. Mayor, that was passed at the time that the indenture was signed.

MAYOR BECKER: When was that?

ASST. CITY ATTORNEY GARCIA: In '51.

MAYOR BECKER: In '51. All right. Now that thing has probably stymied a solution to this problem as much as anything. Certain of our manufacturers here, and I'm happy for them, certain of them though actually went out and obtained private sources of gas so that they would be able to have a source. There were several of them that did this and wisely so because they could see that this thing wasn't getting anywhere. Now the business community then, those that were able to do so and those that had the right of bringing these private supplies of gas to their place of business were far seeing enough to know that they were engaged in what might be called almost a hopeless situation. Had they had to rely on this same contract and they had to rely on this one source of supply and all of the rest of us are drawn into this thing, I doubt if they'd be in production today and yet they are. Yet, they're vital to the community also. So it's been a mess, it's been a hodgepodge, it's been a can of worms from the very beginning. All I'm advocating is that if we can get out of this thing and get off onto the road of reality to where we can actually see a solution. I'm just upset, I'm ready to explore anything at this point. I don't think that going into the courts for 5 or ten years is going to provide the answers that we need right now and that answer is to help take this burden off the backs of the less fortunate. I can pay it as most of us here can pay it, but there's many of us that can't pay though. I support Judge Onion's decision and I think it was proper that those poor devils were victimized by something that they have no input into and no process in the decision making that wasn't theirs. I'm groping, I don't mind telling you, I'm groping, of all the things that this Council's had to face up to, I think this has been by far the most serious, the most detrimental to the City, the most disastrous thing we've had to deal with and yet we have nothing to do with the formation of it, nothing to do with the creation of it but I wouldn't also want to go out the last three or four months and not having at least tried to find and arrive at some possible solution to it because the compounded (inaudible) to me is just absolutely wasteful, it's not assuming the responsibility that's ours, it's not dealing with the thing in the forthright fashion and I am not any longer, for one, going to hide behind lawyers, lawfirms and all this gobbledegook that goes along with what's right and what's wrong. I think that those that have been in command, those that have been in charge have bungled it in a most colossal and classic fashion, you know, and I don't want to be included in that group any longer because I just can't start off the new year that way. Cliff, you've been dying to say something, I think.

MR. CLIFF MORTON: I want to say this, not that you're not capable of speaking for yourself but I do feel that your basic position has always been that you want to be assured that fuel was available at the lowest possible cost. That was the first concern and getting the pound of flesh was second. I agree with that. The first one obviously has to be to make sure that you have the fuel but somehow or other, I don't think this has

communicated. I think it's come across as, you know, no interest in trying to recover damages and so forth.

MAYOR BECKER: Incidentally, I didn't get a Christmas present from Wyatt or Coastal or Lo-Vaca and I'm angry about that. I'm very put out that they didn't remember me. My feelings are hurt.

MR. MORTON: I have had the opportunity to evaluate the proposal that you reviewed and discussed in the newspaper report yesterday. I support several portions of it. I think, to summarize it in a nutshell what we are attempting to do is to acquire gas at the price people in business and last year I happen to know a very large company in Texas that their average cost was about 40 cents for gas at the wellhead. 40 cents gas at the wellhead above the contract price would raise your utility bill by about 15 percent. You'd have a 15 percent fuel adjustment.

MAYOR BECKER: But you wouldn't be burning fuel oil at all if you had enough gas.

MR. MORTON: This, I think, is what your objective is, is to try to put people in this position.

MAYOR BECKER: That's the only objective I have.

MR. MORTON: Okay. Well, I think you can play the numbers around any way you want to but the numbers are still up on the blackboard we developed. I asked the City Manager to challenge those numbers to see whether they were valid or not. Maybe you feel that they are relevant. I asked the City Manager also for the most current financial statement on the entire Coastal States corporate network and my figure of a half a billion dollars is just a little bit high. I think the net worth is \$444 million. Granted, you don't know how those assets are being valued. As far as the stockholders are concerned, the motivation would be to overvalue the assets. As far as a lawsuit is concerned, the tendency would be to undervalue them but I do not believe that is a billion dollar company. If the price that we project to pay during December, I believe it was \$1.38, it's pretty obvious that the damages over a ten year period would be to maintain it and (inaudible) we're not going to be able to because the market continues to go up. Lo-Vaca, because of their financial condition, is having to pay a premium for gas.

MAYOR BECKER: One of the interesting sidelines of the whole thing is that certain of the other suppliers in the State of Texas and in certain of the large cities has actually been riding on our coattails, so to speak, with this very low transmission rate that San Antonio has been enjoying. They've been advocating that the transmission rate be kept low because they're riding piggyback on us and this just adds to the problem of Lo-Vaca, and as I say, I wish we had a dozen suppliers. I wish we had every major gas supplier bringing their lines into San Antonio. The fact that we have one is the reason why we have the problem we have. That's the reason why we're looking for another source of coal. I don't mind telling you, I do not have a great respect, I do not have a great deal of confidence in that coal contract in Wyoming, I just don't. I'd like to have that contract plus another one plus another one, and maybe even another one, you know, as far as the future of the City is concerned. To ever place yourself in the hands of one supplier on something that's as critical as that where there is no substitute, to me is ridiculous and I wouldn't want to do it in my own business for that matter. I don't think any of us would want to do it in our own every day way of living. So it's prudence and judgement that must be brought into play on everything.

MRS. COCKRELL: Mr. Mayor, I do believe the suggestion that Dr. San Martin has made will be helpful. I think we do need to have a meeting of the Council to be brought up-to-date on where we stand.

MR. MORTON: Not any question about it. That can be very constructive.

CITY MANAGER GRANATA: What date would the Council like to have it? Next week? Would you like it next week, some day before their....

MAYOR BECKER: Wednesday morning. All right. Is that agreeable with everybody?

MR. MORTON: I was just trying to think what I was going to do with my Wednesday morning.

MAYOR BECKER: What day is that? I don't have a new calendar with me.

CITY MANAGER GRANATA: That's the 8th.

MAYOR BECKER: January 8th.

CITY MANAGER GRANATA: Would you like it 9:30?

MAYOR BECKER: Whatever time is convenient.

CITY MANAGER GRANATA: Nine o'clock? Fine. Here in the Council Chamber.

MAYOR BECKER: Yes.

CITY MANAGER GRANATA: Open meeting.

MAYOR BECKER: I don't see why not. Anything else on that subject today? I'm not trying to be arbitrary about the thing but you know at this stage of the game, it's gotten to the point where it doesn't.....

MR. LACY: Well, Mayor, I think that the lawsuit is just like lawyers say to get their attention and a forced settlement is always better than a good lawsuit.

MAYOR BECKER: Well, unfortunately one that's as complex as this though and one where you're working with entities that have the capability that both of these entities have, this thing could go on for five to ten years. Why, it's been going on for a couple of years now and they haven't even warmed the chairs yet.

MR. LACY: I went to Washington two or three times on a lawsuit and it was almost for five years and I won it but I had a piece of paper when I got through.

MAYOR BECKER: That's right. Had a piece of paper and you can set fire to that and it will last for what - 15 seconds or something like that.

DR. SAN MARTIN: The only thing that really bothers me, Mr. Mayor, is that whatever approach we take it's going to take time, even gas exploration under a proposed new kind of arrangement would take time and we still have to contend with our friendly Railroad Commission which could still allocate any gas that we agree upon with anybody else.

MR. MORTON: Not if we own the gas.

MAYOR BECKER: If we own the gas outright, it's ours.

DR. SAN MARTIN: I know that but this is the other thing that bothers me, whether the City can legally own the gas bills.

MAYOR BECKER: Well, I don't know why we can't, I don't know why we can't, Doctor. Of course, you know, you're asking someone that doesn't know the legalities of it but maybe it's time to dispense with some of the legalities of the thing and get on with the practical aspects of it, you know, because I was told that we couldn't do this and I was told we couldn't do that three years ago and now we're doing the very thing I was told we couldn't do only we're doing it at a dollar and a half or doing it in a \$1.20 and 90 cents and all, instead of 25 and 30 cents so when people tell me what you can't do, I can't swallow all that garbage any more, I've had enough of it.

MR. MORTON: One thing as maybe a final remark, I would like to correct, Mr. Mayor, I think you left the impression that two of the individuals that had been briefed on this question were not supporting it publicly. I will say on behalf of one of them that I've been contacted weekly by him in an attempt to try to get the Board together to see if there isn't some way to find out why those that do not like the plan don't like it. In other words, for those who don't like it, what is the alternate plan? What are they proposing? As a result of your holidays and so forth that has prevented that kind of a meeting from taking place.

MAYOR BECKER: Of course, you know this thing has been going on now for several months. A meeting took place, I don't remember when it was, it seemed to me it was in September or sometime like that if I remember correctly, you know, my memory isn't that good anymore, in fact, it's getting worse all the time but what I was trying to point out is that I purposely was staying out of this thing because I didn't want to throw an onus or a spectre of me and Oscar Wyatt and Alamo or rather Coastal and Lo-Vaca because all this stuff that's been written about how Oscar's financed my campaign and all this trash that has gone on. Well, he hasn't done it. I wish he had of, I'd be a lot better off than I am today financially but nevertheless, I was staying out of it purposely so that no one could say, well, there he goes, he's advocating for Wyatt again. Well, I've been waiting and waiting and waiting and waiting. And I haven't heard of a single thing that's taken place as far as a public utterance is concerned, you see. I think it's time now to flush it out, get it out in the open. Those that want to say they're in favor of it, those what want to say that they aren't, okay. You know, after all this is a free country but to continually duck and dodge and when are we going to have it discussed publicly, now it can be discussed publicly, you see.

MR. MORTON: Well, I think that in that respect I think maybe the report has served its purpose.

MAYOR BECKER: Well, that's really what I was trying to achieve because I'm like hatching out baby alligators and crocodiles, they're nipping at me all the time, you know, and the longer I sit on those eggs, the more uncomfortable it becomes. So I'm getting off the nest and I got off of it yesterday or whenever it was. I'm tired of having them nip at me. This thing is about to eat me alive and I know it's eating some of the rest of you up, it's a deal that we've tried to find a handle to, we've tried to deal with it, we've tried to do something constructive and all we've been able to do is go around in circles, you know. Well, it may not be the proper thing for me to say at least it's out in the open, that's all I care about.

* * * *

75-1 The meeting recessed for ten minutes.

January 2, 1975

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CITIZENS TO BE HEARDMR. CARL WURZ

Mr. Carl Wurz, 820 Florida Street, reviewed some of the poor economic conditions during 1974. He said that the City should reduce the number of holidays granted its employees and also suggested the closing of libraries on holidays.

MR. ANGEL D. TOLEDO

Mr. Angel D. Toledo asked if any action had been taken on the suggestions he made to the Council several weeks ago. He then discussed how difficult it is to obtain information from the City Public Service Board and listed several questions he would like to have answered by the City Public Service. He said that he would furnish the City Manager with a list of the questions to be answered.

City Manager Granata advised Mr. Toledo that due to the year end holidays no action has been taken on his earlier suggestions but they will be looked into soon.

MR. TOM CULBERTSON

Mr. Tom Culbertson, 437 West Magnolia, expressed his objection to the City having any dealings with Coastal States or Lo-Vaca. He suggested that the City burn its garbage to generate energy and also that the Mayor encourage mineral owners in the area to pool their acreage as a means of speeding up the search for new gas reserves.

The City Manager advised Mr. Culbertson of current studies being made regarding the use of garbage for fuel.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley Avenue, spoke of the pending closing of the Boys Club in the southeast section of the City. She said that this Club serves over 850 boys and is badly needed. She asked that the Council attempt to find funds to continue its operation.

Mayor Pro-Tem Cockrell asked that the staff review the situation at once and bring a report to the Council.

MR. GUNTER KRELLWITZ

Mr. Gunter Krellwitz, 5518 Chancellor, spoke of the slowness of the City in providing City services to newly annexed areas. He said that he is opposed to the City hiring high priced consultants and to having any kind of a deal with Oscar Wyatt.

Mr. Krellwitz then told the Council of the various measures he has taken in his own home to reduce consumption of energy.

Mr. Morton said that he thought it would be a good idea to have a demonstration project in one of the poor neighborhoods to show how attic insulation, caulking and other similar cheap measures can reduce power bills. He said that the City might wish to include this in the forthcoming application for Community Development funds.

Mrs. Cockrell expressed agreement with Mr. Morton's suggestion and also said that City Public Service should be encouraged to go on television to demonstrate the various measures that homeowners can take to lower this energy usage. She asked that the Public Information Office work with the City Public Service on this idea.

Mayor Becker asked the City Manager to take immediate action on these suggestions.

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75-1 The meeting recessed for lunch at 12:15 P.M., and reconvened
at 2:45 P.M.
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A. CASE 5800 - to rezone a 0.049 and 0.484 acre tract of land out of NCB 15723, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District; a 0.218 and 0.496 acre tract of land out of NCB 15723, being further described by field notes filed in the office of the City Clerk, 14300 Block of Dreamwood Drive, from Temporary "R-1" Single Family Residential District to "B-2" Business District.

Subject properties are bordered by a drainage R.O.W. which is located northwest of Creekwood Drive and Gardenwood Drive, having frontage on Dreamwood Drive and extending 1840' to the southwest and 495' to the northeast.

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

No one spoke in opposition.

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

AN ORDINANCE 44,775

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.049 AND 0.484 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; AND A 0.218 AND 0.496 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 14300 BLOCK OF DREAMWOOD DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE SOUTHEAST PROPERTY LINE.

* * * *

B. CASE 5838 - to rezone Lots 10, 11, and 12, Block 6, NCB 7990, 1502 W. Southcross, from "B" Two Family Residential District to "B-2" Business District, located southwest of the intersection of Southcross Blvd. and Don Street, having 75' on Southcross Blvd. and 125' on Don Street.

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

Dr. San Martin said that it was his intention to vote against this application. In view of the fact that only five Council members were present, he asked that the case be postponed in fairness to the applicant.

The other members of the Council concurred with Dr. San Martin's request and the hearing of Case No. 5838 was postponed.

C. CASE 5859 - to rezone Parcel 52, NCB 15569, (12.68 acres) 1721 Pinn Road, from Temporary "R-1" Single Family Residential District, to "R-4" Mobile Home District, located on the west side of Pinn Road, being 361.39' south of the cutback between Pinn Road and Marbach Road, having 439.97' on Pinn Road and a maximum depth of 1121.96'.

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

No one spoke in opposition.

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

AN ORDINANCE 44,776

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS PARCEL 52, NCB
15569 (12.68 ACRES), 1721 PINN ROAD,
FROM TEMPORARY "R-1" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "R-4" MOBILE
HOME DISTRICT, PROVIDED THAT PROPER
PLATTING IS ACCOMPLISHED.

* * * *

D. CASE 5874 - to rezone Lot 5, Block 9, NCB 15507, Lots 5 and 7, Block 2, NCB 15514, 2500 Block of Observation Drive, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District.

Lot 5, Block 9, NCB 15507, is located on the west side of Observation Drive, 240' north of the intersection of Glider and Observation Drive, having 120' on Observation Drive and a depth of 162.5'.

Lot 7, Block 2, NCB 15514, is located on the northeast corner of Observation Drive and Glider Avenue, having 120' on Observation Drive and 198.92' on Glider Avenue.

Lot 5, Block 2, NCB 15514, is located 240' north of the intersection of Glider Avenue and Observation Drive, having 120' on Observation Drive and a depth of 198.92'.

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

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected on the east property line of Lots 5 and 7, NCB 15514. Mrs. Cockrell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Black, Morton; NAYS: None; ABSENT: Lacy, O'Connell, Padilla.

AN ORDINANCE 44,777

AMENDING CHAPTER 42 OF THE CITY CODE
 THAT CONSTITUTES THE COMPREHENSIVE
 ZONING ORDINANCE OF THE CITY OF SAN
 ANTONIO BY CHANGING THE CLASSIFICATION
 AND REZONING OF CERTAIN PROPERTY
 DESCRIBED HEREIN AS LOT 5, BLOCK 9,
 NCB 15507, LOTS 5 AND 7, BLOCK 2, NCB
 15514, 2500 BLOCK OF OBSERVATION DRIVE,
 FROM TEMPORARY "R-1" SINGLE FAMILY RESI-
 DENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY
 RESIDENTIAL DISTRICT, PROVIDED THAT PROPER
 PLATTING IS ACCOMPLISHED AND THAT A SIX
 FOOT SOLID SCREEN FENCE IS ERECTED ON
 THE EAST PROPERTY LINE OF LOTS 5 AND 7,
 NCB 15514.

* * * *

E. CASE 5862 - to rezone Lots 19, 20, 21, 22 and the remaining portions of Lots 17, 18, and 23, Block 20, NCB 7154, 1200 Block of San Francisco Street, from "B" Two Family Residential District to "I-1" Light Industry District, located northeast of the intersection of I.H. 10 Expressway and San Francisco Street, having 70' on I.H. 10 Expressway, 295' on San Francisco Street and 70.7' on the cutback between I.H. 10 Expressway and San Francisco Street.

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

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished, that a six foot solid screen fence is erected on the north property line and that a one foot non-access easement be imposed on the north property line. Rev. Black seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Black, Morton; NAYS: None; ABSENT: Lacy, O'Connell, Padilla.

AN ORDINANCE 44,778

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOTS 19, 20, 21,
22 AND THE REMAINING PORTIONS OF LOTS
17, 18, AND 23, BLOCK 20, NCB 7154,
1200 BLOCK OF SAN FRANCISCO STREET, FROM
"B" TWO FAMILY RESIDENTIAL DISTRICT TO
"I-1" LIGHT INDUSTRY DISTRICT, PROVIDED
THAT PROPER REPLATTING IS ACCOMPLISHED,
THAT A SIX FOOT SOLID SCREEN FENCE IS
ERECTED ON THE NORTH PROPERTY LINE AND
THAT A ONE FOOT NON-ACCESS EASEMENT BE
IMPOSED ON THE NORTH PROPERTY LINE.

* * * *

F. CASE 5785 - to rezone a 31.201 acre tract of land out of NCB 14865, being further described by field notes filed in the office of the City Clerk, 7800 Block of North F. M. 1604 West, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the southeast side of North F. M. 1604 West Expressway, being 2959.51' southwest of the intersection of Babcock Road and North F.M. 1604 West, having 2053.64' on North F.M. 1604 West Expressway and a maximum depth of 1532.63'.

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

No one spoke in opposition.

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

AN ORDINANCE 44,779

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

DESCRIBED HEREIN AS A 31.201 ACRE TRACT OF LAND OUT OF NCB 14865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 7800 BLOCK OF NORTH F. M. 1604 WEST, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

G. CASE 5883 - to rezone a 23.59 acre tract of land out of NCB's 11265, and 11266, being further described by field notes filed in the office of the City Clerk, 3700 Block of Pitluk Avenue, from "B" Two Family Residential District to "I-2" Heavy Industry District, located on the south side of Pitluk Avenue being approximately 1335' west of the intersection of U. S. Highway 81 South and Pitluk Avenue, having 777.41' on Pitluk Avenue and a depth of 1321.58'.

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

Mr. Don Harrell, representing the applicant, said that at the time of the presentation before the Planning Commission, firm construction plans had not been made for this property. A foundry was planned to be built 145 feet south of Pitluk Avenue but no other buildings had been planned. In approving the request for rezoning, the Planning Commission had stipulated that a 145 foot building setback be imposed on the north property line.

Subsequent to the presentation before the Planning Commission, plans have been drawn and now an office building is planned which would be 45 feet from the south line of Pitluk Avenue. He distributed copies of the plot plan for the Council's inspection. Mr. Harrell then asked that the Council approve the requested rezoning but that the building setback be changed to 45 feet instead of 145 feet.

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished, that the north 5 feet of this tract be dedicated for the widening of Pitluk Avenue and that a 145 foot building setback be imposed on the north property line. Mr. Morton seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Black, Morton; NAYS: None; ABSENT: Lacy, O'Connell, Padilla.

AN ORDINANCE 44,780

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 23.59 ACRE TRACT OF LAND OUT OF NCB'S 11265, AND 11266,

BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 3700 BLOCK OF PITLUK AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, THAT THE NORTH 5' OF THIS TRACT BE DEDICATED FOR THE WIDENING OF PITLUK AVENUE AND THAT A 145' BUILDING SETBACK BE IMPOSED ON THE NORTH PROPERTY LINE.

* * * *

H. CASE 5872 - to rezone the south 120' of Lot 7, and the south irregular 120' of Lot 8, Block 8, NCB 2994, 2501-2503 and 2507 N. St. Mary's, 529 E. Ashby Place, from "F" Local Retail District to "B-3" Business District, being located on the northwest intersection of Ashby Place and N. St. Mary's, having 118.4' on Ashby Place and 122' on N. St. Mary's.

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

Mr. Charlie Jackson, representing the owners of the property, described the existing zoning in the area and the property being considered. He said that the Buggy Shop is a small auto parts and accessory store. Its business has grown. The City inspectors have issued a violation notice because frequently the store's customers will install the purchased parts or accessories on the premises and this constitutes an auto repair shop under the Zoning Code.

Mr. Jackson said that the only purpose of the requested rezoning is to make it legal for the existing activity to continue.

Mr. George Carson, representing St. Sophia Greek Orthodox Church as well as the immediate neighbors, spoke in opposition to the request. He feared that expansion of this business would bring in an undesirable element and would create noise. He also feared the establishing of a dance hall or some other undesirable occupant. He said that the businesses and people in the area have cooperated very well with the church in the past and he would like to keep it that way.

After discussion, Mr. Carson and Mr. Jackson agreed that if the case were postponed, they would discuss the problem and work out some way to assure the church that no undesirable business would be created.

Dr. San Martin moved that consideration of Case No. 5872 be postponed to January 23, 1975. The motion was seconded by Mrs. Cockrell and carried by the following roll call vote: AYES: Cockrell, San Martin, Becker, Black, Morton; NAYS: None; ABSENT: Lacy, O'Connell, Padilla.

I. CASE 5834 - to rezone Lots 43, 44, and 45, NCB 12856, 219, 223, and 227 Prashner Drive, from "A" Single Family Residential District to "R-2" Two Family Residential District, located west of the intersection of Prashner Drive and Ullman Drive, having 148' on Prashner Drive and a maximum depth of 126.97'.

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

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished, that a six foot botanical screen is erected on the east and northeast property lines and that a non-access easement is imposed abutting Prashner Drive. Mrs. Cockrell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton; NAYS: None; ABSENT: O'Connell, Padilla.

AN ORDINANCE 44,781

AMENDING CHAPTER 42 OF THE CITY CODE
 THAT CONSTITUTES THE COMPREHENSIVE
 ZONING ORDINANCE OF THE CITY OF SAN
 ANTONIO BY CHANGING THE CLASSIFICATION
 AND REZONING OF CERTAIN PROPERTY
 DESCRIBED HEREIN AS LOTS 43, 44, AND
 45, NCB 12856, 219, 223, AND 227 PRASHNER
 DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL
 DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL
 DISTRICT, PROVIDED THAT PROPER PLATTING
 IS ACCOMPLISHED, THAT A SIX FOOT BOTANICAL
 SCREEN IS ERECTED ON THE EAST AND NORTH-
 EAST PROPERTY LINES AND THAT A NON-ACCESS
 EASEMENT IS IMPOSED ABUTTING PRASHNER
 DRIVE.

* * * *

J. CASE 5881 - to rezone Lots 6, 5, and the east irregular 202' of Lot 4, Block 2, NCB 8417, 1000 Block of Vance Jackson Road, from "A" Single Family Residential District to "B-2" Business District, located on the east side of Vance Jackson Road, 205' north from the intersection of Green Lawn Drive and Vance Jackson Road, having 200' on Vance Jackson Road and a depth of 410'.

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

Mr. Clint Leake, the applicant, described existing zoning in the area which is predominately commercial or apartment. He said that he plans to have a small restaurant and included in this project and will need "B-2" zoning to permit liquor to be served with meals.

No one spoke in opposition.

After consideration, Mr. Morton moved that the recommendation of the Planning Commission be overruled and the rezoning approved. The motion was seconded by Mr. Lacy and was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Black, Lacy, Morton; NAYS: None; ABSENT: O'Connell, Padilla.

AN ORDINANCE 44,782

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 6, 5, AND THE EAST IRREGULAR 202' OF LOT 4, BLOCK 2, NCB 8417, 1000 BLOCK OF VANCE JACKSON ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

75-1 The Clerk read the following letter:

December 27, 1974

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

Gentlemen and Madam:

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

December 26, 1974

Petition submitted by Mr. Jack Devore, Trustee, Mission Trace, 11200 Vance Jackson, requesting permission to erect an eight (8) foot high privacy fence along the northwest (rear) property line of the following lots in Mission Trace: Lots 74 through 90, Lots 103 through 106 and Lots 125 through 130.

December 26, 1974

Petition submitted by Mr. Douglas L. Saunders, in behalf of Diversified Developers, Inc., Division of Elm Creek, requesting permission to erect a seven (7) foot enclosure around the 450 acre Elm Creek Planned Unit Development to provide security for that community.

/s/ J. H. INSELMANN
City Clerk

* * * *

There being no further business to come before the Council, the meeting was adjourned at 3:45 P. M.

A P P R O V E D

Charles L. Becker

ATTEST:
City Clerk

January 2, 1975

