

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, SEPTEMBER 20, 1979.

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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, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN, COCKRELL; Absent: NONE.

79-44 The Invocation was given by The Reverend Dr. Charles Wisdom, Shearer Hills Baptist Church.

79-44 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-44 CORRECTION TO MINUTES

Mrs. Dutmer referred to the discussion on Page 4 of the Minutes of September 13, 1979, dealing with Ordinance No. 51,230. She stated that the Minutes should read Rice Road and Lord Road and not include bridges. With this correction, the minutes were approved.

79-44 "JUNIOR ACHIEVEMENT WEEK"

Mayor Cockrell read the following Proclamation:

WHEREAS, the proper development of leadership today is the hope of tomorrow, and

WHEREAS, Junior Achievement is a non-profit, economic, education and training program for high school students, and

WHEREAS, Junior Achievement is the one program designed to give youth the know-how and experience of business in a meaningful way, and

WHEREAS, the Junior Achievement program, with the cooperation and support of particularly concerned business people and other friends of our high school youths, is coming to San Antonio to provide our young people the opportunity of joining together and experiencing side-by-side competition and public exposure.

NOW, THEREFORE, I, LILA COCKRELL, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim the week of September 24-28, 1979, to be "JUNIOR ACHIEVEMENT WEEK" in San Antonio, Texas.

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Mr. Gene Canavan then explained the main objectives of the program and stated that it promotes a better understanding of democracy and the free enterprise system. He then introduced Mr. Vince Balhorn, President of the local chapter; Mr. Denver Barr, Executive Director; and members, Mr. Roland Davis and Mr. Bob Robley.

Mayor Cockrell presented the group with the Proclamation.

PRESENTATION OF AWARD TO THE CITY OF SAN  
ANTONIO BY THE SAN ANTONIO CONSERVATION SOCIETY

Mrs. Mary Ann Castleberry, Immediate Past President of the San Antonio Conservation Society, introduced Mrs. Joanna Parrish, newly elected President, and Mr. Truett Latimer, Executive Director of the Texas Historical Commission.

Mrs. Castleberry, Chairman of the Texas Heritage Council, a branch of the Texas Historical Commission, explained that the Heritage Council annually presents awards to individuals and organizations who have demonstrated outstanding leadership in the historic preservation area. These awards are presented in the fields of conservation, research, historic preservation and the overall award of merit. She stated that last Saturday the award of merit was presented to the City of San Antonio. Mr. Rolando Bono, Assistant to the City Manager, had received the award on behalf of the City. She then read excerpts of the San Antonio Conservation Society's nomination letter for this award, which outlined the efforts and leadership strides made by the City in preserving and restoring its historic structures. (A copy of Mrs. Castleberry's remarks and nomination letter are on file with the papers of this meeting.) Mrs. Castleberry then presented a plaque to the Mayor.

Mayor Cockrell expressed her appreciation to the San Antonio Conservation Society for their nomination of the City for this award, and expressed the City Council's deep commitment to continue the revitalization of the downtown area.

Mrs. Joanna Parrish congratulated the City as the recipient of the award. She said that the City of San Antonio is looked upon as a leader in the historic preservation movement and its leadership is emulated nationwide.

Mr. Alderete also expressed his appreciation to the San Antonio Conservation Society for their efforts which has given the City of San Antonio a flavor that escapes other major cities.

EMISSARY OF THE MUSES

Mayor Cockrell introduced Mr. Rafael Vargas, Mexican Entertainer, who they had previously met in Piedras Negras, Mexico. She then read a Proclamation naming him an "Emissary of the Muses." Mayor Cockrell, accompanied by Mr. Bernardo Eureste, Chairman of the Arts Committee, and Mr. Joe Alderete, Chairman of the Sister Cities Committee, presented Mr. Vargas with the Proclamation.

Mr. Vargas expressed his appreciation to the Council and stated that he was very glad to be in San Antonio and participate in the City's "Mariachi Month" celebration.

ZONING HEARINGS

5. CASE 7819 - to rezone Lots 3, 4 and 5, Block 3, NCB 8206, in the 300 Block of San Augustine Street, from "C" Apartment District to "B-3R" Restrictive Business District, located on the east side of San Augustine Street, being 50' south of the intersection of Monterey Street and San Augustine Street, having 75' on San Augustine Street and a depth of 122.5'.

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

Mrs. Sylvia Camarillo, representing the applicant, Mr. Jose L. Rodriguez, stated that they are requesting a change in zone in order to comply with existing City ordinances.

Mrs. Camarillo stated that they are now amending their request so that only 50 feet of the lot instead of the entire lot will be rezoned. They have already spoken to the neighbors, and they have not expressed any opposition to their amended request. She also stated that they will install a solid screen fence to further protect the neighborhood.

Mr. Eureste spoke in favor of the compromise as outlined by Mrs. Camarillo.

A discussion then took place on the residential character of the neighborhood.

Mr. Canavan expressed his concern about the residents and said that the area should not be infringed upon.

Mr. Ramiro Estrada stated that he had spoken to the applicant about the compromise plan and said it would be up to the Council to make a final decision on the matter.

Mrs. Eva M. Paredes, 311 S. San Augustine, stated that they had agreed to the compromise plan; however, they want the residential lot kept clean, the solid screen fence to be erected, and that Mr. Rodriguez build a house on the vacant lot within the next two years.

Mayor Cockrell advised Mrs. Paredes that the City Council can address the matter of the solid screen fence, however a good faith effort will have to be made by the applicant in this Case.

Mrs. Camarillo stated that they will abide by all City ordinances and stipulations set out in the ordinance. She also stated that a house will be built as soon as possible.

Mr. Camargo, in response to a Council inquiry, stated that they are not opposed to a compromise.

Mr. Thompson stated that he would be voting against the compromise plan because he feels that the area should be protected and that the use will be detrimental to the area.

After discussion of the opposition still existing, Mr. Camargo stated that the Case could be postponed in order to make a proper determination of the votes needed to approve the rezoning.

Mr. Eureste then moved that the compromise plan be referred to the Zoning Commission for further consideration. Mr. Wing seconded the motion.

After discussion, Mr. Canavan made a substitute motion to postpone the case for 30 days to see if the amended request would be agreeable to the neighborhood.

Mr. Eureste then withdrew his motion, and the substitute motion became the main motion.

In response to Mr. Alderete's question on the compromise plan, Mrs. Paredes stated that she would prefer to have the property remain as it is.

After discussion, and on roll call, the motion to postpone, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Steen, Cockrell; NAYS: Thompson, Canavan, Archer; ABSENT: None.

CASE 7819 was postponed.

6. CASE 7802 - to postpone Lot 86, NCB 11995, 6427 W. Commerce Street, from "A" Single Family Residential District to "B-3" Business District, located northwest of the intersection of W. Commerce Street and Parham Avenue, having 58.4' on W. Commerce Street and 111.67' on Parham Avenue.

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

Mr. Gene Toscano, representing the applicant, Mrs. Carolina Ramirez, stated that the applicant doesn't wish to accept the "B-2" recommended by the Zoning Commission because they wish to use the building as a party house. They had previously used the party house under non-conforming rights, but when they moved out they lost the non-conforming rights. They have spent over \$4,000 recently to remodel the building not realizing that they no longer enjoyed the non-conforming rights. They intend to use the party room only on Thursdays, Fridays, Saturdays and Sundays. He said that the area is very traveled and described the commercial activity in the area.

In response to Mr. Alderete, Mr. Camargo explained when non-conforming rights are granted.

A discussion then took place on the building's location to a church and schools in the area.

No citizen appeared to speak in opposition.

After discussion, Mr. Canavan moved to uphold the recommendation of the Zoning Commission and deny the request for rezoning. Mr. Archer seconded the motion.

In response to a question by Mr. Eureste, Mr. Toscano stated that they will have to pay up the lease but will not be able to utilize the property if the zoning is not granted.

Mr. Thompson expressed concern that the applicant is not the owner of the property, and yet was requesting the change in zone.

Mr. Alderete agreed with Mr. Thompson's comments.

Mr. Steen spoke against the motion. He stated that no citizen had spoken against the rezoning change.

Mr. Webb agreed with Mr. Steen and stated that the improved building will add to the City's tax base.

Mr. Eureste stated that there has been a substantial investment made by the applicant and feels that the proposed use would not be detrimental to the area.

A discussion then took place on the traffic situation in the area. Several members of the Council spoke pro and con regarding the zoning change.

Mrs. Dutmer expressed her concern about the future development of the vacant land in the area if the "B-3" zoning is granted.

On roll call, the motion to deny prevailed by the following vote: AYES: Cisneros, Dutmer, Thompson, Alderete, Canavan, Archer, Cockrell; NAYS: Webb, Wing, Eureste, Steen; ABSENT: None.

CASE 7802 was denied.

7. CASE 7747 S.R. - to rezone all of Lot 6, the northeast 12' of Lot 17, NCB 11668, the northwest 11.7' of the southwest 100' of Lot 15, and the northeast 10.6' of the northwest 11.7' of Lot 14, NCB 11667, 10430 Dreamland Drive, from "A" Single Family Residential District to "R-2" Residential Agriculture District, located south of the intersection of Dreamland Drive and Old Gold Lane, having 528.91' on Dreamland Drive and 234.25' on Old Gold Lane.

Mr. Gene Camargo, Planning Administrator, explained that the applicant had requested a postponement of this Case.

An opponent in this Case who was present in the audience indicated that he would not be opposed to a postponement.

Mr. Alderete then moved to postpone this Case. Mr. Thompson seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

Case 7747 S.R. was postponed.

8. CASE 7652 - to rezone Lot 87, Block 34, NCB 13490, in the 8400 Block of Blanco Road, from "R-2" Two Family Residential District and "B-3" Business District to "B-2" Business District, located on the northeast side of Blanco Road, being 229' northwest of the intersection of Blanco Road and Patricia Drive, having 136.87' on Blanco Road and a maximum depth of 212.67'; and Lot 88, Block 34, NCB 13490, in the 8400 Block of Blanco Road, from "R-2" Two Family Residential District to "O-1" Office District, located on the northeast side of Blanco Road, being 90' northwest of the intersection of Blanco Road and Patricia Drive, having 139' on Blanco Road and a maximum depth of 268.02'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council. Mr. Camargo stated that 21 notices were mailed out; nine returned in opposition and a petition was also submitted in opposition. There is 20 percent opposition registered; therefore, nine affirmative votes will be needed to approve the rezoning.

Mr. Louis Rosenberg, representing the applicant, Mr. Dever Tomerlin, explained the purpose of their request for a change in zone. He stated that the property is north of Loop 410, between West Avenue and Patricia on Blanco Road. He said that there is a major commercial strip across the street. Last year the City Council denied the request for rezoning, and yet the property is being taxed as commercial property. Mr. Rosenberg further stated that they are willing to impose the following conditions on the property: on the south and east boundary erect and maintain an eight foot fence in lieu of the six foot fence; address the drainage problem that has been caused by allowing this property as a fill-site during the roads improvement; and providing a 40 or 50 foot setback line in lieu of the 20 foot setback line along the portion of property that abuts the residential area. The buildings will be windowless or opaque along any portion that faces the residential area. Under no circumstances will alcoholic beverages be sold. He stated that this is a major thoroughfare and the highest and best use is for the subject property to be zoned as requested.

The following persons then spoke in opposition:

Mr. George Hall, 835 Firefly, asked that the City Council deny the rezoning. They want to retain the residential character of the neighborhood and stated that the subject property serves as a buffer.

Mrs. Mary Hill, 835 Firefly, also spoke in opposition.

Mr. Clem Lyons stated that the property serves as a buffer to the residential area. He referred to an opinion issued by Judge Carlos Cadena on spot zoning. He stated that the change in zoning will only benefit the property owner.

Mr. Canavan stated that abutting property is "B-3" zoning. He said that he is sympathetic to the neighbors' concerns, yet cannot see it as spot zoning.

In response to a question by Mr. Steen, Mr. Lyons stated that he would not be in favor of "O-1" zoning on any part of the subject property.

Mr. Dean Walker, distributed photographs to the City Council on how the property looks at the present time. He stated that if the property is rezoned the value of his property will be devalued. He also stated that if this rezoning is granted, many of the residents might want to rezone their property also.

In response to Mr. Steen's question, Mr. Walker stated that he would not be agreeable to an office zoning and prefers to keep the zoning as is.

Mrs. Betty Walker also spoke in opposition.

Mr. Ivy Clayman stated that if the property is rezoned it will create additional traffic congestion.

Mr. Tommy Long, 826 Patricia, also spoke against any rezoning of the subject property.

Mrs. Lu Long, 826 Patricia, also spoke in opposition.

Mrs. James Wynn, 830 Firefly, also spoke in opposition to the request for rezoning.

In rebuttal to the opposition, Mr. Rosenberg stated that the area is already commercial in nature and again described the commercial property. He stated he will not be able to sell the property under the present zoning. He stated that the applicant would probably be in favor of "O-1" zoning for the entire tract. He again stated that the property should not be taxed under commercial if he cannot use it as such.

After discussion, Mr. Alderete moved to deny the request for rezoning. Mr. Canavan seconded the motion.

Mrs. Dutmer stated that in her opinion the applicant has a right to use the property to the best and highest use. She cannot foresee that housing dwellings are feasible on major thoroughfares. She then made a substitute motion to uphold the recommendation of the Zoning Commission and grant the request for rezoning. Mr. Wing seconded the motion.

The Council then discussed the matter of rezoning the property, and Mr. Thompson stated that the Board of Equalization could address the matter of the taxation on the subject property.

On roll call, the substitute motion failed to carry by the following vote; AYES: Dutmer; NAYS: Cisneros, Webb, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; ABSENT: Steen.

On roll call, the motion to deny prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; NAYS: None; ABSTAIN: Dutmer; ABSENT: Steen.

CASE 7652 was denied.

79-44 The meeting was recessed at 3:30 P.M., and reconvened at 3:45 P.M., with Mayor Pro-Tem Webb presiding in the absence of the Mayor.

Mayor Pro Tem Webb declared the public hearing open:

The Clerk read the following Ordinance:

AN ORDINANCE 51,247

GRANTING ANNUAL PERMITS TO OPERATE A TAXICAB SERVICE IN THE CITY OF SAN ANTONIO TO THE FOLLOWING OPERATORS IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 49566; PERRY FOLEY, JUAN GARCIA MORALES, JULIO VILLANUEVA, MARIO T. VALDEZ, MANUEL H. FLORES, EMMETT L, CALDWELL, SR., MARK S. BRAME, JOSE LOUIS TERRAZAS, JR., GEORGE D. ALVA, RAMON OCHOA YTUARTE, FRANK WILLIAM PORTER, NATHAN G. THOMPSON, RALPH BROCK, ROBERT A. SHARP, AND JERALD D. REED.

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

Mr. Louis Garcia, Assistant City Attorney, explained the proposed Ordinance. He explained that the applicants have all appeared before the Taxicab Inspectors, representatives of the Traffic Dept., and the Council Taxicab Committee. He stated that the Taxicab Committee has approved the permit requests.

Mr. Robert L. Sharp, stated that he is requesting two permits and wants an opportunity to be his own boss.

Mr. Lewis Thompson, Independent Taxicab operator, stated that the existing 471 outstanding permits were determined years ago. He stated that he believes that there is enough business for the taxicab operators who are seeking their permits.

Mr. Jim Fisher, Taxicab Inspector, stated that the Taxicab Ordinance is not being followed. He further stated that there are other permit holders who are not using all their permits either. He stated that the City Council should consider the taxicab service in San Antonio rather than just to consider individuals. He stated that he does have extra permits but has to consider over 300 employees and feels that to continue to issue individual permits is really not advantageous to these employees. Mr. Fisher also stated that he did not understand the criteria used to determine the need for additional cabs in San Antonio.

A discussion then took place by the Council on the number of taxicab permits that are outstanding and the manner in which permits are issued.

In response to Mr. Steen's question, Assistant City Attorney, Louis Garcia, stated that in the very near future, they hope to have a method for evaluating the need for the cab permits. He said that the service has been increasing. He also stated that there are no independent cab drivers in Houston and Dallas.

Mr. Archer stated that Mr. Fisher should not be criticized for not serving unprofitable areas if the Council continues to grant individual permits.

Mr. Steen stated that he had received a letter from Mr. Sam Godfrey of Chaparral Services and wished to make it a matter of record. He stated that Mr. Godfrey's views corresponded with the views presented by Mr. Fisher. (A copy of the letter is on file with the minutes of this meeting.)

After discussion, and on roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

79-44 Mayor Cockrell returned to the meeting and presided.

79-44 ZONING continued

9. CASE 7757 - to rezone Lot 1 and Parcel 25-C, NCB 15370, in the 7200 Block of Timbercreek Drive, from "R-6" Townhouse Residential District to "P-1(R-6)" Planned Unit Development Townhouse Residential District; property bounded on the north by Timbercreek Drive, on the east by Starhaven Place, on the south by Hickory Grove Drive and on the west by Canyon Ridge Drive, having 864.08' on Timbercreek Drive, 1053.96' on Starhaven Place, 646.53' on Hickory Drive and 1465.68' on Canyon Ridge Drive.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished in accordance with the Planned Unit Development Ordinance. Mr. Canavan seconded the motion.

In response to Mrs. Dutmer's question regarding the traffic situation, Mr. Gene Camargo, Planning Administrator, stated that the preliminary Planned Unit Development Ordinance plan indicated access points on all four streets that surround the property.

No citizen appeared to speak in opposition.

After discussion and on roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Alderete.

AN ORDINANCE 51,248

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 1 AND PARCEL 25-C, NCB 15370, IN THE 7200 BLOCK OF TIMBERCREEK DRIVE FROM "R-6" TOWNHOUSE RESIDENTIAL DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, IN ACCORDANCE WITH THE PLANNED UNIT DEVELOPMENT ORDINANCE.

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10. CASE 7796 - to rezone a 1.466 acre tract of land out of NCB 15605, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-1" Business District, located on the northeast side of Old Sky Harbor Drive, being 325.15' southeast of the intersection of Pearsall Road and Old Sky Harbor Drive, having 75.43' on Old Sky Harbor Drive and a maximum depth of 875.84'; a 5.528 acre tract of land out of NCB 15605, being further

described by field notes filed in the Office of the City Clerk, in the 8500 Block of Pearsall Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located east of the intersection of Pearsall Road and Old Sky Harbor Drive, having 730.10' on Pearsall Road and 325.15' on Old Sky Harbor Drive.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the southeast property line. Mr. Thompson seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Alderete.

AN ORDINANCE 51,249

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 1.466 ACRE TRACT OF LAND OUT OF NCB 15605, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; A 5.528 ACRE TRACT OF LAND OUT OF NCB 15605, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 8500 BLOCK OF PEARSALL ROAD 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 AND MAINTAINED ALONG THE SOUTHEAST PROPERTY LINE.

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11. CASE 7797 - to rezone a 1.386 acre tract of land out of NCB 15193, being further described by field notes filed in the Office of the City Clerk, in the 1300 Block of Springvale Drive, from Temporary "R-1" Single Family Residential District to "B-1" Business District, located on the southwest side of Springvale Drive, being 391' southeast of the intersection of Gage Drive and Springvale Drive, having 301.57' on Springvale Drive and a depth of 200'; a 0.691 acre tract of land out of NCB 15193, 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, located on the southwest side of Springvale Drive, being 391' southeast of the intersection of Gage Drive and Springvale Drive, being 200' off of Springvale with a width of 301.57' and a depth of 100'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

In response to Mrs. Dutmer's question, Mr. Camargo, Planning Administrator, explained that the applicants own the subject property.

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Archer seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Alderete.

AN ORDINANCE 51,250

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 1.386 ACRE TRACT OF LAND OUT OF NCB 15193, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 1300 BLOCK OF SPRINGVALE DRIVE FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; A 0.691 ACRE TRACT OF LAND OUT OF NCB 15193, 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 PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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12. CASE 7817 - to rezone Lots 1 and 2, Block 10, NCB 12906, 5000 Block of Rigsby Avenue from "A" Single Family Residential District and "F" Local Retail District to "B-3" Business District, located south-east of the intersection of E. Rigsby Avenue and Ravina Drive, having 112' on E. Rigsby Avenue and 140' on Ravina Drive.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mrs. Dutmer asked if the applicant would agree to a "B-3R" zoning change.

Mrs. Nathan James, the applicant, stated that she would not be satisfied with the "B-3R" zoning because she had observed that persons using car washes may drive in with alcoholic beverages.

Mr. Gene Camargo, Planning Administrator, explained that "B-3" Business District permits the sale of beer and has nothing to do with people driving into the car wash with alcoholic beverages.

The applicant stated that she wants to leave the avenues open since there is "B-3" zoning in the area.

No citizen appeared to speak in opposition.

Mrs. Dutmer stated that she would withdraw her request for "B-3R" zoning.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that street dedication in accordance with the Traffic Department's recommendation is accomplished. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb.

AN ORDINANCE 51,251

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 1 AND 2, BLOCK 10, NCB 12906, 5000 BLOCK OF RISBY AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION, IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT'S RECOMMENDATION IS ACCOMPLISHED.

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13. CASE 7815 - to rezone Lots 17 thru 19, Block 4, NCB 12912, in the 2400 Block of Wayne Drive, from Temporary "R-1" Single Family Residential District and "A" Single Family Residential District to "B-3" Business District, located on the west side of Wayne Drive, approximately 188.7' south of the intersection of Rigsby Avenue and Wayne Drive, having 180' on Wayne Drive and a depth of 140'; to rezone Lots 8 thru 10, NCB 16195, in the 2400 Block of Wayne Drive, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the east side of Wayne Drive, approximately 260' south of the intersection of Rigsby Avenue and Wayne Drive, having 180' on Wayne Drive and a depth of 140'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste.

AN ORDINANCE 51,252

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 17 THRU 19, BLOCK 4, NCB 12912, IN THE 2400 BLOCK OF WAYNE DRIVE, LOTS 8 THRU 10, NCB 16195, IN THE 2400 BLOCK OF WAYNE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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14. CASE 7795 S.R. - to rezone Lots 1, 2, 9 and 10, Block 10, NCB 1890, 615 West Ashby Place from "D" Apartment District to "R-3" Multiple Family Residential Distirct for a Montessori School for over twenty (20) children, located on the east side of Breeden Street between West French Place and West Ashby Place, having 280.62' on Breeden Street and 122.82' on both West French Place and West Ashby Place.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Bob McGinnis, representing the applicant, stated that they are asking for a more restrictive use. He stated that the owners have been there for 10 years and that the "D" zoning is more restrictive than the "R-3" they are requesting.

Mr. Joe Leven, Administrator of the Montessori School, stated that they have rennovated the home, and have made proper traffic arrangements. He stated that they have outgrown present facilities and the zoning change will allow them to expand the facilities. He stated that they anticipate to expand to 60 children throughout the years.

Mrs. Mary Tom Weyman, 1717 San Pedro, President of the Women's Club, stated that the Club has been organized since the 1900's. She stated that they are adjacent to the Monte Vista area and have invested in their property. She also stated that they are not against the Montesorri School but are against the "R-3" zoning for the area because they feel that this type of zoning would devalue their property.

Mr. Archer stated that he lives in the area and feels that most of the traffic is caused by San Antonio College. He stated that he might be voting against the zoning if he thought it would help the traffic, but didn't believe it would.

Mr. Canavan stated that the Montesorri School is in a "F" Local Retail District and if the school would have to relocate, another facility could be put in its place. He spoke in favor of the zoning change.

In response to Mr. Steen, Mr. Gene Camargo, Planning Administrator, stated that under the "R-3" classification, certain uses are allowed with special City Council approval.

Mrs. Dutmer stated that the area is very congested and felt that if the school was expanded it would add to the already existing problem.

In response to a question by Mr. Canavan, Mr. Camargo stated that under the present zoning, approximately 33 apartment units could be accommodated on the subject property.

Dr. Cisneros stated that both the staff, Zoning Commission, Traffic and Transportation Dept. and Historic Review Board have approved the request. He stated that it is a compatible use for the area and does not have deteriorating effects.

In rebuttal, Mr. McGinnis stated that the Montesorri School has a direct drive from Ashby to French. He stated that no additional traffic would be added.

After discussion, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that street dedication in accordance with the Traffic Department's recommendation is accomplished. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Alderete, Canavan, Archer; NAYS: Dutmer, Steen, Cockrell; ABSENT: None; ABSTAIN: Thompson.

#### AN ORDINANCE 51,253

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 1, 2, 9 AND 10, BLOCK 10, NCB 1890, 615 WEST ASHBY PLACE, FROM "D" APARTMENT DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT FOR A MONTESSORI SCHOOL FOR OVER TWENTY (20) CHILDREN, PROVIDED THAT STREET DEDICATION IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT'S RECOMMENDATION, IS ACCOMPLISHED.

\* \* \* \*

15. CASE 7814 - to rezone the south 75' of Lot 36, NCB 11889, 7926 Broadway from "A" Single Family Residential District to "B-1" Business District, located on the east side of Broadway, being 225' south of the intersection of Sunset Road and Broadway, having 75' on Broadway and a depth of 200'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved. Mr. Alderete seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 51,254

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 75' OF LOT 36, NCB 11889, 7926 BROADWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT.

\* \* \* \*

16. CASE 7792 - to rezone Tract 1-B, NCB 11175, 1536 S.E. Military Drive from Historic "F" Local Retail District to Historic "B-3" Business District, located between S.E. Military Drive and Mission Road being 70.17' east and 182.15' southeast of the cutback between S.E. Military Drive and Mission Road, having 70.17' on S.E. Military Drive and 68.86' on Mission Road.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

In response to a question by Mrs. Dutmer, Mr. Javier Gutierrez the applicant, stated that he is not interested in selling alcoholic beverages and would be agreeable to a "B-3R" classification.

Mrs. Dutmer expressed her concern that this area was the main entry into the San Antonio Missions Historical Park and that the City has been trying to upgrade the property.

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,255

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT 1-B, NCB 11175, 1536 S.E. MILITARY DRIVE FROM HISTORIC "F" LOCAL RETAIL DISTRICT TO HISTORIC "B-3" BUSINESS DISTRICT.

\* \* \* \*

17. CASE 7808 - to rezone Lots 33 and 34, Block 13, NCB 6361, 3431 W. Commerce Street, from "H" Local Retail District to "B-3" Business District, located northeast of the intersection of W. Commerce and S.W. 19th Street, having 57' on W. Commerce Street and 133.45' on S.W. 19th Street.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mrs. Felicia Alfaro, 146 Leroux, stated that the purpose of the rezoning would be to build a car wash and then even perhaps, a tire shop.

Mr. Armando Valdez stated that his property is right in back of the car wash. He stated that there is no room for a tire shop and expressed his concern that a junk yard could probably result. He stated that if the zoning is granted, a privacy fence should be installed.

After discussion, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the north property line and that street dedication be given in accordance with the Major Thoroughfare Plan and Traffic Department's recommendation is accomplished. Mr. Alderete seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,256

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 33 AND 34, BLOCK 13, NCB 6361, 3431 W. COMMERCE STREET, FROM "H" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE AND THAT STREET DEDICATION BE GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN AND TRAFFIC DEPARTMENT'S RECOMMENDATION IS ACCOMPLISHED.

\* \* \* \*

18. CASE 7818 - to rezone Lot 2 and a 3.263 acre tract of land out of NCB 12059, being further described by field notes filed in the Office of the City Clerk, in the 12600 and 12700 Blocks of San Pedro Avenue, from "A" Single Family Residential District and "F" Local Retail District to "B-3" Business District, located on the northwest side of San Pedro Avenue, being 370' northeast of the intersection of Malstberger Lane and San Pedro Avenue, having 751.1' on San Pedro Avenue and a maximum depth of 398.62',

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,257

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 2 AND A 3.263 ACRE TRACT OF LAND OUT OF NCB 12059, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 12600 AND 12700 BLOCKS OF SAN PEDRO AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

\* \* \* \*

79-44

CITIZENS TO BE HEARD

MRS. JANIE ADAME

Mrs. Adame stated that she was terminated from the Women, Infants and Children (WIC) Program after three months of employment. She stated that she was treated unfairly. She also stated that the program is not properly supervised and stated that the City Council should investigate the program. She further stated that Dr. Rothe did not help her in this program.

Mayor Cockrell informed Mrs. Adame that staff would be investigating the matter and a report would be back to the Council.

Mr. Alex Briseno asked Mrs. Adame to meet with Ms. Becky Cedillo, Administrative Assistant to the City Manager and supply her with the necessary information.

MRS. JULIA ROSS

Mrs. Ross reiterated Mrs. Adame's remarks.

MR. HUMBERTO SALDANA

Mr. Saldana, representing La Villita Renovation, stated that members of the Historic Review Board, River Walk Commission, and the Fine Arts Committee, have formed a sub-committee and are making an investigation into the buildings at La Villita. He asked the City Council to allocate public funds for the purpose of restoring La Villita.

MR. O'NEILL FORD

Mr. Ford spoke to the Council regarding the La Villita Ordinance and stated that he is distressed about the current condition of La Villita. He stated that he represents the architects of the City of San Antonio and hopes that the City Council will take their suggestions under serious consideration.

MRS. JOANNA PARRISH

Mrs. Parrish, representing the San Antonio Conservation Society, stated that he wholeheartedly supports the project as proposed by Mr. Saldana and Mr. O'Neill Ford.

MR. LARRY DI MARTINO

Mr. Larry Di Martino, representing the Fine Arts Commission, also expressed his support.

Mr. Steen stated that he wholeheartedly agrees with the project.

MR. BILL McNEIL

Mr. McNeil, representing Man and Beast, Inc., gave the Council a background history of what had transpired between their organization, the City Manager's Office and the Animal Control Advisory Board Committee. He stated that he wished to read into the record the minutes of the last meeting of the Advisory Committee. Mr. McNeil stated that they had been approached by the City Manager's Office to see if they could serve as cruelty-investigators. He stated that on August 8, 1979, they gave the Animal Control Advisory Board a detailed report on their written proposal. They offered a two-person investigative team to make a cruelty-investigation. He explained the other functions of the proposal.

Mr. McNeil asked the City Council to indicate why there has been no response for two months on this matter.

City Manager, Thomas Huebner, stated that there are two different interpretations of what transpired at the meeting.

The City Council asked that the minutes of the Animal Control Board be made available to the Council.

A discussion then took place on the liability of the City in case of possible accidents; if Man and Beast were to be subcontracted to do the investigating work.

City Manager Huebner stated that the major objective of the Animal Control Center is to address the problems of stray dogs. He stated that when that problem is addressed, the other problems can be investigated.

Ms. Karen Davis, Executive Assistant to the City Manager, stated that the City cannot afford the program of investigating cruelty to animals. She referred to a report made by Mr. Rolando Bono, Assistant to the City Manager on this matter. (A copy of this report is on file with the minutes of this meeting.)

MR. GENE BECKER

Mr. Gene Becker, President of the Veterans of the Greater San Antonio area spoke of the problems of the Veteran's Outreach Program. He asked for the Council's assistance in seeing that the veterans of the San Antonio Area receive their fair share of the training, OJT and Job Placement Programs. He made the following requests:

1. An Actual allocation/fair share of C.E.T.A. training and OJT slots for veterans coming through the Veterans Outreach Program or additional funding for buy-in training.

2. Status of the Veterans Representation on the recently founded Private Industrial Council (PIC).
3. Status of the requested Ad Hoc Committee in my 31 May 1979 request to the Chairman of CETA. See attached letter dated 31 May, 1979.

(A copy of his report is on file with the minutes of this meeting)

Mayor Cockrell asked that staff respond to the matter in a written report to the Council on the points raised by Mr. Becker.

REVEREND CHARLES ENGLISH

Reverend Charles English, representing Operation East Project, stated that they need more police protection in the neighborhoods. He spoke about the formation of the Operation East Project. He said that a survey by the group indicates that the major problem in their area is crime. He further stated that the Police Department's Patrol Division's main purpose should be to provide adequate protection to citizens. He stated that they are tired of being taxed and no service is provided.

MR. S.J. DAVIS

Mr. S.J. Davis, also of Operation East, spoke about the crime situation in the east side of the City. He spoke about their particular cases involving Senior Citizens. He said that human beings have rights which are being infringed upon by criminals. Mr. Davis stated that they want better and more police surveillance.

REVEREND L.C. GRIFFITH

Reverend L.C. Griffith also spoke of crime on the east side. He asked for a meeting to be set up by the Mayor for Operation East to get some answers.

Mayor Cockrell asked the City Manager to arrange for a meeting with the Police Department.

Mr. Eureste urged the Council to act on a Police Department study.

Mr. Alderete stated that he is in agreement that annexation should not be attempted until the present areas are properly serviced.

Dr. Cisneros spoke about MANCO's Program and their efforts in thwarting burglary.

A discussion then took place on the crime situation and what an individual person can do. They also discussed what impact increased funding for the Police Department could do.

Mayor Pro-Tem Webb read from a letter written by Chief Peters regarding his desire to meet with representatives of Operation East.

In response to Mr. Archer's statement, Mr. Eureste suggested a Committee to study the problem and said that he was not responsible for the entire budget. He stated that there had to be a majority vote.

MR. TONY PADILLA

Mr. Padilla stated that he wanted to work as a Masseur and spoke about his experience and training. He stated that he cannot get a permit because the Police Department lost his original certification record.

A discussion then took place on whether the Massage Parlor Ordinance could be amended to provide for exceptions.

Dr. Cisneros moved to place the matter on the agenda. Mr. Eureste seconded the motion.

Mayor Cockrell spoke against any exceptions to the Ordinance and stated that she would be in favor of a report coming back to the Council on this matter.

Dr. Cisneros and Mr. Eureste withdrew their motions.

City Manager Huebner stated that a report could possibly clear the matter up and would be presented to the Council in one week's time.

MRS. SYBIL KANE

Mrs. Sybil Kane, Chairman of the Animal Control Advisory Committee, spoke to the Council in regard to the previous discussion on the issue of cruelty investigation proposal of Man and Beast, Inc. She stated that their next meeting is scheduled for October 10, 1979.

At this point, Mr. Alderete asked for a consensus vote on a previous suggestion made by Mrs. Dutmer.

Mrs. Dutmer then repeated her suggestion that a sanction or support of such an organization can bring liability on the City.

The Council then concurred that the Animal Control Board and staff should take care of all Animal Control problems in the City.

MR. ROBERT DIAZ DE LEON

Mr. Robert Diaz De Leon, Chairman of the Greater San Antonio Chamber of Commerce's Task Force on Drainage, reported to the Council on its findings and recommendations to improve local drainage. Their recommendations are as follows:

1. Use of cost/benefit analysis when assigning priorities to projects.
2. Use of the Capital Improvements Program when assigning funding to projects.
3. Review of procedures and staff workloads in right-of-way acquisition.
4. Determination of who should pay for utility relocation to avoid delays.
5. Consideration of additional staff in drainage engineering.

(A copy of Mr. Diaz De Leon's statement is on file with the papers of this meeting.)

MR. W. D. TOYNE

Mr. W. D. Toyne, 5303 Sherry Drive, spoke about the City's present services including water and drainage. He also spoke about the present condition of City streets in the Hillside Acres area. He referred to the material being used to redo the streets in their area as inferior.

MRS. ANNA K. HECKMAN

Mrs. Anna K. Heckmann spoke about the streets in the Hillside Acres as not being completed. She stated that she suffers from a respiratory ailment and the condition of the streets have been aggravating her health. She asked the Council to do something about it.

MR. RALPH TEJEDA

Mr. Ralph Tejeda, Hillside Acres resident, also spoke about the condition of the streets due to the Hillside Acres Water and Sewer Project. He said that the dust is deplorable and asked that the Council do something to correct the situation out there.

MR. PAT SEMELSBERGER

Mr. Pat Semelsberger stated that they have gone along with the delays in construction of the streets due to the Water and Sewer Project in the Hillside Acres Area. However, they were lead to believe that the streets would be of the best quality. He said that no other streets in the City have received the type of construction that their streets have received. He asked that the City give them a report on this matter.

Mr. Thompson stated that he has personally driven through the area almost weekly. He said that the problem is that the material being used is limestone and this product is not acceptable. He feels that a breakdown in communication has occurred in this instance and a misunderstanding exists on what was promised to the citizens.

Mayor Cockrell stated that when funds were allocated for the Hillside Acres Project, only water and sewer services were provided for. The job was to put back the streets as they were before construction. Additional monies need to be programmed if the streets are to be included.

Mr. Alex Briseno, Assistant to the City Manager, referred to a report made by Mr. Frank Kiolbassa, Director of Public Works, on this matter. (A copy of the report is on file with the papers of this meeting.) The report states that this project was intended for sewer and water improvements in the Hillside Acres area. Mr. Briseno suggested that if the Council would like the staff could get estimates of what the cost would be to repave these streets. At the present time it is not a funded portion of the project.

Mr. Semelsberger stated that they had been promised top quality paved streets.

Mayor Cockrell stated that the City has an obligation to put back the streets to at least the same quality as before construction began. She asked for a report from the City staff on the condition of the streets before the water/sewer project began, the difference between the street provided after the project and what was there previously, and the cost of improvement of those streets including curbs, sidewalks, etc.)

Mr. Thompson asked that the report be made available to him as well as the other Council members.

79-44 The meeting was recessed at 8:05 P.M., and reconvened at 8:45 P.M.

79-44 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Thompson, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 51,258

ACCEPTING GRANTS FROM THE FEDERAL AVIATION ADMINISTRATION FOR RUNWAY AND TAXIWAY IMPROVEMENTS AT INTERNATIONAL AIRPORT AND STINSON MUNICIPAL AIRPORT; APPROPRIATING THE SUM OF \$518,744 FROM AIRPORT REVENUE FUNDS; AND APPROVING REVISED BUDGETS.

\* \* \* \*

79-44 The Clerk read the following Ordinance:

AN ORDINANCE 51,259

ACCEPTING THE LOW QUALIFIED BID OF \$23,100 BY A.D. MCCOMBS, INC., FOR THE ARENA PAINTING PROJECT; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT THEREFOR; AND AUTHORIZING PAYMENT FROM FUND 43-001.

\* \* \* \*

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

In response to a concern expressed by Mr. Wing, Mr. George Noe, Administrative Assistant to the City Manager, reassured him that this Ordinance was in no way connected with Mr. B.J. "Red" McCombs, who is a stockholder of the San Antonio Spurs.

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

79-44 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 51,260

ACCEPTING THE LOW QUALIFIED BID OF D.D.W. CONSTRUCTION CO., IN THE SUM OF \$418,987 FOR THE REHABILITATION OF RILLING ROAD SLUDGE BEDS- PHASE U; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT THEREFOR; AND AUTHORIZING PAYMENT OUT OF FUND 52-008.

\* \* \* \*

79-44 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Steen, was approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,261

ACCEPTING THE LOW QUALIFIED BID OF HOGAN MECHANICAL, INC., IN THE SUM OF \$343,376.20 FOR THE SALADO CREEK WASTEWATER TREATMENT PLANT UPGRADING PROJECT; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT THEREFOR; AND AUTHORIZING PAYMENT OUT OF FUND 52-008.

\* \* \* \*

79-44 The Clerk read the following Ordinance:

AN ORDINANCE 51,262

AUTHORIZING APPLICATION TO THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR A GRANT OF \$94,700 TO IMPLEMENT THE TEXAS WEATHERIZATION PROJECT; AND ACCEPTANCE OF THE GRANT.

\* \* \* \*

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

In response to a question by Mr. Thompson, Mr. George Noe, Administrative Assistant to the City Manager, stated that the main thrust of the project will be to address the elderly and the handicapp.

Mr. Thompon expressed his concern that he wants the money to be sure to get to the targeted groups.

Mr. Keven Moriority, Assistant Director of Human Resources and Services stated that the eligibility criteria specifies that the applicants be elderly, handicapp or elderly migrant.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

79-44 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,263

PROVIDING FOR ADMINISTRATION OF THE HOME MAKER-HOME HEALTH SERVICES PROGRAM, SECOND YEAR, BY THE CITY DEPARTMENT OF HUMAN RESOURCES AND SERVICES; ADOPTING A BUDGET, AUTHORIZING POSITIONS; APPROVING AN OFFICE LEASE AGREEMENT; ESTABLISHING A FUND; AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE TEXAS DEPARTMENT OF HUMAN RESOURCES FOR A GRANT OF \$956,042 IN SUPPORT OF THE PROGRAM; AND AUTHORIZING CONTRIBUTIONS FROM THE GENERAL FUND.

\* \* \* \*

79-44 The Clerk read the following Ordinance:

AN ORDINANCE 51,264

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF LABOR, IN BEHALF OF THE ALAMO CONSORTIUM, IN THE AMOUNT OF \$100,000 FOR THE FISCAL YEAR 1980 EMPLOYMENT AND TRAINING PROGRAM FOR DISPLACED HOMEMAKERS UNDER TITLE III OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT.

\* \* \* \*

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

Mrs. Dutmer stated that in her opinion, the Bexar County Women's Program was not very innovative.

In response to a question by Mr. Thompson, Mr. Roland Lozano, Executive Assistant to the Director of Economic and Employment Development, explained the program with regard to helping students receive financial assistance for college.

Mr. Thompson stated that he was not in agreement with money going for just seven people for the purpose of receiving money to obtain a Post High School education.

Mr. Lozano then explained the program operation of the Bexar County Women's Center.

Mrs. Dutmer stated that different criteria for gaging proposals should be utilized.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Alderete, Canavan, Steen, Cockrell; NAYS: Dutmer, Thompson, Archer; ABSENT: None.

79-44 The Clerk read the following Ordinance;

AN ORDINANCE 51,265

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE SAN ANTONIO DEVELOPMENT AGENCY AND MISSION FEDERAL SAVINGS AND LOAN ASSOCIATION AND WITH TRAVIS SAVINGS AND LOAN ASSOCIATION, IN CONNECTION WITH THE CDBG HOUSING REHABILITATION PROGRAM.

\* \* \* \*

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

In response to a question by Mr. Thompson, Ms. Rhea Korsch, Operations Manager of the Community Development Program, explained what a mature neighborhood meant. She stated that it means an older inner city neighborhood.

Mr. Thompson stated that he has some homes in his area that are six years old and yet are deteriorating.

Mayor Cockrell stated that these areas must be within the confines of the Community Development Block Grant Program.

Mr. Thompson stated that he feels that the City is putting in money in these banks and only getting a small interest rate percentage. He stated that there are several misconceptions in the contract and further stated that staff should be directed to review the forms of the contract and correct them.

Mr. Eureste stated that the problem is trying to get money to rehabilitate "older" homes.

Mr. Winston Martin, Executive Director of the San Antonio Development Agency, explained the Ordinance and stated that it is true that banks are not granting any great commission on this program. He explained how the contract was arranged and for what purpose.

A discussion then took place on having staff renegotiate to see if the interest rate could be increased.

Mr. Thompson stated that the Ordinance should be approved and he would work with staff on the minor rewrites.

Mr. Eureste stated that the Council should not approve a document and then have it reviewed by one Councilmember with staff. He stated that it could set up a precedent. Mr. Eureste proceeded then to make a substitute motion to refer the Ordinance back to the Legal Department. Dr. Cisneros seconded the motion.

On roll call, the substitute motion failed to carry by the following vote: AYES: Cisneros, Eureste; NAYS: Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; ABSENT: None.

On roll call, the original motion to approve the Ordinance, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

The Clerk read the following Ordinance:

AN ORDINANCE 51,266

SETTING A PUBLIC HEARING FOR CONSIDERATION  
OF A MAJOR AMENDMENT TO THE URBAN RENEWAL  
PLAN FOR THE NEIGHBORHOOD DEVELOPMENT PLAN  
(NDP) TEX. A-8.

\* \* \* \*

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

Mrs. Dutmer asked what was meant by the following statement that appeared in the Council's summary explanation: "This is necessary in the Select Housing Target Areas because the assembly of land and replatting require Urban Renewal designation in order to acquire the property through condemnation for subsequent development by non-public entities.

Mr. Winston Martin, Executive Director of the San Antonio Development Agency, explained that the only way to condemn property in the State of Texas for resale to private interest is through Urban Renewal. Many times the Urban Renewal Agency has to clear title and go through the courts to condemn parcels of property even if the owner is willing to sell.

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

79-44 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,267

AUTHORIZING THE CITY MANAGER TO ACCEPT  
THE 1980 MINI-BLOCK GRANT AWARDED TO  
THE CITY OF SAN ANTONIO BY THE CRIMINAL  
JUSTICE DIVISION OF THE OFFICE OF THE  
GOVERNOR.

\* \* \* \*

AN ORDINANCE 51,268

ACCEPTING THE HIGH BIDS FROM A BANK  
RECEIVED IN CONNECTION WITH CITY  
FUNDS AVAILABLE FOR DEPOSIT IN  
INTEREST-BEARING CERTIFICATES OF  
DEPOSIT. (CENTRAL PARK BANK)

\* \* \* \*

AN ORDINANCE 51,269

AUTHORIZING THE CLOSING OF SAN SABA  
STREET BETWEEN DOLOROSA AND WEST  
COMMERCE STREETS ON SEPTEMBER 28, 1979  
DURING CERTAIN HOURS.

\* \* \* \*

AN ORDINANCE 51,270

AUTHORIZING PAYMENT OF \$23,801.22 TO THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR CALENDAR YEAR 1980 MEMBERSHIP DUES.

\* \* \* \*

AN ORDINANCE 51,271

APPROVING RELOCATION OF NON-ACCESS EASEMENTS ON LOT 56, NCB 11620, CONTINGENT UPON REPLATTING AND REZONING.

\* \* \* \*

79-44

The Council authorized the following Travel Authorization  
Dr. Henry G. Cisneros - Chamber of Commerce "SA to DC" trip  
Robert Thompson - Chamber of Commerce "SA to DC" trip  
Period of September 23, 1979 September 26, 1979

79-44

PROPOSED ANNEXATION DISCUSSION

The Clerk read the following Ordinance:

AN ORDINANCE 51,272

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF 4.63 SQUARE MILES OF LAND BY THE CITY OF SAN ANTONIO AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

\* \* \* \*

Mr. Bob Hunter, Director of Planning, made a report to the Council on the proposed annexation. He referred to a report dated September 19, 1979 which ranks twelve prime areas for annexation. The total package for evaluation covers slightly more than fourteen square miles, includes approximately 30,000 people and has a fiscal impact on the City as follows: \$3,030,349 Net Revenue, \$1,390,713 annual recurring costs. He further stated that none of the identifying areas are threatened by other cities. He recommended that the City Council approve the procedure for annexation and further stated that there has not been any urban residential annexation since 1972.

City Manager Huebner explained the difference between those residents in the City and those residents in the County with regard to qualifying for FHA to be between \$30 and \$35 a month. He stated that the staff would want to further redefine those areas. He also stated that the staff does not want to hamper the future development of undeveloped land.

The following citizens then spoke on the subject:

Mr. Terry Van de Vere spoke about the present services offered by the City and spoke against any further annexation, until the present residents are provided for adequately.

Mrs. Sarah Foshee spoke against the proposed annexation to the northeast sector of the City. She stated that what good would more federal funds do if their area is never considered with regard to these funds. She spoke about the City's lack of servicing this area with regard to needed facilities such as libraries, parks, and drainage projects.

Mrs. Maria Dominguez spoke against the proposed annexation.

In response to a question by Mr. Steen, City Attorney Jane Macon stated that the Council can halt the proceedings on annexation at any time. She explained that there is a public hearing held first and after that a first reading of the Annexation ordinance; with a second and final reading of the Annexation ordinance.

Mr. Steen then made the following proposal: To commence proceedings for a public hearing on Areas identified as Area 7, which includes a portion of Camelot on the northeast sector; Area 12, which includes Indian Creek off Pearsall Road just inside Interstate 410 in the southwest area; and Area 17, which includes The Great Northwest, Forest Glen and Timber Creek additions off Culebra Road and just outside Interstate 410, including Ingram Park Plaza. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Eureste, Mr. Steen stated that the City ought to have an annual annexation process. He also felt that this annexation would strength the City's tax base.

City Manager Huebner in response to a question by Councilman Eureste, stated that the Planning staff had identified the areas and presented them to the Council. (A copy of the Planning Department's report which includes financial analysis, fiscal impact on all the areas, individual area summaries and recommendations and maps are on file with the papers of this meeting.) Mr. Huebner then explained the criteria used by FHA for evaluating persons applying for home loans.

A discussion then took on pros and cons of living within the City limits.

Mr. Eureste then presented a Revenue Analysis of the Proposed 1979 Annexation and his estimates on the real net value to the City. (A copy of his analysis is on file with the papers of this meeting.) Mr. Eureste stated that property taxes will have to be increased and feels that the revenue arguments put forth by the staff do not hold up.

Mr. Hunter stated that the City's bonding capacity would be increased. He also stated that sales tax base would also be increased.

In response to a question by Dr. Cisneros, Mr. Hunter stated that there are no boundary encroachment problems from other neighboring cities.

Dr. Cisneros then presented an analysis on 1979 net revenues; approximate 1972 net revenues; annual cost estimates; and actual revenues in FY-81. (A copy of Dr. Cisneros' written analysis is on file with the papers of this meeting.) Dr. Cisneros stated that the revenues to be generated by the proposed annexation does not begin to address the monies needed to furnish the services that will have to be provided.

Mr. Wing stated that he is opposed to any proposed annexation and feels that taking into the City developed land will cause more leap frog development since no one will want to develop next to an area that has just been annexed.

A discussion then took place on services to be provided to the annexed areas which include sewer, water, traffic and health services.

Mr. Alderete spoke about commitments made by previous Council with regard to the 1972 Annexation. He asked for a report from the City Manager as to the commitments made to the areas annexed in 1972 and which commitments have been accomplished.

Mr. Canavan then stated that it is in the best interest of the City to annex because it helps the City's economic base. He also stated that he would vote against the motion made by Mr. Steen because he doesn't know if these are the best areas to annex. He spoke in favor of an annual annexation review process.

Mayor Cockrell urged the Council to begin the process needed for annexation. She stated that there has been no major annexation since 1972 and opposition now would give the City a negative image with regard to growth and potential new industry and business development concerns.

Mrs. Dutmer stated that the northwest area will be incorporated or will attempt to join other incorporated cities if the City of San Antonio doesn't act positive. She spoke in favor of the annexation plan as presented by Mr. Steen to get the process started for an orderly annexation program.

In response to Mr. Eureste, Mr. Steen explained why he had selected the three areas for Council's consideration.

Mr. Thompson stated that the City Council should look at the merits of annexation as a possibility. He supported the Mayor's position on this matter.

Mr. Eureste stated that many businesses that wish to locate in the San Antonio area want exemption from annexation and spoke against the motion.

Dr. Cisneros stated that the case for annexation with regard to economics has not been made. He then made a substitute motion to set up an Annexation Committee composed of Council members and leading citizens to come up with an annexation statement. Their task would be to review the specific areas recommended by the staff and report back to the Council. Mr. Eureste seconded the motion.

In response to a question by Dr. Cisneros, Mr. Hunter stated that the City of San Antonio must be put on notice if any other incorporated city wants to annex a parcel of land in San Antonio's Extra-territorial jurisdiction.

Mr. Canavan then stated that he will vote for the motion as proposed by Mr. Steen to put in motion a public hearing for discussion of the three specific areas.

Mayor Cockrell then stated that she had been in favor of the original proposal submitted by staff and had wanted an opportunity to look at the entire package. She stated that the staff can have an opportunity to review the economic feasibility and analysis report made by Mr. Eureste and Dr. Cisneros. She also spoke against any projection of no growth by the City.

On roll call, the substitute motion failed by the following vote: AYES: Cisneros, Wing, Eureste, Alderete; NAYS: Webb, Dutmer, Thompson, Canavan, Archer, Steen, Cockrell; ABSENT: None.

After further discussion, the main motion, prevailed by the following vote: AYES: Dutmer, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: Cisneros, Webb, Wing, Eureste, Alderete; ABSENT: None.

79-44 The Clerk read the following Ordinance:

AN ORDINANCE 51,273

AUTHORIZING THE CITY MANAGER TO EXECUTE A CERTIFICATE AND AGREEMENT IN FAVOR OF FIRST CITY NATIONAL BANK OF HOUSTON IN CONNECTION WITH REDEVELOPMENT OF THE HOTEL SITE IN THE ALAMO PLAZA PASEO DEL RIO LINKAGE PROJECT.

\* \* \* \*

Mrs. Dutmer moved to approve the Ordinance. Mr. Steen seconded the motion. On roll call, the motion, carrying the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb.

79-44 The Clerk read the following letter:

September 14, 1979

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

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

September 10, 1979

Petition submitted by Martin Padilla, requesting permission to sell ice cream, from a moving cart, at Alamo Plaza.

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

\* \* \* \*

There being no further business to come before the Council, the meeting adjourned at 12:15 A.M.

A P P R O V E D

*Lila Cockrell*

M A Y O R

ATTEST:

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

ADDENDUM TO THE MINUTES OF  
SEPTEMBER 20, 1979

79-44      DISCUSSION REGARDING PROPOSED ANNEXATION

The Clerk read a proposed ordinance setting a date, time and place for a public hearing on the proposed annexation of 8,990 acres of land by the City of San Antonio and authorizing and directing the City Manager to publish notice of such public hearing.

MAYOR LILA COCKRELL:      All right, we'll ask for the staff presentation and then we do have citizens to be heard.

MR. BOB HUNTER, DIRECTOR OF PLANNING:      Can you see this map or shall we move it up here?

MAYOR COCKRELL:      The persons that will be heard are, of course, on annexation on this item.

MR. HUNTER:      This is similar to the map that you just received, however, we have done some additional overlays.

In response to your memorandum this week concerning a reduced annexation package staff has provided to you 12 areas, prioritized for your consideration.

MAYOR COCKRELL:      I wonder if it is possible to have another one so that the audience can see? Could we tape one on the posts or something? All right, go right ahead.

MR. HUNTER:      In summary seven of the top eight areas merit your serious consideration. As I said earlier, we have provided to you 12 areas prioritized. These seven areas contain approximately 30,000 people and approximately 8,990 acres and provides for the City an estimated net revenue of over \$3 million. Staff's approach in further reducing the original 27 areas which we presented to you last week dealt essentially in that package with the net revenue change. One of our secondary considerations in the memorandum given to you this week dealt with the contiguousness of the area under consideration. The table that was attached to the memo that you received reflects this primary criteria. We feel this approach does allow flexibility to Council in selecting an acceptable size - an area, or people which you wish to consider.

Additionally one of your comments last week, none of the areas seriously challenge our boundaries or threaten the City limits or the extraterritorial jurisdiction of the City.

DR. HENRY CISNEROS:      Would you repeat that, Bob?

MR. HUNTER:      None of the areas which we have identified are threatened by other cities or incorporation or expansion of our City limits or our extraterritorial jurisdiction. Staff realizes the Council may choose to annex a portion of the areas that we have identified, however, I would like to point out that the City has had no urban residential annexation since 1972 and we have fallen, we feel, behind in an orderly process.

Many people have spoken of services since 1972, the reason being in that we have annexed undeveloped land and we are feeling the growing pains in those past seven years of development occurring on undeveloped land and day to day increases in the services the City is providing. I think you are well aware that there are services which are being somewhat stretched

by that expansion. This current annexation program we feel though shouldn't have the same impact. We are looking essentially at developed areas at City standards. We have projected the service needs and have projected the revenues that we anticipate and that as you have seen by the summaries we are anticipating a net revenue to the City. We can so choose to use the best way Council deems fit.

In summary, we are recommending seven of those top priority areas of the eight for your serious consideration. Priority area #7, area #34 in the package you received last week should be deferred we feel at this time dealing with the second criteria I just mentioned of its contiguousness. Additionally, you should note that priority area #2, area #14 in your package depends on inclusion of priority area #5, which is area #13. That's these two areas here. Additionally, favorable consideration should be given to the commercial area of priority area #3, this area, because that does include the Ingram Park Plaza, and regardless of your decision concerning the remainder of that area we do recommend a strong consideration concerning that commercial area.

MR. JOE ALDERETE: Point of information.

MAYOR COCKRELL: Yes, Mr. Alderete.

MR. ALDERETE: Bob, the vast majority of Ingram Park Mall is already in the City limits. There is part of it, the J. C. Penny Store and some parking lot that is not in the City limit, but I would say that the vast - I would say about 85 or 90 percent of the mall is inside the City limits.

MR. HUNTER: The mall is, yes, sir. I'm speaking of Ingram Park Plaza which is on the other side of the road. There is substantial commercial development that's occurring there. Also in last week's transmittal letter we still recommend that the City commit to increasing the police complement for the areas that are annexed to a level equal to the present per capita ratio of the rest of the City.

One other recommendation that was mentioned in your memo this week is that the City continue to conduct annual annexation programs. That, in essence, is what is in the memo that you received day before yesterday.

MAYOR COCKRELL: All right, thank you. I see that there are a number of Councilmen who are wanting to speak. If it would be agreeable I would like to call on the citizens first because I know a number of them would like to speak and then we could enter into our Council discussion, if that would be agreeable. Did you want to make your report?

CITY MANAGER THOMAS HUEBNER: Yes, I would like to just add one comment to what Bob has said and that is, the areas that we have designated I would not say that they are totally refined. I've had calls from several parties which say, you know, it's okay if you annex this much, but I really wish you wouldn't annex this portion of it and basically what they are talking about is undeveloped land that is included within these areas. Now, the importance of that is this. The difference between being in the City and paying City taxes and being out in the county from a standpoint of qualifying for FHA loans. It makes a difference of about 30 or 35 dollars a month in a house payment and so the bringing in of undeveloped land affects those persons who are in the lowest bracket in terms of qualifying for their house payments. I think if the Council chooses to go ahead and consider these that we would want to look with the parties involved to further refine these areas so that we do not hamper the development of the unimproved land as it exists today.

MAYOR COCKRELL: Thank you. Mr. Terry Van de Vere.

MR. TERRY VAN DE VERE: Madam Mayor, Mr. Huebner, Council. I'm here to address you on basically three points that you, I feel you ought to consider before we go as far as even having a hearing on this annexation. It seems to me, one, that an awful lot of the publicity in the newspaper, on the TV of late, has to do with some federal forms that we got to institute annex proceedings in time to qualify for. We're talking about some state funds as well. If money's the morality for the annexation, I've got to say no. Again, in a general vein we've heard an awful lot this evening from a group that identified themselves both as inner city and east side about a less than adequate police coverage in their area. We've heard a lot on the newspaper and TV of late about Valley-Hi. There's some services there that seem to be substandard by the average as the City as a whole has and yet they are paying the same tax rate. If that is going to be the case in the lands you are contemplating annexing, you are talking about doubling or tripling their tax rate effective measure as the services are receiving. And again I've got to say no. We've heard this evening that Mr. Cisneros' mother twice in a week has been ripped off. That our Mayor's been a victim of some of these losses twice within a year.

I've got to say as a whole that some of these services leave something to be desired for, I live in a county and presently I get four and a half to five minutes response time from the volunteer fire department. If I become City they've got to come from up on Culebra Road. That's nearly nine miles down Culebra, Potranco and Hunt Lane. I don't suppose I'm going to get good response time but it's going to cost me 50% more in taxes. The Police Department, and I spoke with Mr. Eureste on this just yesterday by telephone. I'm told the close of business December had 1,070 deputies, 1,070 officers more or less with approximately 900 applied in patrol with a population at that time of roughly 8,030,000. That works out to one officer per shift for every 2,767 people. If we consider about 18 thousand people served in the Valley-Hi area in 1972, three officers I'm told, I don't know if that's all total, the first shift to give you the benefit of the doubt, let's call it 3 per shift. That's one officer for 6,000 people, that's roughly the same tax rate as the rest of the City for half the coverage or on a service effective basis twice the tax rate. I don't think until we have our own house clean we're in the business to go looking for any more real estate. I think the county is servicing the area as well as the City can with the kind of restraints of budget that you presently have. Thank you.

MAYOR COCKRELL: Thank you. Mrs. Sara Foshee.

MRS. SARA FOSHEE: Madam Mayor, and members of the City Council, my name is Mrs. Sarah Foshee, and I'm a resident of District 10. I live in the far northeast corner of District 10 and I'm here tonight because most of all, I question your priorities and I object strongly to the proposed annexation to the northeast of our City. I object to people and property just being garbled up to fill the City's purse, increase population, and to enable San Antonio to qualify for more federal funds. What benefit is it to us out where I live to get more federal funds? Our area isn't even eligible for CDBG funds. The libraries, and any kind of improvements, parks, anything in the big handout every year, plus we hardly ever get any benefit from any revenue sharing funds.

We were snatched up in 1972 and annexed and what has happened since then? City services are already stretched to a thin point out where I live; the nearest library is 11 miles away. They are building three new schools, people are moving out there every day. There are no public pools, only one City park with limited facilities. Vandalism and burglary are on the rise and we run the risk of turning into another Valley-Hi. Valley-Hi is an example, another example of annexation without forethought. We have chuck holes, we have flooding, we have narrow roads and we have a lot of stray dogs.

As for fire protection, one fire station serves the widest area I've ever seen for a service area for a fire station. We need a police sub-station; we need police in our neighborhood. They are never in our neighborhood. They are riding up and down Nacogdoches Road. That's the only time you ever see them. They never come down your street. We need street improvements. We have no school sidewalks. So look how it is now and this is what happens when you annex and annex and annex with no planning.

I want to know what the purpose of your highly publicized master plan is anyway. You have buildings and streets in decay and have crime in the inner city and the near inner city. Like the people that said today, we have problems all over the City of San Antonio and you want to go and pull in more areas to the north. To me that doesn't make any sense at all. As for proposed improvements in my area, all the talk and all the promises about O'Connor Road have apparently come to nothing just like everything else. I urge you to carefully consider what you plan to do and all I can say is, enough is enough. Thank you.

MAYOR COCKRELL: Mr. Don Green from VOICE. I believe that covers all the citizens that were registered on annexation. She was not registered to speak, I'm sorry. All right. No madam, this was on annexation. All right, I will recognize you, fine. You do have to sign up, but I will let you speak.

MRS. MARIA DOMINGUEZ: Can I sign for next time because I want to sign for next time. Anyway, I agree completely. The last annexation that - really the Mayor at that time didn't survive because was to kick him out. He knew they were to kick him out that's why he didn't even run.

The services are lousy. I realize we have a welfare City, a welfare state, but we have a City Manager that is better paid than our State senators. So I think that before you get more people into the City you should provide better services now. We have wonderful business people that get ahead in business but when it comes to City it is lousy business because nobody is providing anything. Before our government when the military people want to go to the school and get some kind of compensation for taxes, but we have the best paid employees of the City. They live and move out of the City and we get no compensation - move out for these people that have to be paid that don't even get the minimum salary. Well, I oppose annexation for that. It's just like having a bunch of kids just to get welfare. This City is the biggest welfare getter of anybody else. They say our money - our money don't come as rain from the - and I think it's about time that we don't need - we try to support ourselves as much as possible.

It's not my five minutes, Mrs. Cockrell, yet.

MAYOR COCKRELL: I'm trying to hurry the meeting along, that is why and you were not registered and we did let you speak.

MRS. DOMINGUEZ: Yes, but it's about time that we tell the federal government that we don't need this. We can do something. We are worse than kids that don't want to work. You are making dependable all these people here. What do you have to offer to these people here? Why do we have to pay City taxes? If we are going to get money we are not going to make it working. What about that HemisFair? It was offered to be handled by the people who want to make money in Dallas, but it was turned down because as long as we have poor - and we have to keep the City that way. So we have to tax the sewer, we have to tax - but it really is ridiculous how some of our people which are the best paid employees, not all but some of them. The ones that we don't elect.

MAYOR COCKRELL: Thank you. All right, now then we will go to the Council. Mr. Steen.

MR. JOHN STEEN: Thank you, Madam Mayor. First of all I'd want to ask Mrs. Macon, if we do start some type of annexation proceedings we can drop the whole deal at any time or even parts of the situation. Isn't that right, Mrs. Macon.

CITY ATTORNEY JANE MACON: That's correct. As long as the notice is given for the areas under consideration and then that notice will include all those areas. If this Council at one time decides to drop any or all or part of those then the notice would have been sufficient to let individuals know what was going to be annexed.

MR. STEEN: Thank you very much. I want to kind of explain about three areas if I may - if I can at this time, Mayor. And then I would like to make a motion. First, area 7 which is priority #1 and that's the area, of course, in District 10 in the northeast. It's called the Camelot Area. I would like to, when I make the motion, to include that area in the annexation plan. I would like to say this, that we want to cut that in half and annex about 3,500 people as a result. The reason for that, of course, is what the City Manager said. That half of that priority spot up there on the map is not fully developed and if we cut off about a half of it with the east line to be decided later then I want to make that part of the motion. In other words, I want the well developed part of Camelot to be part of the annexed area that would include about 3,500 people and probably about a one square mile of land.

Then I want to move over to area #17 which is priority #3 on the list, and we want to annex to Grissom Road on that, take in that particular area. The reason for that, of course, is the fact that up to Grissom Road that area, as I understand it, is almost completely developed. When you look at the map it looks like some vacant land there but what that is - it is in the flood plain and it's never going to be developed so that particular area is almost fully developed.

Then we move down into priority #8 or area 12 which affects - the last area affected District 7 - this would affect District 6, this area 12 priority #8. We want to look at that whole area down there which is in the southwest area part of town which contains about 3,000 people and about one square mile of land.

MAYOR COCKRELL: Could we have someone pointing these areas out? I think it would help everybody.

MR. STEEN: Now, in other words those three areas would contain about anywhere from 9 to 10,000 people and that's a complete guess, and they would contain about 3 or 4 square miles, which is another complete guess. I'm pretty sure it would be in that vicinity, and I would like to rule at this time, Madam Mayor, that we proceed and set up a public hearing with reference to area 7, area 17 and area 12.

MAYOR COCKRELL: Is there a second to that motion?

MRS. HELEN DUTMER: I'll second it for the sake of debate.

The Ordinance as revised follows:

AN ORDINANCE 51272

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING  
ON THE PROPOSED ANNEXATION OF 4.63 SQ. MILES OF LAND  
BY THE CITY OF SAN ANTONIO AND AUTHORIZING AND  
DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH  
PUBLIC HEARING.

\* \* \* \*

MAYOR COCKRELL: There is a motion and a second that we commence the proceeding for the areas designated as 7, 12, and 17. All right, is there - I'll call on the other council members in turn now. Mr. Eureste.

MR. BERNARDO EURESTE: Mr. Hunter, let's talk about those three areas. Let's start with area #7, area 17 and then go into area 12. On area #7, first of all I need to ask why we are doing this. What is the basis, I think the maker of the motion at least owes us an explanation.

MR. STEEN: I certainly will give you the basis, Bennie. Number one, if your City is going to be progressive I think that you have to set up an annual annexation plan. I think you have to annex whatever land is eligible each year. We haven't been doing that. We've never done that. All of a sudden we jump up, after 7 or 8 years or 10 years and say, let's annex a lot of territories because we have fallen behind, but when we get an area that's fully developed that's right next to our City limits it's time to move in and annex that particular area. Why, because it enlarges our tax base. With reference to these three areas the staff has told us that we are going to take in more revenue than we are going to pay out to support those three areas, and so I think we have every reason in the world if we are going to be a progressive City to annex land, and we have got to make a start somewhere. I would be very much in favor of annexing this small bit of land because we are talking about 3 to 4 square miles. We're talking less than 10,000 people and if you look at the City as a whole that's a very minute figure whether you look at it in miles or population.

We have to start somewhere, and I think we ought to start at this place in 1979 and then from now on I think each year we should have a priority list, and we should look at annexation but I think the list should be kept up to date. I think everybody ought to be able to see it and know when it might be annexed. We might not want to annex any land in 1980, but we might want to. Maybe we'll annex some in 1981, maybe not. But I don't think it would be progressive, I don't think we'll ever increase our tax base if we don't get ourselves an annual annexation plan of some type. I think that we have a good opportunity to do that tonight by setting a public hearing and starting out to annex this small piece of property as a total thing. If we move along and don't want to annex any of it as the City Attorney said, we can drop it at any time or we can drop any part of it.

MRS. DUTMER: Point of inquiry, Mayor, please.

MAYOR COCKRELL: Point of information, Mrs. Dutmer.

MRS. DUMTER: Yes. In this area 7, John, are you suggesting that we follow the precinct line between 467 and 450 for annexation on the big map.

MR. STEEN: Yes, we have to have a line, but I think we could .....

MRS. DUTMER: If you don't you're going to run into precinct problems.

MR. STEEN: Well, we could, I think that could be determined later. Grissom Road just happens to be an excellent place .....

MRS. DUTMER: No, not Grissom - I'm talking about .....

MR. STEEN: But we don't have - we don't have a like line on the northeast annexation, we don't have a wide road. Yes, you are talking about the northeast Camelot.

MRS. DUTMER: Yes, Camelot .....

MR. STEEN: See, we don't - we have to determine where we draw that line, we don't know yet because there's no road.

MRS. DUTMER: There's no cross street there, that's why I suggested, are you suggesting the precinct line. That's right down the middle of it.

MR. STEEN: We could, I didn't suggest that but it could be. We have to determine where it's not developed and draw the line somewhere down there.

MAYOR COCKRELL: All right, next. Mr. Eureste, you had the floor.

MR. EURESTE: Yes, Madam. Now, the Manager said something about deleting certain parts or somebody said something about deleting certain parts of the areas that have been recommended. Why delete now and why was not the proposal made with the deletion?

MAYOR COCKRELL: All right, we will refer that to the Manager.

CITY MANAGER HUEBNER: The Planning staff identified the general areas that ought to be considered for annexation, but they didn't go through all of the detail work that would be necessary to follow it out by street and I think that's only appropriately done after we've been given some positive direction from the Council.

MR. EURESTE: All right, let me ask another question. You said something about FHA perhaps or VA even loans.

CITY MANAGER HUEBNER: FHA.

MR. EURESTE: FHA, that are more readily available in areas outside the City than areas inside the City because it could mean a difference of perhaps \$35 per month.

CITY MANAGER HUEBNER: Yes.

MR. EURESTE: But why is there a difference?

CITY MANAGER HUEBNER: Well, FHA only counts certain things when they are evaluating a person's qualifications for a loan. Now, if you talk to parties that are knowledgeable you will find that really the difference between living in the City and living outside the City relatively insignificant. However, the reason for that is if you are in the City you pay City taxes and that counts against your loan qualification. If you're living in the county you are going to pay higher fire insurance rates because they don't have the same level of protection, but you don't get penalized for paying a higher fire insurance rate. The problem is the way in which the FHA qualifies people for loans.

MR. EURESTE: All right, let me just tell you. So there's a \$35 savings per month. What is the add on per month in taxes?

CITY MANAGER HUEBNER: Well, cause that's part of your loan. Most people pay their taxes through their loan.

MR. EURESTE: They're not paying taxes right now.

CITY MANAGER HUEBNER: They would if they're in the City.

MR. EURESTE: Well, that's what I'm getting at. What would be the add on?

CITY MANAGER HUEBNER: \$35 per month.

MR. EURESTE: Oh, so we're saving them on one end but we're hooking them on the other when we bring them in. You know, I understand what you're saying that the person can go out there and buy a house because there are no City taxes. So we bring them in once they've already obligated themselves, budgeted out their income, and now we're going to come right back. What is the average, were you talking about \$35 per month average? Add on? So, we're adding that \$35 right back. It's unfair to the person that bought out there. It might be good for the developer because he ends selling houses, but it ain't good for the person that bought in an area that was not incorporated that had no City taxes.

CITY MANAGER HUEBNER: But you recall that I mentioned that you're going to pay higher fire insurance rates for not being served by City fire department. So it balances out.

MR. EURESTE: All right, I don't. I mean you know when these 10,000 people get annexed, let's see what happens. I mean I'd like to talk to the Valley-Hi people to see what happened to their situation. Did their payments stay the same? Or did it go up? Do you know anything?

MR. HUNTER: The payments went up because they're being inside the City limits.

MR. EURESTE: Their payments went up?

MR. HUNTER: When the City annexed the Valley-Hi area, their payments, of course, went up.

MR. EURESTE: Why?

MR. HUNTER: Because of City taxes.

MR. EURESTE: Okay, that's all I'm trying to say. No, I'm not through yet, I've got a long way to go. Now, Mr. Steen said something here about being a progressive City so we need to go on about the business of annexing, I don't know in what great book we find that to be a progressive City you have to go about annexing people. You know there are cities that are locked in...

MAYOR COCKRELL: The audience is asked to be quiet, the Council is deliberating.

MR. EURESTE: I just can't buy the argument, the other one about more revenue all right, in having a better tax base. Do we get more revenue out of this?

MR. HUNTER: Yes, sir. Now, this is the package we gave you last week and the package that we presented to you today. Looking at the recurring cost and then the net revenue estimated we do receive additional funds.

MR. EURESTE: Let's run through No. 7, you have, what's the net revenue from No. 7 if we were to do it all. Because you haven't broken down this 3500 for me. I don't know what we're talking about.

MR. HUNTER: Net revenue is \$730,000.00.

MR. EURESTE: Net revenue, \$730,000. All right, how about the recurring cost?

MR. HUNTER: Recurring cost in that one total approximately \$367,000.

MR. EURESTE: All right, what's the net revenue, now?

MR. HUNTER: About \$400,000.

MR. EURESTE: How about \$363,137.

MR. HUNTER: That's probably closer.

MR. EURESTE: Okay, now let me ask you, I think if we were to pro-rate this 3500 on the 9612 population that is in 7 and now the proposal to work with about 3500 I think is that correct, John? Okay, if we were to pro-rate that we could be talking about you know, an amount lesser because you've got less population, right? So, the net revenue there let's say we're talking a little over one-third, 3500 is a little over one-third of 9612, right? So, if we were to take the remaining, you know we've already got a recurring cost situation here for '81 for fiscal year '80-'81.

MR. HUNTER: Yes.

MR. EURESTE: Okay, and that's - we're now down to \$363,137 and if we take 1/3 of that, how much is 1/3 of \$363,137?

MR. HUNTER: I'm not following... The recurring cost occur every year.

MR. EURESTE: That's right, so your net revenue?

MR. HUNTER: Would be - your figure was 300 and some odd thousand dollars each year, net revenue change for that specific area.

MR. EURESTE: So, then if we were to take 1/3 of that,

MR. HUNTER: 100 and ...

MR. EURESTE: Something out to about \$100,000, so that's the real so-call net revenue.

MR. HUNTER: Dealing with Councilman Steen's recommendation, yes, sir.

MR. EURESTE: Yeah, or we can take yours, it will work out to basically the same, on a per capita basis. Now, what are the values in area 7 based on.

MR. HUNTER: 1979 property values.

MR. EURESTE: At what ratio, what assessment ratio?

MR. HUNTER: These are market values.

MR. EURESTE: All right, to come out with your...

MR. HUNTER: Reduced to the appraised value and then the calculations we made is 1.65 per hundred dollars evaluation.

MR. EURESTE: So, you've already taken, did you take '79 values?

MR. HUNTER: Yes, we were given '79 values.

MR. EURESTE: What do we do with new properties that we bring on the tax rolls today?

MR. HUNTER: Depending on when the tax rates set that they're reduced down to 1972 to base figures.

MR. EURESTE: Are these reduced down to '72?

MR. HUNTER: No, sir, that was identified in our assumptions.

MR. EURESTE: Are we, we're taking the same rates, same ratio, 45%, 1.65 per hundred...

MR. HUNTER: Based on 1979.

MR. EURESTE: On '79 values, you think we're going to be at those rates in 1980-81.

MR. HUNTER: It's possible.

MR. EURESTE: You think this Council is going to be at those rates?

MR. HUNTER: Well, previous actions indicate that you're heading in that direction.

MR. EURESTE: We're heading in that direction with the appraisal, but we haven't said anything about heading in that direction with the rates.

MR. HUNTER: Well, whatever you said, I'm assuming that if the '79 values is where, '72 were increased to '79 values, you would decrease the assessed rate, the assessment rate.

MR. EURESTE: Well, then the amount here would lessen, right.

MR. HUNTER: Well, we couldn't anticipate what Council would be reducing the assessment rate...

MR. EURESTE: But it would reduce it, if it would lessen it.

MR. HUNTER: If you would take the '79 as we've identified ad valorem tax revenues 1979 property values and take from that approximately 30 to 35% according to the City tax assessor, that would be the '79 base figures '72 base figure, excuse me.

MR. EURESTE: So, we would then have to drop what is here by that amount to deal with '72, I mean you know.

MR. HUNTER: Sure, to deal with '72 values at the present time, yes. One additional point, though, is that these areas are more developed that what we've depicted these are based in 1978 area photographs, one of the reasons....

MR. EURESTE: What does that have to do with this?

MR. HUNTER: It has to do with the data that we projected it on and that there are more dwelling units in these areas since we used the '78 area photographs. We just received a '79 area photograph, in August.

MR. EURESTE: We're still talking about per capita, per capita police, or per thousand.

MR. HUNTER: No, sir.

MR. EURESTE: We have had more developed, you got more people, you're going to have more demand on your police. And you're saying that we need to ....

MR. HUNTER: We use the per capita ratio dealing with fire and police, and we used the factor that the police department used as incident rate in that police district and most of these outlying areas, they have a reduced incident rate and, therefore, a reduced police cost in these outlying suburban areas. It's not the same thing as police district within the inner city.

MR. EURESTE: I want to, I think I should do this now, let you in on what... And I'll give you one too. Pass this on.

MAYOR COCKRELL: Mr. Eureste, could I ask just one second, I would like to make an announcement, that the B Session, I'm sure we're not going to get to the "B" Session this evening at all and for anyone that is here for that that they could be dismissed at this time. We'll have to reschedule it at the earliest opportunity. Excuse me, for interrupting, but I thought we should release the persons who were here.

MR. EURESTE: Let me, what I've done here, is done a revenue analysis of the '79 annexation, and I've taken your 1979 gross ad valorem tax revenue and then I've brought in your revenue change, then I've brought in your net ad valorem tax revenue that's all in the profile sheets, then I've got your recurring cost that's in your profile, then I've got what I consider the real net ad valorem tax revenue. I then went back and computed the property values that we're working with based on the '79 figures, and I come up with a total like for that area 7, you've got \$127,306.936 as the total property values based on what you provided us as the gross ad valorem tax revenue. Now, I then go down the line here, and I did a 1972 property values by discounting 35% running this down 35%, then using the rates that we have today, the 45% of the value and \$1.65 per hundred, ran my calculations, and I come up with a gross ad valorem tax revenue of \$614,415. Compared to \$945,254 which is about 1/3 less, is that correct? Do you follow?

MR. HUNTER: Yes, I'm following you.

MR. EURESTE: Then I'm told by the, as I understand finances here at the City, do you know how much we collect of what we have in property values out there.

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MR. HUNTER: Uncollected taxes, no, sir.

MR. EURESTE: Do you know what we collect, do you know how much we collect?

MR. HUNTER: No.

MR. EURESTE: Okay, we collect 90, our budget is based on 91% collection rate. That's 9% that doesn't come in. So, you got to throw that in, so we've got 35 down and we've got 9% more that shoots your figures down by 44, thereabout, about 44%. I did the long calculation just so everything is on the surface here, and if you move down we have the same revenue change that you used in your figures, 214,688, you now have a net ad valorem tax revenue of 344 compared to the 730 thousand that you had in your projection, it's almost about 1/2 of what you had projected. Recurring cost is the same because you can't discount recurring costs, you know, I mean that's the real thing. And so you've got the same recurring cost and your real net ad valorem tax revenue is \$23,000 in the hole, we just lost money there. And that area has a capital improvement project that's in your profile sheet of \$847,000. Now, when you go through this the whole thing here, you'll see that instead of a net of all your 12 areas, instead of the net, the real net revenue of \$2,350,137 your real net revenue is \$248,473, you know, you just don't make a lot of money on the field. Aside from that, that's all you have left, to spread out to the rest of the City, but you still haven't addressed Parks and Recreation, have you addressed Parks and Recreation in the profile sheet?

MR. HUNTER: No, we haven't.

MR. EURESTE: Okay, so they're going to need some parks out there, I mean I think they're going to need some parks, at least this is what I heard someone say a little while ago. Those would become, I don't know how we're going to do the parks maybe through bonds, or whatever. We don't have in the capital improvements here, we don't have fire stations, right, that you identified? So that's fire, how many fire stations did you identify to these areas here? One?

MR. HUNTER: These areas? None.

MR. EURESTE: Not one. We are going to add 35,000 more people and we don't need another fire station.

MR. HUNTER: Yes, sir.

MR. EURESTE: Okay, so no capital items here. We already said library. Or do we have library?

MR. HUNTER: Not in this recommendation, no.

MR. EURESTE: So, the additional 35,000 people would use the same library facilities. I'm talking about what you gave us. All right, I haven't even thrown those figures in, but I could. It'd be kind of complicated, but so not to twist up the figures, I dealt with the same capital projects that you have and your total in capital projects is \$13,847,920, and we got after the recurring cost and the revenue change because we're losing EMS money from the county and we're losing Library money from the county and we've got some items that might cost us in sewer and other departmental expenses that you've identified in here as services, we now have under this '72 value \$248,473. And we have outstanding still those \$13,847,920 of capital improvements. Now, I don't know how you're going to fund those new capital improvements that have been identified. I don't know if you can do it with the 248 thousand that you have remaining.

Now, if we assume that the '72 value is not the right value and that the '79 value is the right value then we also have to assume that this Council is talking about a 35% increase in property taxes in the 1980-81 fiscal year. Now, I don't think this Council is going to be a Council that will pass on the full blown impact of inflation on new property values to the taxpayers of this City with the same assessment ratio, the same tax rate that we have today, because if you do, then you would have to increase all your property taxes by 35%. Now, this is what the people of San Antonio are going to be reading about tomorrow morning because this is an assumption that is holding here. I don't think they're going to like it. I definitely have not made that decision or have said that is an assumption that we ought to be using here. That is the wrong assumption. Now, you ought to be working on some assumptions that are more closely correct. We have had some problems in the tax office, I mean in the reappraisal office, I mean program that we have. We don't know that we're going to have new appraisals in line for the '80-'81 year, fiscal year, or in line for the May 31, mail out deadline for paying property taxes. We don't know that we're going to have those in line and if we don't then we're going to be faced with this problem right here. If you intend to do what you are promising to do in this profiles and in the recommendations that are being here, police, fire, etc., etc. I say that the revenue argument does not hold; it cannot hold. It just cannot hold, you cannot project on '79 values when the rest of the City is in '72 and then to project on '79 values using the same rates. Are we going to be assessing the people that come in at a higher rate?

I don't think we are, we can't. So, the argument on revenue doesn't hold, and this thing about a more progressive City, you know, I don't get it. I just don't get it. I think we are a progressive City by other things that we can do. I don't think that annexation is the only way to measure whether or not you are a progressive City.

And I've heard other arguments, that we need to be tenth and not eleventh because nobody ever talks about eleventh. But nobody ever talks about 9, I mean what is number 9, Dallas, that's right. Or they're No. 10, I'm not sure. Then we've got an argument going there. Now if we're going to do this to fix or settle the argument we've got with Dallas, I hope that's not the case. I think people would come to San Antonio if we slipped to number 11, I think people would come to San Antonio if we were No. 12 nationally. I don't know what people are saying back in the days of the, the founding days of this City, when there were maybe 25, or settlers in this area. How they must've felt in this wilderness. And whether or not they compared themselves to New York at that time. I hope not, I mean I hope they didn't because God who knows they might've not come here because of that fact. All I'm saying is that San Antonio sells itself not on size, not on being No. 10, but on being the way we promote ourselves. One of four unique cities and even before I came to the Council, I didn't know we were one of 4 unique cities. I just knew that this was San Antonio, and I enjoyed it. When I left here I wanted to come back to San Antonio and people love San Antonio. It's a nice place to live and being 10 or 9 or 11 or whatever doesn't have anything to do with it.

The federal grant argument, the federal grant argument, that argument was thrown out in the staff's own message. "Basically we expect the added area and population to add no revenue from grant sources", and that's when we were talking about 44 or 42 thousand people, so that argument doesn't wash.

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CDBG is looking at a population, is looking at a number of things, also depressed areas. These are more affluent areas, they're not depressed like I might find say on Saltillo Street between Zarzamora and Brazos or Angela Street between Zarzamora and Brazos, that's a depressed area. So, what's happening here is we're bringing in communities that might even boost the average per capita income, the average per capita value of properties, etc. Which might make us a less depressed area which might mean that we get less federal dollars, but who cares about that. I think that some people have said that we're going to lose out or that we're going to gain more but nobody is being able to fix, do we know how many dollars we're going to gain by this?

MR. HUNTER: No.

MR. EURESTE: Okay. So that doesn't hold. So, I've already - the revenue thing doesn't hold and Henry Cisneros, Dr. Cisneros asked you and as a matter of fact, the original memo that went out on Monday talked about a five year plan and that's not what you came back with, we asked for apples and we got oranges. But on what is affecting our ETJ, you stated your opening remarks is what you have in your statement on your document here, "none are really seriously challenging our authority in any of the 39 study areas". So our ETJ is not threatened by other municipalities; it's not threatened by citizens that want to go out there and incorporate. As a matter of fact, now that the word is out those 40 thousand, those 30 thousand that might not come in because we're talking about 9 or 10 thousand, those 30 thousand if I were them, I'd go out there and get myself busy and do some incorporation before we go after them. Can they do it in our ETJ?

MR. HUNTER: It's a very long process but they can do it.

MR. EURESTE: They can do it, sure. I served in the annexation committee, I know they can do it. Sure, they can do it. And anybody that's around us, this is what gives people an encouragement to go out there and do their business because the City doesn't have sound rationale for doing this business. I mean what kind of business is this to go out there and say we want you because you got more revenue. Or we want you because you're going to give us more federal dollars, or we want you because we want to be No. 10 instead of 11, I mean what kind of argument is that, it doesn't fly, none of the arguments fly.

Now, you say you want to add more population I can't argue against that because mathematically you will add more population. If you annex an area that has 2 people, you add two people to the population. If you annex 40,000 you add 40,000.

Now, I'm interested in how some of these areas got cut up the way they were presented in here tonight by in the motion that is on the floor right now. I don't think it's the staff that did this or that. I know that there were some developers here that came to talk to some people. They were lobbying and they said look I'm against it but I'll tell you how I'll go with you, cut me out, my piece out here that's undeveloped, because I sell my property based on no City taxes, outside of the City, did that happen?

MR. HUNTER: I haven't talked with any developers concerning this, but I do know that they do sell, they attempt to reach a very certain market and by annexing it would reduce that market substantially.

MR. EURESTE: Well, Mr. Hunter, is this realistic, you yourself laid out the 30, 35% roll back.

MR. HUNTER: I'd like to respond, if I may? On several points, one of them, I do think that Council should consider, and I'm going to cover these in various areas that it probably if we do annex I was thinking generally of this, these number of areas, an acreage I think, it would increase our bonding capacity which I think most of you are interested in. It would also increase I believe our bond rating which would then reduce the amount of interest which then would I think make more capital available for capital improvements.

Additionally, we have not estimated sales tax in these areas that would be coming to the City for that you would be receiving and had been receiving over the quarters.

Additionally, we have not estimated commercial and industrial personal property, automobiles, movable equipment that sort of thing. I'd like to take the gross figures that we're talking about of 3.1 reduction, reducing that by 30%, again we're playing these figures, you used 35, I've used 30, depends on the percentage but neither one is correct until the City goes out and does an actual appraisal. If you take my figures you reduce that down to about 2.1 I believe.

MR. EURESTE: I understand this Mr. Hunter, that this 79 property values are estimates in themselves. We didn't go out there and do a check on every property. We don't have '79 values for these areas perhaps.

MR. HUNTER: No, we don't. Not exactly. We haven't gone out to each individual property.

MR. EURESTE: But why take 30% why not just take 35?

MR. HUNTER: Well, I'm taking 35% of 3.1 million dollars whatever that is, that's about 2.8 something like that, if you subtract the recurring cost it's 2.7, I believe, if you subtract the recurring cost, I'm taking these as totals you end up with about .8 or approximately a million dollars, I haven't followed through I'm sure your figures are correct. We were looking at the gross totals. I do think looking at the net revenue possibly a million dollars to this City, and that is not including the areas we're talking about of additional gross since we have annexed. Now, there is a ratio, but it's not equal of the amount of houses out there, the revenues received the same recurring costs are going to occur, so we would be getting more revenues than recurring costs, so that would increase slightly, but I do think that the net revenue if you discounted the '72 figures it provides approximately a million dollars at least to this City.

MR. EURESTE: Mr. Hunter, you can be talking revenues to the City Council just in pure instance and what might be and what might not be. I mean let's forget the argument about revenue you know cause I can give you a stronger argument that there is zero. And as a matter of fact, we're going to pick up some costs, cause you've got some things in here that you have not calculated as recurring costs, I mean we could play that game all night long. Let's say, that, you know it balances out to no revenue because the figures you've got here are not based on solid information. Are they based on solid information?

MR. HUNTER: They're based on, I'll say the best estimates from the professionals that you have available to you, the office of the Assessor-Collector of Bexar County, the City Tax Collector, I mean we worked with all the professional departments in this City, City Water Board, City Public Board, every servicing entity that have provided their best estimates according to the costs.

MR. EURESTE: I got my 35 from them, and you're using 30.

MR. HUNTER: The figure given to me was 30 to 35% differential between 1970 and 72.

MR. EURESTE: As a matter of fact, I got 35 and I was told that was conservative. So, it could be in excess of that. It could be 40% and 45% discount. You know, when you're talking pennies that's not alot of money, when you're talking millions and when your gap is very short, then you can't allow too much room for error.

MR. HUNTER: Well, it could also go in the other direction percentage-wise, and we as staff have taken, I'll say staff's best estimates and calculations concerning this. Now we did wonder whether to project it and discount it down to the 1972 rates or use the information given to us from Tax Collectors Office in Bexar County and use the assessed evaluation at this time. We chose to do that and we so noted it throughout the entire report. I mean we certainly weren't trying to hide it from you.

MR. EURESTE: How much more dollars in sales tax might we bring in?

MR. HUNTER: We don't have any idea yet.

MR. EURESTE: No idea?

MR. HUNTER: No, sir.

MR. EURESTE: 30 thousand?

MR. HUNTER: No, we have just recently, like I said, received our '79 area photographs. Not only that, but we can go out and do an on the ground survey if the areas keep dwindling.

MR. EURESTE: We could have taken a per capita contribution of the City folks and the county folks and then deducted it from the county folks or taken this number that we have from the county that we're contemplating annexing and come up with a figure, you know, rough numbers.

MR. HUNTER: Well, you have to be careful then as development occurs essentially residential development goes in first and after it substantially built up as most of these areas are from our 1978 information then the commercial comes in and that's over the past two years.

MR. EURESTE: Do we have a lot of commercial in there?

MR. HUNTER: There is some in most of these residential areas, yes. Nothing, I won't say any malls.

MR. EURESTE: Small stuff, 7-eleven's, laundromats, .....

MR. HUNTER: There's more than that - convenience stores, service stores dealing with that neighborhood community.

MR. EURESTE: What sort of service?

MR. HUNTER: Service-oriented for that subdivision.

MR. EURESTE: Okay, Mr. Hunter, like I said I think we're - it's really not hard, I mean, I ran my figures on your information, which is ... (inaudible) ... information. I checked with professionals, I asked them for information just to check up on my figures, you know, where we're using the 45 percent, where we're using the \$1.65, I ran my figures back to them and you know, ran my calculations. I'll show you. I did half of the calculations in my head.

MR. HUNTER: I believe you.

MAYOR COCKRELL: Dr. Cisneros.

MR. STEEN: Madam Mayor, let me have a point of order.

MAYOR COCKRELL: A point of order, yes, sir.

MR. STEEN: You know, I didn't make a motion that we adopt the staff's recommendation, I merely moved that we annex about three square miles of land and about 9,000 people, and I think we ought to limit our discussion to that rather than the staff work .....

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MAYOR COCKRELL: All right. The chair rules that the point is well taken.

MR. EURESTE: Let me just clarify what I was doing here. You're 35 hundred or so, I don't know what that means so the best thing you can do is take the whole thing to deal with the argument.

MR. STEEN: Well, what I did I kind of changed my figures on you and got to you a little bit is what happened.

MRS. HELEN DUTMER: As the seconder to the motion, I believe the motion was that we hold a public hearing on this, not that we annex it.

MR. STEEN: Yes. We just incept the annexation proceedings by naming a date for the public hearing.

MAYOR COCKRELL: Fine. Dr. Cisneros.

DR. HENRY CISNEROS: Yes. The criteria that I was concerned about last week were three. First of all, the question of whether or not there is any threat by another municipality or by an incorporated area that was threatening to become incorporated that would be resolved by any of the 29, or rather 27 or 39 under consideration and the response I got from the City Manager mid-week was that there were none that could be classified as necessary to avoid some sort of threat toward our jurisdiction. Is that correct, Mr. Hunter?

Second, one was that a criteria that the Manager volunteered last week which had to do with an area which we've already surrounded and, therefore, we're offering services on the other side of it and it makes sense to offer services through it and that none of the 27 or 39 met that criteria either. Is that correct?

MR. HUNTER: Yes, well, some of the areas we did recommend like Area 4 - the City is here and we're over here and the City residents can travel back and forth there.

DR. CISNEROS: The third criteria is the one that is the most questionable. It is when you annex just to make money. I think Councilman Eureste has done a very good job highlighting some of the discrepancy in the numbers that arises when you plot everything on '79 value when in fact we're going to have to be using '72 values if these things come on line.

Now, the debate was requested to be limited to the ones in question, so I'm trying to do that. Mayor, very quickly I'd like to just have the Council members work through a calculation on some rougher numbers than what Councilman Eureste had. They're rougher because he went through the motions of going all the way back to the basic property values to apply the 35 percent which means you have to go through many more calculations. What I did was much rougher. It's not nearly as accurate, as a matter of fact, it is more on the conservative side. It grants the staff position a little leeway. What I did I just took the column A is the 1979 net revenues as proposed by the staff. Column B is the approximate 1972 roll back by using the City staff figure, I should say the Finance Department figure of a 35 percent roll back. C is the annual cost estimates and D are the actual revenues that you get by subtracting C from B. In other words, the annual cost estimates, as estimated by the staff of these areas, subtracted from the '72 net revenues which is what things would come on line at. Now, I checked in the final column those three that are under consideration and again, another point granting benefit to Mr. Steen's motion and to the staff's position that we just add up those three numbers, and they come to \$212,586.00. That figure represents the outside that we're going to be able to bring on the tax roll.

Outside figure, because even if it is true, as Mr. Hunter says that there's more development going on there in the past year. Mr. Steen has cut some of these in half, and these numbers represent everything that

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was in that whole area. So, the numbers are on the generous side for the proponents position, and it still comes out to only \$212,000.00 when you take the revenues and the '72 values for the three areas in column B and then you subtract from that the cost estimates.

Now let's take \$212.00 and see how far it goes. One of the recommendations that staff has made is that the first thing that has to be done is you have to apply police services on the same scale as what we're planning for the rest of the City. We have about, what, 800-900 officers in patrol, dividing that into the population of the City you come up with a figure of what - roughly 900 officers. I mean one person per 9,000 population. What's the number?

MR. HUNTER: I believe the ratio is approximately 1.4 per thousand.

DR. CISNEROS: 1.4 per thousand. 1.4 per thousand divided into 8,000 people yields us something like, let's say 7 police officers, okay, 7 police officers. What is the figure that we use for personnel purposes in planning the full wages and benefits and equipment for putting a police officer on the street?

CITY MANAGER HUEBNER: A police officer roughly costs us \$20,000 a year.

DR. CISNEROS: All right, so right there with absolutely no other service except just meeting what the staff has said is something we have to do to these areas, which is to provide the same standard of police service as the rest of the City is \$140,000.00. \$140,000 multiplied into 7 police officers times \$20,000 of \$212,000.00. So with no other service granted at all, no consideration of anything else except one service and that is police services we've already began to deal with that amount.

So, it's a real question to me whether the rationale holds up. I'll just say, I am a proponent of annexation in a general circumstance. When we're about to be threatened, when the City needs the flexibility and the latitude, when we've got a clear and overwhelming case. But, the only argument that can possibly wash, because the staff has discounted every other argument, is that we're in dire need of the money and we're going to generate \$212,000.00 after we pay for certain costs. That's just not going to go very far when you start expending services in these areas. I just don't believe the case has been made for annexation of these areas. It certainly cannot be made on economic grounds. It cannot be made on any other grounds that has been presented to the staff.

One argument that has been made is that there's federal money in having a larger population. The facts are that some of the federal formula are weighted toward just how bad off the City is. For example, percentage of poor people as a percentage of the total, and when you add areas that are basically affluent, no matter how few, what you're effectively doing is rolling back your eligibility because poor people are a smaller percentage of the larger total. First of all, I am not enchanted with that particular argument because it highlights the wrong thing about San Antonio but just to show you how these numbers can be carried to absurdity when you add 8,000 people you're just diluting your eligibility for federal programs by that much when the areas that you annex are the ones that you do. I think we ought to have an annexation plan. I think it ought to be an orderly plan.

I think, however, that we can wait on two things. First of all, we must have our City-County Appraisal Program up to speed and at that point we will have appraisals of some of these annexed areas, rather these unincorporated areas that are outside the City limits and in the county. That is about a year and a half away. At that point we have better numbers, the logic is clear for why there is such a pressing need to annex. I'll be the first to vote for an annexation in that case.

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The second instance would be where we have, where we're being threatened at the boundaries. It's just not happening. We have all the flexibility in the world that we need. There is no reason right now, there's no reason to annex.

Finally, I think we have some work to do in shoring up our central city services. We right now are seriously behind the eight ball with respect to the police services and some of the others and a \$212,000.00 surplus is not a contribution to that effort. It isn't when an element of it you're taking on responsibilities for capital requirements and to use that spread sheet on capital improvements for the same area, there's \$847,000 worth of capital improvements we're taking on in Area 7, \$5,631,000.00 in capital improvements would be taking on in Area 17, and zero capital improvements in Area 12. But something in excess of \$6,000,000.00 worth of capital improvements when the only surplus to the City is \$212,000.00 a year. It just doesn't make sense. I wish somebody would make an argument that would persuade me that I'm wrong, that these figures are not right. But I haven't heard it. I can't understand the logic of it because these are the numbers, these are the facts, this is the truth and it just doesn't add up.

MAYOR COCKRELL: Thank you. Mr. Wing.

MR. FRANK WING: Mr. Hunter, just getting back to Area 7, 17, and 12, have you projected - those three areas - thanks for the book, by the way, I really looked at this and it's really helpful. I don't find those three areas that Mr. Steen mentioned is fully developed except maybe the Camelot Area that he talked about, Area 7. The other areas are not 35 or 40 percent developed as far as I'm concerned and given the situation where he said that's he willing to cut back to only where that area is developed that's going to provide - there's no one that's going to be wanting to develop the land that is immediately adjacent to something that is being annexed so they're going to go further out into the county to develop their land in order to stay away from being annexed by the City. In other words, it will promote, in my opinion, more leap frog development further out into the county. But getting back to another question is have you - I also noticed that these areas are not serviced by City water or sewer and have you taken that into consideration as part of your make-up here as figuring out cost? The cost to the City for the Water Board to get in there and put in City water services and sewer services? I'm asking Mr. Hunter.

MR. HUNTER: Yes, we have. City Water Board and sewer department both have indicated that there won't be any, I'll say increase in cost dealing with annexing these areas.

MR. WING: What do you mean by no increase in cost? Will there be any cost at all that the rate payers presently of the City of San Antonio would have to .....

MR. HUNTER: There won't be any impact upon the residents of San Antonio. These areas should be standing on their own even with sewer and water.

MR. WING: In other words, even though that it might be a private water company or regional sewer boundary that we can just go in there and annex and take over their sewer and water company without having to pay any money for it.

MR. HUNTER: The water system as is indicated is currently being brought up to City standards. The Water Board has indicated that they've been after this area for some time to bring the system up to City Water Board's standards. There is no bonded indebtedness that we know of in the water control and improvement districts.

MR. WING: Have you considered any future improvements like street lights, or major thoroughfare improvements or have you considered by the way aside from that a debt service or interest requirements for the capital improvements that you have outlined on these particular areas?

MR. HUNTER: On, say the Camelot Area, the Traffic and Transportation start up figures are approximately \$36,000.00. On the financial assumptions that includes traffic signals, intersection sign and street names, median maintenance, center line paint, and button street lights.

MR. WING: And you have that listed in the Camelot Area?

MR. HUNTER: Yes, sir.

MR. WING: \$36,000.00 you send for traffic and transportation?

MR. HUNTER: Yes, start up costs.

MR. WING: And also the final question is this - do you agree that, for the first year anyway, that the fire and police services will be diluted to these proposed areas of annexation?

MR. HUNTER: Our existing systems?

MR. WING: Yes. You're not adding any new fire or policemen but you are adding more area for the fire person or for the police person to cover.

MR. HUNTER: Yes, we'll be - I'll say stretching our services, however, also if we would proceed with annexation these people would immediately be receiving, say January 1 police and fire protection and wouldn't be paying their taxes for at least a year.

MR. WING: You spoke of Area 17 and you also have in there that it will take approximately \$5.6 million in drainage to bring it up to date, and you also stated, it's in the 100 year flood plain, what would make that area so attractive for annexation with that much capital improvement needed.

MR. HUNTER: Dealing with the storm drainage figure, I believe as Mr. Steen indicated alot of that area is within the flood plain.

MR. WING: No, that's what you said. It says here, "part of Culebra Road is in the 100 year flood plain and long term drainage improvements will be required, \$5.6 million to start with."

MR. HUNTER: Yes, if the area is developed out fully that's the storm drainage impact that, I'll say, we can look forward to.

MR. WING: Do you have an idea of how developed that particular area is?

MR. HUNTER: Yes, sir. Looking, if you'll look at the small map, north of Grissom Road is developed by about two or three subdivisions. All of the area north of there is not fully developed now. Of the total Area 17 that including Ingram Park Plaza we're recommending, I'd say about 60 percent is developed now.

MR. WING: How about Area #12? Which is the Indian Creek, Lackland City, or whatever it is. Loop 410, Pearsall Road.

MR. HUNTER: Probably at the most 30 percent, something like that.

MR. WING: Madam Mayor, I can't see why we're talking about only annexing those areas that are fully developed, yet to do so and to even chop them up to only that part, the 30 percent or 25 percent that are developed would be furthering leap frog development and that's something that the Planning Commission and the Planning staff has vociferously argued against as far as the Master Plan is concerned that you're trying to preclude leap frog development. So I can't see why we're pushy as far as this annexation goes. Thank you.

MAYOR COCKRELL: Thank you, Mr. Wing. The Manager, if you have any further comments.

CITY MANAGER HUEBNER: Yes, well, basic I had a question for Councilman

Eureste. In his calculations you used the figure of 91 percent as being collectable.

MR. EURESTE: Yes.

CITY MANAGER HUEBNER: Well, what about what we collect in delinquent taxes because the City has a remarkably good record in eventually getting all the taxes owed it.

MR. EURESTE: I checked that out with the authorities. I don't do things on my own. I checked it out with the authorities.

CITY MANAGER HUEBNER: Well, I know, but you don't have the figures there for delinquent taxes.

MR. EURESTE: Well, delinquent taxes are collected afterwards. Is there anybody that's going to be delinquent here?

CITY MANAGER HUEBNER: What usually happens is we have a certain percentage of people that pay their taxes not within the fiscal year that it falls due. They let it go delinquent, I'm sure, because they're getting more interest on it than they're paying penalties, and they pay it within the next month or two of the following fiscal year.

MR. EURESTE: I've got an answer for you. In the '81 year is where you have the first recurring cost, and it's that year that you'll have a 91 percent collection.

CITY MANAGER HUEBNER: But that won't be true in '81-82.

MR. EURESTE: Well, naturally that won't be true but you don't have your parks here either that you're going to have to maintain. You don't have your police that you might have to add to those areas, and your libraries, and your books that you're going to have to buy for the libraries that you don't have and on, and on, and on. You don't have a lot of things. I'm just saying that in '80-81 you're going to collect 91 percent. Now, if you're going to collect the remaining 9 percent in '81-82, in '82-83 and for the next five years, perhaps, you know that's fine but that doesn't help you in '80-81.

CITY MANAGER HUEBNER: No, but the other shows a more accurate long term picture.

MAYOR COCKRELL: May, I just say that I just don't feel like we can continue this in fairness to all the other Council members who are registered to speak.

MR. EURESTE: He had several questions.

MAYOR COCKRELL: Yes, I know, but we're not going to pursue it because everyone else has been waiting to speak, and I think to open up a debate between the Manager and a Council member is just not going to be productive. Mr. Alderete.

MR. ALDERETE: It looks like the math figures have pretty well been talked to death and the only thing that seems to be surfacing is a very unclear, murky, unsatisfactory picture of annexation. There is no threat. There's extreme concern that some of the areas have been divided to satisfy special interest groups and their investments. Bob, when did you start on staff here with the City?

MR. HUNTER: With the City three or four years ago.

MR. ALDERETE: In proposing this annexation plan, did you at all spend time reviewing the 1972 annexation plan.

MR. HUNTER: We've looked at it, we've also done an evaluation as we annexed what happened to and when did other areas incorporate trying to look at someone else was there. Yes, we have done a pretty detailed analysis of that.

MR. ALDERETE: There was a gentlemen here a while ago that had a 1972 annexation plan. He probably got tired and went home. But, he did show some very interesting commitments on the part of the City to that area that was annexed. Just one of them being a promise on the part of the City for one squad car with a patrolman in that car per square mile. Do we have that ratio now in the City existing?

MR. HUNTER: No, I don't think so.

MR. ALDERETE: Do we have that ratio right now in the 1972 annexed area?

MR. HUNTER: No.

MR. ALDERETE: Do you know all the commitments we made to that annexed area at this time?

MR. HUNTER: Not all of the commitments. I know that we have built a fire station out on the general area, and we have over the construction of UTSA provided the sewer system out in that area.

MR. ALDERETE: Did we take into account the water system that has deteriorated and that the City has had to purchase, example Hillside Acres in that '72 annexation plan. Do you know if we did that?

MR. HUNTER: No, I don't.

MR. ALDERETE: Are you taking that into account within the existing annexation that we have for newer areas that have their own water systems?

MR. HUNTER: Yes, it's been reflected on each individual page.

MR. ALDERETE: To eventually take them over or .....

MR. HUNTER: We've estimated what their present bonded indebtedness is, of course, that's an estimate you won't know until the City does annex and there's an audit conducted.

MR. ALDERETE: Okay. You know, there's - I've argued the problem of commitment, and I don't see the staff prepared to respond to commitments that were made in the past. I find it extremely difficult that this Council or even the staff would commit itself to any future annexation when I think it's clearly evident that we have not met with the commitment of the '72 annexed area, where we have not even met with a reasonable commitment, say according to the citizens as to what they need in the older areas of town. Add that, add the situation of commitment on top of the mathematical figures that have been thrown about, and they seem to have some legitimacy to them. I don't understand, you know, why this urgency on the part of staff to annex. Progression has definitely been ruled out of the picture and regression now seems to be the thing that seems to be surfacing as what annexing will bring about.

If it's correct on the report that was given to us - that was done by the Chamber and presented to the City Council at the Mercado, I think they spoke of commercial development being the ideal thing to annex, and if that's the case then we say we have no malls with the exception of the one you spoke of, Ingram Place Mall that's across the street from Ingram Mall, you would take a simple straight edge to run from one point over there from the northwest corner of Ingram Mall to the southwest corner of Ingram Place Mall and you've just bought in the best

doggone annexation that you can bring in without having the residential problems that the City would have to incur. If you really want to talk about the best annexation of all that's been proposed, that's a winner. Everything else is a loser, but that could have been simply done with a straight edge and drawing from two points that I see on the map. Everything else is questionable whether they will contribute to the City at all.

I would like to see a report back from the Planning Commission or from the City Manager, I guess it should be directed to Tom, a report back as to the commitments that were made to the '72 annexation areas and those commitments we have complied with. I'd like to see them presented not only to me but to the entire Council and see whether we're really being honest with them and the areas we proposed to annex. Thank you, Madam.

MAYOR COCKRELL: All right. Mr. Canavan.

MR. GENE CANAVAN: I think Bennie did an outstanding job in bringing out some points and relating some values. I think he did his homework. I will say that a lot of the discussion here tonight is more anti-annexation and I am definitely - I believe that it is in the best interest of the City of San Antonio to have a good program and annexation package and I have no apologies to anyone that I bring to the City or propose to bring into the City because it helps the economic base of San Antonio. That, of course, shouldn't be the only reason, but I have no apologies for it. When someone builds or buys a home in our ETJ contiguous to the City limits of San Antonio, and we have an annexation policy then they know that sooner or later they're going to be brought into the City.

They may not like it, but that's part of the deal. As far as the '72 annexation program goes I think that everybody's admitted that was not a good package, and it was wrong. But I don't see the bearing it has on the new annexation program if it is right. If we can and my statements all along have been let's look at what is proposed; let's take those areas that would be helpful to the City of San Antonio, and I've never said that any one of them after thorough study would have to be annexed and my statement was always that we look at them. We study them.

If on December 20 we decide that none of them are should be brought into the city we don't have to at that time I have to vote against the motion on these three areas because I don't know that those are the 3 areas that are better or the way that they are cut up than any of the others. So, in effect, I guess what I'm saying personally, my feeling is that we can't rush it through by January 1st and help it from a census standpoint, but I would prefer that we not forget this that we follow through with an annexation program and bring in certain areas on an annual basis even starting as early as next year. But do it after thorough study, apply the proper figures, the whole thing and I'm certainly going to working to do just that.

MAYOR COCKRELL: All right. Mr. Canavan, let me urge you not to take the action that you are outlining. I really feel that if this City does not move on this annexation package or any portion of it that we will be presenting and portraying an extremely negative attitude to those industries that are looking at us to the business growth, that are looking at us. I'm not real happy with 3 areas, but if that's all we can get I just urge you to take it. I think there may be 6 votes for that much of a package, and I really urge you as a person who has supported annexation not to discard what you can get in favor of pie in the sky tomorrow.

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MR. CANAVAN: Well, I understand that but I'm very, hopefully, you know there could be a better study of what is best for San Antonio. And to pick these three areas, specifically, without me having had the opportunity to study the others, and I just think it's such a poor way to approach annexation to have 27 parcels to look at and then that, refined to 12 and then say we will take a portion of the third rated and a little bit of the sixth rated and so much of another one. You know my feeling. I've had call after call and I believe in the fact that we can use the additional income on those areas that we can approve, produce a positive cash flow to the City of San Antonio to improve the other areas of the community, and I, for one, very honestly when we do it would like to see the allocation of the additional funds that we project to improve our police and live up to some of the commitments that we may have made in 1972, and it just kills me to sit here and look at a program like this and not be able to handle it properly. It's just not proper. I think as a body we should address it. We should look at it and then make a determination. But not just to take 3 areas, and I use the word arbitrary before and it's no reflection on a very good Councilman, but I think that's what it is. We have no basis to pick those 3 areas over the other ones in my opinion and that's all.

MAYOR COCKRELL: All right in other words you are going to vote against the package is that clear?

MR. CANAVAN: I don't see how I can support it.

MAYOR COCKRELL: Let me just say it is very clear then that there would not be but five votes. All the filibustering that has gone on for hours and it's simply been to prevent a vote because it appeared to be six votes favoring the annexation, and I just I think that those who are still registered to speak we could stay here till after midnight, but if there are not six votes why bother, why waste our time. Is that .....

MR. THOMPSON: Well, Mayor, I want to say what I've got to say. Last time I was categorized as being pro, and I want to have my say. I've sat here and listened for two hours.

MAYOR COCKRELL: Okay well, we'll sit here and listen some more then. Let me turn it over to Mr. Webb, and let me stretch my legs. Mr. Alderete

MRS. DUTMER: He already spoke.

MR. ALDERETE: I already spoke, but I would just .....

MRS. DUTMER: No, you have said enough.

MR. ALDERETE: No, I haven't, Helen. You know I just wanted to - there was a point and I'm not going to steal his thunder, but I think Mr. Van Archer touched on a very good point earlier, and that is about reviewing these particular sites. Personally, with personal visits and I hope he addresses himself to it because I think he touched on a particular point that has some merit.

MAYOR PRO-TEM WEBB: Mrs. Dutmer.

MRS. DUTMER: Okay. What I think we have done here now is given the areas around the City of San Antonio advanced notice that in the future we're looking at them and we are going to come after them. It's a complicated process, but it can be done to incorporate within the ETJ. I'm going to urge you to look at the northeast and northwest particularly, and I predict that the northwest will either incorporate, or it will be annexed willingly by the cities near and that is Helotes or Leon Valley. Now if you call these people and ask them if they have any intention of annexing, do you think they are going to be dumb enough to say yes I am.

Indeed they are not. They are as smart as this Council is any day of the week. You can't blame the citizens for wanting to be annexed by a smaller City because the tax basis are lower and by buying out in the rural areas they have proven that they just do not have the City services. Kirby to the east is a very definite threat - growing at such a rate and expanding so rapidly that San Antonio wishes they had the same growth rate. What we're going to do by messing around with annexation and not at least getting the process going is we are going to impact San Antonio and that will suit me okay because what it's going to do is stop the growth completely to the north. We won't have to worry about Chapter 4 at all. It will stop the growth to the north. Or else if there's any growth at all it will belong to another city, not the City of San Antonio. It happened to Dallas, it happened to Houston, and it can happen here. I can assure you. Now, I can go for a very small annexation that will not impact our services too heavily just to get the process started toward an orderly annexation. I'll guarantee you this much if we don't get something started your services are not going to improve this year or next year or the year after that. You might as well forget about your annexation because by then you will be encompassed by small incorporated cities, and you will wish you had done something.

MAYOR PRO-TEM WEBB: Van Archer.

MR. VAN ARCHER: Yes, I nearly forgot what I wanted to say, but you know this is probably the most important subject that we'll have coming before this Council I believe in this two years, and with it being that important and here it's 11:15, and we've been going around all day like this, and I don't know whether we are going to take a vote or not, I've gotten about to the point where I don't care one way or another but I would just like to say to the other Council members .....

(at this point the tape was changed)  
The discussion continues as follows:

MR. STEEN: If you think you make friends out of annexing land you are sadly mistaken. Nobody likes it. A lot of the people don't like to be annexed that live there. The land developers don't want to be annexed. They don't want to be annexed. So there are no deals made with anybody. They flat don't want within the City limits and that's what it is. We've selected these 3 priority areas because number one, Area 7 there is the number one ranking area to be annexed in the staff's plan. Number two, priority Area 14 we cannot annex Area 14 because it is separated from the City limits by Area 13. So the next one is three. We decided to take part of three and put it in the annexation plan and then we jumped down to item eight because those people if I remember correctly wanted to be annexed into the City and so have informed their Councilman. So we skipped down there and took those people as part of the motion, but what we've done we've cut the areas in half because those are fully developed areas and because it takes it down to what I originally meant to do when we talked about it weeks ago. So, it's pretty clear to me that we have not jumped around in the annexation in certain areas. We have pretty much followed the staff's report as much as we could. But, I think this is a good move, and I think we ought to make it. It incepts an annexation plan and from now on we can have a more orderly, a thought out plan. But I think this is a beginning for it, and that's what we are looking I think for at this time.

MAYOR COCKRELL: Mr. Thompson.

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MR. THOMPSON: Thank you very, very much. To delay annexation I think that is the issue from the argument that has been asserted. From a dollar point of view, you are in the best position today to annex from a dollar point of view than you'll ever be. Therefore, I will explain my point if you don't follow the cost of services in areas increases with the decaying of streets, the problems that occur in those communities, and it increases every year. There's no reversing that. It's just that water runs downhill and hot water gets cool, City areas in the City need more money each year. If we don't - if annexation doesn't occur in an orderly fashion than when those areas are ripe for annexation then it costs you more each year to annex. I think the decision of this Council, at least several of those who have spoken, will never favor annexation because we have put it on those basis. I think they imply a dollar figure relating to the best interest of those in the community.

Let me challenge that argument. In the area that's marked #8 it's the only area inside Loop 410 to be annexed. It's the only area you must travel three or four miles through the City for the county to get into it, yet that is categorized just like every other area as being harmful for this City for annexation. There was a little girl that was raped and murdered down there because it was dark - no street lights, no City protection, no police protection. The county does not get down there. It's a heel of the City. It's nobody's property. The county doesn't go down there. The City can't go there because there are signs saying City limits. There's a brand new school being built down there, and the area is developing and certainly there is a requirement for the municipal services that the City of San Antonio could provide if the area was annexed. If we look at the dollars and cents of that area, it might just break even. But we ask the question always what can these people do for us, what can those people out there do for this City.

Well, Madam Mayor, I submit that we owe them a little bit of duty, and they owe us a contra-duty. We are in a partnership with that. They can help us and we can help them. That's one of the unique areas in this City that's inside 410. These people need the kind of services that the City can provide, and if our whole argument has been one of dollars and cents and we haven't even talked about those needs of those people down there, and I think an area inside Loop 410, the only one in the whole City that you can possibly even annex and that's been thrown into this category for dollars and cents thing.

I think the concept of annexation deserves discussion. That's all that's being asked for here tonight. We're not annexing anybody, and we can't even get off to the point of saying we'll discuss it. And that's disgusting to me. If we can't discuss the merits of it we're going to kill the whole thing right here in this session and we will not consider annexation. We can't do this. We can't do that. We need to look at annexation as a potential, as a possibility. Talk to our citizens. Let's go out and look at the areas together. But we can't even get out of this room with a decision that we are going to annex, and I think I support your position 100% that it radiates an attitude out of this Council. It does. It radiates an attitude that we are not annexing. We're closing those lines and when that annexation does occur that Helen spoke of, then let it speak for itself. You certainly invite that. You cannot discount it. The probabilities will quarrel that, but the possibility exists. Thank you very much. I enjoyed waiting and hearing all these illustrious arguments.

MAYOR COCKRELL: Mr. Eureste.

MR. EURESTE: I think I'm going to have to go back and explain my chart? Did most of you understand the figures that are on my chart?

MAYOR COCKRELL: The fact that we disagree does not mean that we do not understand what you were trying to say.

MR. EURESTE: Oh, in that case I don't have to explain it. I would say that this thing about a negative attitude because we don't do annexation, you know, we've had businesses that come down here that want eleven years exemption from annexation by the City. They settle in the county and they tell us we're coming in but here's the deal. I don't know that those people - as a matter of fact, it seems to me like the reverse is true. People are a little excited about coming in here looking for benefits, some kind of advantage, and so they ask for - we can't give them a tax write off, so we work out a contract with them and we tell them we are not going to annex you for seven years. That has brought industry to this City and that has provided jobs for people. We can't do that with this community. You know we can't give them a seven year moratorium on annexation but with the businesses we can. I don't know that the periphery of the City continues to grow both with or without annexation. We're annexing developed land or proposing to anyway and undeveloped land is not being annexed.

The developments, future developments are going to occur in that undeveloped plant that's outside the City, and the people that develop those communities are not interested in annexation. They just worked out a compromise. They are not interested in annexation. The people that live in those areas are not interested in annexation. The people that live inside the City on the periphery all the way down to the core of the inner City are not interested in annexation. I haven't seen any group of citizens that have come to speak before this Council saying we ought to go about annexing new properties. The opposite is true. It is the truth. The people have spoken against it. Now whether or not we are dipping our hand into other communities, well, you know I've been asked for this study. You know if anybody tipped their hand it's bad planning. Somebody asked for this package and here we had last week 44,000 people that were contemplating annexing. If anybody tipped their hand, you'd tip your hand back then. So, I'll stop right there.

MAYOR COCKRELL: Thank you, Mr. Eureste. Dr. Cisneros.

DR. CISNEROS: Thank you, Madam. No arguments appear to have emerged on the part of the proponents for annexation. The first argument is the economic payoff, and I think it has been shown by the numbers that have been presented, and they have not been contested that the economic payoff is not - when you take these three areas it is not what it was hoped up to be. It is not.

In the case of Indian Creek, if you buy either the rough numbers according to my calculations or the more refined numbers of Mr. Eureste's calculations that is not - there is no return to the City. It's outflow. We can make the cause that there are humanitarian reasons for doing it, but let's not couch it on the grounds that this is an economic decision for the City because it is not. So that's one of the arguments that's been made - is that there's some great economic logic to this. It's simply not true.

Now, the second argument has been articulated by the Mayor and I have great respect for the Mayor in every way, but I don't agree with that argument. I don't think that this annexation that you can beat people over the head with basically if they are voting against annexation it's voting against business or against economic development or against growth for San Antonio because that is not true. It simply is not true that in looking at a community an incoming industry looks at whether to annex these particular areas. They want to look at whether they are pro-annexation in general, whether they are a progressive community, and we have an annexation statement that is a very good statement. The only problem is that two weeks after we

all approved the general statement we were hit with the specifics without very little warning and with nothing concrete. Why can't this annexation committee that came up with the general guidelines and those policy considerations look at these specific cases. I don't understand what's going on here.

Mrs. Dutmer makes a very important point, I think a very useful point about the possibility of us being threatened by incorporations that are going to stifle us. That was the question that I asked last week. The staff says there is no threat. There may be a threat sometime down the line, but there isn't a threat. So you can tell me day in and day out that there is a threat in general terms and when I ask you which one of these areas is the one where we are threatened they tell me none of them, not a one of them. I'll ask it again, which one of these is so threatening that Mrs. Dutmer's arguments and Mr. Thompson's arguments about how we are going to be constrained holds up. And the answer I have gotten all week long is zero. None of them. You have time; you have flexibility. You have options available to you. Well, if we do then what are we doing rushing helter skelter at 11:30 at night into a three part annexation plan that's put together by drawing lines as Councilmen in back rooms drawing lines on what they want annexed and what they want of areas. I don't understand what the real issue is here because it certainly can't be the economics, and it certainly isn't the overall growth of the City.

Now, sometime this week people have suggested that it's politics. I don't know it's politics. I'll guarantee my opposition to it is not politics. It simply is that it isn't fair to the people out there. It isn't fair to the people in the City to do it at this time. It is not fair. You know our tax values are all up in the air. Other people have argued that it's ethnic. It has something to do with ethnic politics in this town. I guarantee you my opposition does not have anything to do with ethnic politics. I'm not afraid of going into any of those areas and either speaking or doing whatever else is required of a political leader in those areas which we are about to annex. It has nothing to do with ethnic issues. The opposition to it has simply to do with, it's just not-the case has not been made. The case hasn't been made why these three areas ought to be annexed. I think it's a mistake.

I would like to make a substitute motion that the matter of specific annexations be put in a process that includes the already existing annexation committee which should have been considered in the first instance. An annexation committee which exists that includes Council members and leading civic people in this community who we ask to serve by ordinance to meet the writing of an annexation statement, and what they - I will commit right now that what they say is warranted according to the annexation statement that they drafted and that this Council approved, and I will vote for when they come out with it which will be next month or three months or six months or whenever it is that it makes sense. But, I don't think you just pick three areas out of the blue and write little lines around them and vote them in for some reasons that have not yet been articulated with any cogency or logic, and I'd make that as a substitute.

MR. EURESTE: I second.

MAYOR COCKRELL: There's a substitute motion and a second.  
Mrs. Dutmer.

MRS. DUTMER: Yes. I can tell you my reasons. I thought I stated them very blatantly, Henry, if you call one of your outlying cities and ask them if they are going to annex a piece of territory they are not going to be dumb enough to say yes I'm going after it when they have a big sister sitting right over here ready to grab.

DR. CISNEROS: May I pursue that, Mayor?

MAYOR COCKRELL: No, you may let Mrs. Dutmer finish her statement.

DR. CISNEROS: May I respond when she's finished because she mentioned my name.....

MRS. DUTMER: Because one area, - Well you said no one had made their points clear, including me. The area that's to the south, the Indian Creek asked to be annexed. The other ones are in the very vicinity of the small cities that they can reach right out and annex. Now there may not be a threat. There's a difference between a threat and an intent or a promise even. So, there may not be a threat that they are going to - they have not told us you better annex it, or I'm going to annex it. No, but their intent might be there, and these areas which we have chosen are right in the vicinity of those small cities that can reach out and gobble them up. That's one reason, and I think we have heard every reason here tonight except one and that is the addition of and I can take only the statements that I read in the paper.

Number - one of our Council people says that if you annex any territory in my district I will vote it down. Another says you are diluting the strength of a certain voting ethnic if you annex to the north. All right, these are some of the things but I think what you better take under consideration you are not going to be able to sit in these districts forever in your own safe little nest because you are going to have to redistrict even before your new census comes in.

DR. CISNEROS: Point of information, Mayor.

MAYOR COCKRELL: Point of information.

DR. CISNEROS: The City staff to answer the question of whether or not an annexation can occur by another municipality at our City limits, it's just a factual question to deal with this question that Mrs. Dutmer has raised without our having time to act on it.

MAYOR COCKRELL: All right, will you comment relative to the ability of other cities to proceed with any annexation.

MR. HUNTER: As I indicated earlier it takes a considerable length of time, but the City has to respond, I believe within six months when a City wants to incorporate - when an area wants to incorporate.

DR. CISNEROS: What city has to respond?

MR. HUNTER: The City of San Antonio.

DR. CISNEROS: Right. So they can't do anything without our knowing that's why you told me there's no threat, isn't that correct?

MR. HUNTER: We are made aware of it, yes.

DR. CISNEROS: Is that why you told me there's no threat?

MR. HUNTER: Correct, within our ETJ.

MRS. DUTMER: All right, but the fact that they notify us if we say no has no bearing on it, does it?

MR. HUNTER: Well, as I indicated if we take no response, six months later than they can proceed with it. So, it's about a year process with the City taking no action.

MRS. DUTMER: Well, I didn't ask you that. I asked you even if we said no would that insure that that would stop the process?

MR. HUNTER: No, Madam.

MAYOR COCKRELL: Thank you. Mr. Canavan

MR. CANAVAN: I'm going to be brief and just state that I am going to change my mind, and I'm going to do it for one specific reason and that I think the worse thing that can happen even with John's plan is that we will have an opportunity and then I would like to follow through with an annexation plan orderly. I think it's best of interest to the developers and so on, so that they know that these areas will be brought into the City in the future if they develop in accordance with what would be projected. So for that reason I'm going to go ahead and support the motion.

MAYOR COCKRELL: Mr. Alderete.

MR. ALDERETE: Yes, Bob, where is Villa Coronado on that map there?

MRS. DUTMER: It's already in the City. Sorry, Joe.

MR. ALDERETE: I'm just asking where it's at.

MRS. DUTMER: Way down south, right straight down the center.

MR. ALDERETE: Do they have all City services down there?

MR. HUNTER: I believe they're still on septic tanks.

MRS. DUTMER: Wait a minute, there's a correction on that. The CBDG money is there to insert the sewers right now.

MR. ALDERETE: That's all the questions I have.

MAYOR COCKRELL: Fine. Mr. Steen.

MR. STEEN: All I want to do is just back up what Mr. Canavan said. He said exactly the right thing. All this does is really establish a public hearing, and the citizens will show up there I guarantee you. We will hear from them, and we'll know more about what's happening. We can drop the whole thing any day. So, it doesn't mean a thing. All we are doing is really opening it up to see what the public thinks about it. Many of the people wanted to come down here tonight, but the reason they didn't, I told them if we decided anything there would be a public hearing and that would be the time to come down and speak their peace. So, that's what this is going to accomplish really.

MAYOR COCKRELL: All right I would like to just summarize my reasons for voting in favor of the annexation. As I stated earlier, I would have liked to have accepted the original staff recommendation which I thought was very well thought out that we at least look at the entire package. Since that was not possible, then I do support looking at a big as package as we can get a consensus on.

I feel that the reasons that we need to proceed with annexation is that there has been no major annexation since about 1972. I was not a member nor was anyone of the present Council a member of the 1972 City Council, but I felt that they annexed too much at one time, and I felt that had we looked at the entire package that was presented by staff we would have had the opportunity then to narrow it down and to select out of it the most viable program. The narrowing down has apparently already been done and so what is before is at least setting in motion, the three areas specifically.

The question of the economic payoff I think staff will have the opportunity to review the figures Mr. Eureka has prepared and Dr. Cisneros has prepared. I noted the course when you tie to the 1972 figures, we are all hoping very much that the reappraisal will move on very speedily. We are hoping that it will be completed by next June. It may be or may not be. So, it may be another year or or so, but at any rate those figures will, of course, change.

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In terms of the stance to industry, in my office the question that I am asked the most frequently by any individual coming in and looking over our City is what is the City Council's attitude toward growth. All I can say is that it was just a matter of judgement. My judgement is that a stand that appears to be a negative stance relative to the specifics of annexation the specifics are turned down and I feel that that definitely projects a negative image. That's just my substantive judgement relative to that issue, so these are things that I think are important and so I will be voting to support the package. The Clerk will call the roll on the substitute motion. The substitute motion is to develop a new process, in effect, would you repeat that motion, Dr. Cisneros.

DR. CISNEROS: The motion is to - as that the existing annexation committee which includes Council members and civic leaders from the community which were appointed by the Council and which drafted the annexation policy of the City review the specific areas recommended by the staff and report back to the Council for action.

MAYOR COCKRELL: Mr. Thompson.

MR. THOMPSON: Is that at the exclusion or is that contrary to what the original motion is?

MAYOR COCKRELL: No instead of the original motion.

MR. WING: How about in addition to.

MAYOR COCKRELL: That would be instead of.

MR. THOMPSON: It could flow along side of it.

MAYOR COCKRELL: But it was proposed as a substitute for.

MR. THOMPSON: Okay.

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

CLERK CALLED THE ROLL:

AYES: Cisneros, Wing, Eureste, Alderete,

NAYS: Cockrell, Webb, Dutmer, Thompson, Canavan, Archer, Steen

ABSENT: None.

CLERK: The motion failed.

MAYOR COCKRELL: The motion failed. We vote on the original motion by Mr. Steen.

DR. CISNEROS: Question, as to what process the City staff is going to set in motion for getting us some good and more accurate financial information. I'm worried. One point the Mayor raised, for example in her remarks a moment ago was that after we get the tax appraisal program on line that would make these '79 values valid. These numbers that the staff has presented, but in fact, it wouldn't because it's our hope that when the '79 values come on line we're going to roll back the tax rate. So rolling back the tax rate would still leave the numbers something less than the staff has presented unless we're going to let the tax rates the same as the values rise, and I personally don't want to do that. I think it would be, what it amounts to is a

35% increase in taxes over all, if that's the assumption. So I hope that's not the assumption and that you're going to roll back tax rates when you start playing the '79 values. Now, I know you don't know at this point what to roll them back to but it certainly is not going to be this level because if it's this that's a horrible signal to the rest of the citizens of San Antonio that we are going to let the tax rate stay the same and that's just what happened in California before Proposition 13.

MAYOR COCKRELL: All right. Mr. Canavan.

MR. CANAVAN: I was just going to state that I would personally like a phrased approach of an approximate roll back because we're going to roll it back. I feel very certain about that, and I would like the figures to be very legitimate and give us some options as to what would really occur. And again we don't have to accept them, but we can at least look at them.

MAYOR COCKRELL: Mr. Eureste.

MR. EURESTE: Yes, if you want to be realistic you would deal with '72 rates. I mean values because that's what the rest of the City's projected revenues are based on. And I don't know how you can project on anything else. You almost have to deal with what you've got today. Really I, who really cares what kind of analysis comes back. Really, I mean we're making a decision on something that's very unsound. You know you are calling for a public hearing on something that really just doesn't hold any water. I've shot holes all over your projections, your whole projections of revenue.

We have people that talk about bringing the whole Council in on things and apparently this will not be one of them, but if this is the way we do business today it's apparently the way we do business in the future. It's the way we do business in the past, and I guess fair is fair. But don't complain to me when the matter turns around and the shoe is on the other foot you have no right to complain. You're going to see a vote on this Council that is not going to be a pretty vote.

I'm going to go out to those areas. I've already been invited to speak at a couple of those areas for their neighborhood association and I'm going to present them the hard facts of what they are getting into. And I'm going to tell them they have options when they come into the City. I surely would look at undoing this action somewhere down the road where those very people that you are bringing in and with those very people, well you are calling for a public hearing, a public hearing is nothing more than announcing to 10,000 people that you are going to bring them into the City that you're going to go up on their property taxes approximately \$100 per person per year. I mean that's how lightly we take public hearings and that's what you're doing. That's the way we get our adrenaline running and the adrenaline of the surrounding suburbs fine but as I said, this vote it won't look right. We have talked about how the votes should look right out of this Council on such a heavy matter on such an important issue. You are not even willing to wait to bring in other members of this council on what you are doing. When you talk about reducing conflict in the City and reducing conflict amongst the Council members, baloney. You try to do everything in the world to create the conflict--to create the divisions we have in our community. This is a bad action. No way--no arguments supported this. No argument whatsoever not your economics, which was really full of holes, and I'll say it again,

and it's based on estimates of what's out there. On airplane photographs of houses you don't even know what's in the houses. I got called by a person out there in one of those areas that said, " Mr. Eureste \$35 a month extra on my bill on my house bill because of the new taxes means a lot to me." There are affluent people, but they are adjusted to a standard of living, and you will impact that standard of living. But that doesn't matter. I don't know that you have one-only one argument that I couldn't defeat you on, but I could talk about it and that's political. I can beat you on that one, not today but I won't forget it. It's not that I will seek revenge but I won't forget it because when you reprimand me in the future because of my political actions I will just say you're no better than I am, no cleaner than I am, no purer than I am. I learned from your example, it's a bad example.

MAYOR COCKRELL: Mr. Alderete.

MR. ALDERETE: Yes, Madam Mayor, I would like to know if we can be candid enough if any member of the Council has talked to any developer about excluding his or her particular area from annexation. I'd just like to know if any member of the Council has talked.

MAYOR COCKRELL: I have not, I have no idea who anybody else has talked to.

MR. ALDERETE: Can I ask any member of the Council if they have talked to any developers upon excluding the area, I'm just wondering how these little divisions occurred.

MR. STEEN: I talked to 8 or 9 of them, and they called me. I explained that awhile ago, Joe, I don't know where you were, but.....

MAYOR COCKRELL: The developers would rather not have anything annexed.

MR. STEEN: They don't want anything, Joe, they have flat told me they don't want anything and that's what they talked to me about exclusions out. They want to be excluded period. If you think any different you and I can go see the 8 or 9 guys and talk to them as a team, and they'll tell you the same thing. I told you awhile ago, you don't win friends by annexing property, you lose friends. Particularly they could sound crazy I'm annexing something over in my District 10. I don't make any friends. I'll probably lose a lot of friends that are living in that particular area plus the fellow that's developing that area. He certainly is not happy about it. And so there's no, don't imply that there's any kind of a thing like that because I'm never a party of any of that.

MR. ALDERETE: Well, John, is it safe to say then that any area that is being annexed it's not like there's a line drawn and the other side of that line we are not annexing and we have the same owner on both sides of the line, is it safe to say that?

MR. STEEN: No, you can't say that.

MR. ALDERETE: Johnny, can we go to the tax roller and check that out?

MR. STEEN: No, I'm going to tell you that Camelot—I think that everybody knows that Ray Ellison owns all that land there, but we are developing we're taking in what's fully developed what has a big tax base. Why should we annex vacant land and when there's nothing there. Same way with the other side on the north-

west, Grissom Road, we're taking in the section that's fully developed. That's fully developed there when you get pass Grissom Road. There's a lot of vacant land out there.

MR. ALDERETE: John, we wouldn't be not taking in that vacant land because they couldn't be able to sell their property as easily as if we'd just.....

MR. STEEN: Joe, don't hit and hint to anything.

MR. ALDERETE: I'm just asking.....

MR. STEEN: I want to make it perfectly clear to you that I'm not a part to anything like that. You take me for my word if you don't be careful what you say.

MR. ALDERETE: I'm being careful.

MR. STEEN: I'm not that kind of person. I don't have that kind of reputation. I never have had. I never will have. So be careful what you are getting into is some kind of libel and slander, and I don't like that at all see because I'm not guilty of anything like that.

MR. ALDERETE: Did I say you were guilty of that? I'm just asking.

MAYOR COCKRELL: The Chair says it appears that we are getting into personalities and .....

MR. ALDERETE: I don't think that the ruling of the Chair is correct. I'm not getting into any personalities. I'm asking a simple question is the owners on both sides of the line.....

MR. STEEN: Certainly.

MR. ALDERETE: All right. That's all I asked. Now, the other thing that I wanted to know. Now that I got that clarified is I'm sorry, Helen, go ahead.

MRS. DUTMER: Let me just say that I talked to one developer and no, it had absolutely nothing to do with it, he was very adamant about not wanting any of his lands annexed. The reason I chose and went along with what John has here particularly in Camelot 2 is if we don't want to annex vacant lands because it will be a liability neither will the other cities want to annex it. So, therefore, why should we take on a liability that the other City doesn't want either. I'm trying to protect those that they might reach out and grab, and if we don't want the vacant land they don't want the vacant land that's for sure.

MR. ALDERETE: Would that mean we would be willing to deannex that vacant land that I see a lot of there in the City?

MRS. DUTMER: Have at it if you want to.

MR. ALDERETE: Oh, I didn't know that would be your position. The other question is that in the report back from the staff as to more specific figures, and I like to get that '72 booklet on annexation and see those exact commitments and in total the overall annexation plan that was presented then. I'm sure we have a copy for posterity's sake in our own files, if for nothing else.

MR. HUNTER: Also on those areas that you specifically identified if you do identify some areas tonight we'll have much more accurate figures for you on this as far as the revenue and servicing cost.

MR. ALDERETE: John, I want to apologize. I wasn't trying to infer anything. I just wanted to get it clear for my own self.

MR. STEEN: It's all right, Joe.

MAYOR COCKRELL: All right, let's see, Mr. Steen.

MR. STEEN: Well, Madam Mayor, I do have to say this. I sat on this Council for 2 years and have made many motions when I didn't get a second, and I always knew on the important issues there'd be six votes against me or maybe more than that, but I took it in a good natured way and smiled about it and thought well there's another day always. I think that's the way we ought to look at this. We ought to get out of personalities and conflicts in districts and put the City as number one. The City is number one. Everything else is number two. Let's vote to do the best thing for the City. We've got a good two years going right. Now, let's keep it going. Let's not get into revenge or being vindictive or anything like that. Let's work together as 11 people and get something going. I think we've got a really good inception on these two years. I think we've done some good things. We're in the process of accomplishing some great things. Let's keep it that way. Let's don't get into personalities. What happens on a vote is what happens. We win maybe a vote tonight. This annexation may never take place, and we might lose the next Thursday on something, but let's don't look at things like that. Let's just look at each other, work together, cooperate with each other and let's have a great City. We've got a great City. Let's don't be petty about the way people vote. Everybody has a right to vote or think the way they want to.

So, let's just keep going and do good like we are doing good, I think we are doing some good this time.

MAYOR COCKRELL: Thank you, Mrs. Dutmer.

MRS. DUTMER: I would like to call the question. Let's take a vote and go home.

MAYOR COCKRELL: Mr. Eureste.

MR. EURESTE: Yes Madam Mayor. I don't recall that we were happy the past five years.

MR. STEEN: I wasn't.

MR. EURESTE: No, I was very happy. I used to be on the prevailing side of the six, and I used to catch flack from the losers.

MR. STEEN: Not me.

MR. EURESTE: Well, I mentioned I just said losers, people that were on the losing side. I got told things that you shouldn't do this and we ought to work in harmony, and we ought to bring more people together and I got told on and on and on, and I was starting to believe it. How can I even talk about being revengeful. I won't be able to, not for the next year and a half. I can't. Even if I wanted to, I couldn't. Maybe down the road, it's another thing. What's the process for deannexing once we do annex these people? Can we deannex, Mr. Hunter?

MR. HUNTER: Once it has been annexed. I don't know of any process of deannexation.

MR. EURESTE: Can the City Council deannex?

MR. HUNTER: I don't know of any process. We have looked at that, and the staff feeling especially with industrial areas.

MR. EURESTE: Can we deannex?

CITY ATTORNEY MACON: There's a procedure for the individuals who are annexed to petition the City for deannexation.

MR. HUNTER: I'm talking about City Council action.

CITY ATTORNEY MACON: But we do not deannex.

MR. EURESTE: The City Council cannot deannex, but we could encourage—a certain majority of the Council could encourage say like in 1981 those people that are in the newly annexed areas to undertake whatever process to bring into a deannexation to a point of deannexation.

CITY ATTORNEY MACON: If that's a question, yes, you can always do anything in that regard.

MR. EURESTE: That sounds like a good campaign slogan the way I look at it, Okay.

MAYOR COCKRELL: The Clerk will call the roll. This was on the motion to approve Mr. Steen's motion.

MR. STEEN: Yes.

MAYOR COCKRELL: Yes.

DR. CISNEROS: No.

MR. WEBB: No.

MRS. DUTMER: Yes.

MR. WING: No.

MR. EURESTE: No.

MR. THOMPSON: Yes, and when we do I want them to use those 1979 aerial photos, that's what I wanted to comment on.

MR. ALDERETE: No.

MR. CANAVAN: Yes.

MR. ARCHER: Yes.

MAYOR COCKRELL: The motion carries.