

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 16, 1975.

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

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75-4 The invocation was given by The Reverend James E. McKee, University Park Baptist Church.

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75-4 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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75-4 The minutes of the meeting of January 9, 1975, were approved.

75-4 1975 MARCH OF DIMES NATIONAL POSTER CHILD

Mayor Becker recognized little Miss Jamie Weaver of Spokane, Washington, who is the National Poster Child for the March of Dimes Campaign in 1975. Also present was Master Chad Eastman representing the local Chapter of the March of Dimes.

Mayor Becker read a proclamation naming Jamie Weaver an Alcalde of La Villita and presented her with the signed proclamation. In response to this, she recited a poem about the Mothers' march for the March of Dimes.

All Council members greeted the two and wished them all success in the campaign.

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75-4 LEAGUE OF WOMEN VOTERS PRESENTATION

Mrs. Margaret Lecznar, representing the League of Women Voters of the San Antonio area, presented each Council member with a copy of the newly updated and revised Local Government Handbook. This is a guide primarily to the governmental entities in the City of San Antonio and Bexar County.

Mrs. Lecznar expressed the League's appreciation for the extraordinary cooperation received from the City staff in the preparation of the handbook. She mentioned in particular the office of the City Clerk, the Finance Department and the Planning Department.

Mayor Pro-Tem Cockrell asked that a resolution be prepared expressing the Council's appreciation to the League of Women Voters for preparing this excellent reference.

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75-4 MONTHLY RATE REPORT BY THE CITY PUBLIC SERVICE BOARD

Mr. Don Thomas, Manager of the Information Services System for City Public Service Board, reported that the actions taken by the City Council on December 19, 1974, concerning the 14 percent charge on the pass through were effective with the bills mailed out on December 20. It resulted in an average reduction of \$1.90 on each bill.

Mr. Thomas distributed a summary of facts relating to electric and gas rates. He pointed out that average bills for January would be \$41.10 which is about \$3.28 higher than December bills. He also mentioned that cost of gas has been slightly reduced. (A copy of Mr. Thomas' memorandum is included with the papers of this meeting.)

75-4EMERGENCY AMBULANCES

Mayor Becker inquired about eleven ambulances which had been reported as being in storage.

Mayor Pro-Tem Cockrell stated that these ambulances have just been delivered and are now being made ready for service in the regional EMS program with AACOG. There is a liability problem to be resolved by the AACOG legal staff to be sure they are covered for liability before being released for service in other counties. The matter was brought to the attention of the AACOG Executive Committee yesterday by the staff and discussed in detail.

Mayor Becker expressed concern that the ambulance be placed in service as quickly as possible.

75-4CITY WATER BOARD RULES AND REGULATIONS

Councilman Dr. San Martin stated he had been informed that the City Water Board had passed a resolution overruling the "sole purveyor" policy and that it was done on a 2 to 0 vote. He questioned the legality of such a vote where less than a majority voted. He asked that the matter be in proper legal form before the matter is brought to the City Council for consideration.

Assistant City Attorney Tom Finlay said that he would look into the matter and take it up with the Board.

Mayor Pro-Tem Cockrell said that in connection with this resolution she would like a review of the proposals by City staff to see that they fit the City's sewer policy and related policies.

Mayor Becker requested a briefing as soon as possible.

75-4MANPOWER PROGRAM

Dr. San Martin said that the question of separating the manpower consortium came up in the AACOG meeting yesterday. There was a question of separating the rural counties from Bexar County and San Antonio is the prime sponsor. He said he would like to have a briefing on why it was split and whether there is any possibility that federal funds for this program might be lost.

Mr. Cipriano Guerra, Acting City Manager, said that he would have a full report for the Council next week.

75-4 The following Ordinance was read by the Clerk and explained by Mr. William T. Donahue, Director of Human Resources and Services, and after consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Black, Padilla.

AN ORDINANCE 44,805

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE CRIMINAL JUSTICE COUNCIL FOR FUNDING OF A JUVENILE DELINQUENCY PREVENTION PROGRAM.

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75-4 The following Ordinance was read by the Clerk and explained by Mr. Fred Bell, Director of Division of Environmental Health, and after consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton; NAYS: None; ABSENT: Black, O'Connell, Padilla.

AN ORDINANCE 44,806

ACCEPTING A GRANT IN THE AMOUNT OF \$74,000.00 FROM THE U. S. ENVIRONMENTAL PROTECTION AGENCY, TO BE USED IN CONNECTION WITH THE CITY'S AIR POLLUTION CONTROL PROGRAM; AUTHORIZING EXECUTION OF A GRANT AGREEMENT; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING A TRANSFER OF FUNDS IN CONNECTION WITH THIS PROJECT.

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75-4 The following Ordinance was read by the Clerk and explained by Mr. Jim Gaines, Director of HemisFair Plaza, and after consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton; NAYS: None; ABSENT: Black, O'Connell, Padilla.

AN ORDINANCE 44,807

MANIFESTING AN AGREEMENT WITH CENTURY SOUVENIR COMPANY, INC., TO RENEW THE PRESENT LEASE AGREEMENT FOR STORAGE SPACE AT HEMISFAIR PLAZA FOR AN ADDITIONAL FIVE YEAR PERIOD.

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75-4 The following Ordinances were read by the Clerk and explained by Mr. Jim Gaines, Director of HemisFair Plaza, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Black, Padilla.

AN ORDINANCE 44,808

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH JAMES H. MOORE D/B/A "H AND M STUDIO", PROVIDING FOR LEASE OF 400 SQ. FT. IN BUILDING NO. 224 AT HEMISFAIR PLAZA, FOR A ONE YEAR TERM.

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AN ORDINANCE 44,809

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH DON S. KELLER, PROVIDING FOR LEASE OF 800 SQ. FT. IN BUILDING NO. 220 AT HEMISFAIR PLAZA, FOR A ONE YEAR TERM.

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AN ORDINANCE 44,810

MANIFESTING AN AGREEMENT WITH THE SAN ANTONIO MANUFACTURERS ASSOCIATION TO EXTEND THE CURRENT LEASE AGREEMENT PROVIDING LEASE OF SPACE IN THE ADMINISTRATION BUILDING AT HEMISFAIR PLAZA FOR AN ADDITIONAL ONE YEAR TERM, COMMENCING JANUARY 1, 1975; AND PROVIDING THAT THE LEASED PREMISES SHALL CONSIST OF 680 SQUARE FEET, APPROXIMATELY, AND THAT THE RENTAL PAID THEREFOR SHALL BE \$200.00 PER MONTH; AND PROVIDING THAT SAID LEASE AGREEMENT SHALL BE CANCELLABLE AT EITHER PARTY'S SOLE OPTION UPON THE GIVING OF 90 DAYS' WRITTEN NOTICE.

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AN ORDINANCE 44,811

MANIFESTING AN AGREEMENT WITH BALLET FOLKLORICO DE SAN ANTONIO, TO EXTEND FOR A ONE YEAR TERM THE CURRENT LEASE AGREEMENT PROVIDING SPACE IN BUILDING 449 AT HEMISFAIR PLAZA; PROVIDING THAT SAID LEASE SHALL BE CANCELLABLE BY EITHER PARTY UPON NINETY DAYS' NOTICE; WITH ALL OTHER TERMS TO REMAIN UNCHANGED.

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The Clerk read the following Ordinance:

AN ORDINANCE 44,812

DECLARING THAT CERTAIN TRACTS OF LAND ACQUIRED BY THE CITY OF SAN ANTONIO FOR DEVELOPMENT FOR OPEN SPACE PURPOSES MAY NOT BE TRANSFERRED OR OTHERWISE DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT AND DIRECTING THAT THIS ORDINANCE IS TO BE PLACED OF RECORD IN THE OFFICE OF THE COUNTY CLERK.

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The Ordinance was explained by Mr. Ron Darner, Director of Parks and Recreation, who said that the 45 parcels acquired for the Richard Cuellar Park cannot be sold, leased or transferred without prior written approval of the Department of Housing and Urban Development. The Ordinance is to be placed on record in the County Clerk's office.

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

Mayor Pro-Tem Cockrell asked Mr. Darner when the ceremonies will be held honoring persons who have parks named for them.

Mr. Darner stated that an invitation to the ceremony will go out this week. It will be scheduled for January 27 or 28.

75-4 The following Ordinance was read by the Clerk and explained by Mr. Ron Darner, Director of Parks and Recreation, and after consideration, on motion of Dr. San Martin, seconded by Mr. Lacy, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Black, Padilla.

AN ORDINANCE 44,813

AUTHORIZING EXECUTION OF AN AGREEMENT FOR LEASE OF LAND TO THE SPANISH AMERICAN BASEBALL LEAGUE, INC., FOR ORGANIZED YOUTH SPORTS ACTIVITIES.

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The Clerk read the following Ordinance:

AN ORDINANCE 44,814

APPROPRIATING \$9,055.05 FROM THE GENERAL FUND FOR PAYMENT TO THE MODEL CITIES PROGRAM FUNDS (3RD ACTION YEAR) IN SETTLEMENT OF CERTAIN DISALLOWANCES FOUND IN THE AUDIT OF THE PROGRAM, PERTAINING TO REHABILITATION OF SUB-STANDARD HOUSING IN THE MODEL NEIGHBORHOOD AREA.

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The Ordinance was explained by Mr. John Rinehart, Operations Manager for the Monitoring and Evaluation Department, who said that HUD had originally disallowed \$29,241.21 involving 11 houses that were rehabilitated. Negotiations with HUD had reduced the amount to \$9,055.05 relative to five houses. The City is asked to reimburse the Model Cities Program in this amount.

Mayor Becker asked what legal liability persons involved in this matter might have.

Assistant City Attorney Tom Finlay said that he did not think there was any liability but simply a transfer of funds from one account to another. He did not believe any damages could be proven.

Mayor Becker asked the City Attorney to review this situation and brief the Council as soon as possible.

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

75-4 The following Ordinance was read by the Clerk and explained by Mr. John Rinehart, Operations Manager for the Monitoring and Evaluation Department, and after consideration, on motion of Dr. San Martin, seconded by Mr. Lacy, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Black, Padilla.

AN ORDINANCE 44,815

APPROPRIATING \$72,498.84 FROM THE GENERAL FUND FOR PAYMENT TO THE MODEL CITIES PROGRAM FUND IN SATISFACTION OF THE CITY'S CASH MATCH REQUIREMENTS FOR THE YEARS ENDING AUGUST 31, 1972, 1973, AND 1974.

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75-4 The Clerk read the following Ordinance:

AN ORDINANCE 44,816

MANIFESTING AN AGREEMENT WITH IMAGE, INC., TO TERMINATE THE CONTRACT PROVIDING FOR OPERATION OF THE YOUTH ENTREPRENEURSHIP PROJECT, EFFECTIVE DECEMBER 31, 1974; AND AUTHORIZING EXECUTION OF A CONTRACT WITH SAN ANTONIO CHAPTER OF IMAGE, INC., PROVIDING FOR OPERATION OF THE YOUTH ENTREPRENEURSHIP PROJECT FROM JANUARY 1, 1975 THROUGH JUNE 30, 1975.

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The Ordinance was explained by Mr. John Rinehart, Operations Manager for the Monitoring and Evaluation Department, who reminded the Council that this item was discussed last week in some detail and then held over to this week. He said that the questions raised last week had been answered by memorandum.

Dr. San Martin stated that since last week he has been working with the people who will be taking over this project. He asked Dr. William Elizondo to speak to the Council.

Dr. Elizondo, Vice President of the San Antonio Chapter of IMAGE, explained the present status of the program. The program is directed at juvenile delinquents and school drop-outs and aims to teach them a job skill. He reviewed the progress that has been made just in the last month since the local chapter took over. He said that he felt very optimistic that the program will be successful and achieve its goals.

Mrs. Cockrell stated that the Council just wanted additional assurance that with the change of the contract to the local agency, there will be the possibility of closer monitoring of the project.

Dr. Elizondo said that he felt certain that there would be an improvement.

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

Mr. Morton asked that the Board of IMAGE, Inc., furnish the Council with a report in 90 days reviewing the accomplishments of the program.

75-4 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Cockrell, Black, Padilla.

AN ORDINANCE 44,817

TO PERMIT MR. JACK DEVORE ON BEHALF OF MISSION TRACE TO ERECT AN 8 FOOT PRIVACY FENCE ALONG THE NORTHWEST PROPERTY LINES OF LOTS 74 THROUGH 90, 103 THROUGH 106, 125 THROUGH 130, NCB 16043.

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AN ORDINANCE 44,818

AUTHORIZING MR. DOUGLAS L. SAUNDERS TO ERECT A SEVEN FOOT CHAIN LINK FENCE AND ROCK WALL SYSTEM TO ENCLOSE THE 450 ACRE ELM CREEK PLANNED UNIT DEVELOPMENT.

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AN ORDINANCE 44,819

APPROPRIATING THE SUM OF \$87,093.00 OUT OF VARIOUS FUNDS, FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS, AND EASEMENTS OVER CERTAIN LANDS, AND ACCEPTING DEDICATION OF EASEMENTS OVER CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

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AN ORDINANCE 44,820

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE CRIMINAL JUSTICE COUNCIL FOR A \$6,572.00 GRANT TO PURCHASE SPECIAL EQUIPMENT FOR USE BY AN ANTISNIPER SQUAD IN THE POLICE DEPARTMENT.

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AN ORDINANCE 44,821

CONSENTING TO THE ASSIGNMENT OF THE BALANCE OF PROFESSIONAL SERVICES CONTRACT FOR ENGINEERING SERVICES ON THE WEST COMMERCE STREET FROM ACME ROAD TO HIGHWAY 90 WEST AND APPURTENANCES THERETO PROJECT FROM THE FIRM OF ARANDA, KURZ & RIVERA, INC., TO THE SOLE PROPRIETORSHIP OF J. H. KURZ & ASSOCIATES.

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AN ORDINANCE 44,822

CONSENTING TO THE ASSIGNMENT OF THE BALANCE OF PROFESSIONAL SERVICES CONTRACT FOR ENGINEERING SERVICES ON THE SAN JOAQUIN DRAINAGE LATERAL PROJECT 61-G FROM THE FIRM OF ARANDA, KURZ & RIVERA, INC. TO THE JOINT VENTURE OF W. E. SIMPSON, CO., INC. AND ARMANDO A. ARANDA & ASSOCIATES, INC.

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AN ORDINANCE 44,823

ACCEPTING THE LOW BID OF HOUSE-BRASWELL CO. TO CONSTRUCT THE SAN JOAQUIN DRAINAGE LATERAL PROJECT 61-G FOR A TOTAL OF \$618,146.70; AUTHORIZING THE EXECUTION OF A STANDARD CITY PUBLIC WORKS CONTRACT; AUTHORIZING PAYMENT, AND AUTHORIZING A TRANSFER OF FUNDS FOR THE PROJECT.

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AN ORDINANCE 44,824

ACCEPTING THE LOW QUALIFIED BID OF SHANE, INC., FOR CONSTRUCTION OF THE PERRIN-BEITEL ROAD BRIDGE PROJECT AT A COST OF \$196,947.54; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT FOR THIS PROJECT, AND AUTHORIZING PAYMENT OF \$206,800.00, WITH \$196,947.54 PAYABLE TO SAID CONTRACTOR, AND \$9,852.46 TO BE USED AS A MISCELLANEOUS CONTINGENCY ACCOUNT.

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75-4

COLISEUM ROAD

Mayor Becker stated he had been asked about the widening of Coliseum Road and would like to know when that work is scheduled.

Mr. Mel Sueltenfuss, Director of Public Works, stated that the plans and engineering on this project have been completed. Some street projects are being included in the Urban Systems program which will have federal funding. This is an effort to overcome some of the inflationary costs. If the projects do go to the Urban Systems, it will cause a delay. However, in the next few weeks, Council will be asked to determine priorities.

75-4 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Cockrell, Black, Padilla.

AN ORDINANCE 44,825

AUTHORIZING PAYMENT OF \$22,835.19 TO THE ALAMO AREA COUNCIL OF GOVERNMENTS, CONSTITUTING THE CITY'S MEMBERSHIP DUES FOR THE CALENDAR YEAR 1975.

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AN ORDINANCE 44,826

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

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75-4

RAILROAD CROSSINGS

Dr. San Martin stated that the railroad crossings between Vance Jackson Road and Lockhill-Selma Road on Dreamland and Wurzbach are dark and very hard to see. There is a simple railroad crossing sign but no lighted signals. With the increased traffic in the area it has become a very dangerous situation and should be looked into.

Mr. Stewart Fischer, Director of Traffic and Transportation, stated that he will have it looked into.

75-4 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Cockrell, Black, Padilla.

AN ORDINANCE 44,827

ACCEPTING THE LOW BIDS OF CATTO & PUTTY, INC., CHEMICAL & TURF SPECIALTY CO., COLONIAL MOTORS CO., GOLDTHWAITE'S OF TEXAS, INC., Menco-Gravelly Sales & Service, AND WATSON DISTRIBUTING CO., INC., TO FURNISH THE CITY OF SAN ANTONIO WITH MOWING EQUIPMENT FOR A TOTAL OF \$27,831.15.

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AN ORDINANCE 44,828

AUTHORIZING AND APPROVING A CHARTER FOR THE BEXAR COUNTY METROPOLITAN APPRAISAL BOARD, CONTINUING THE CITY-COUNTY TAX APPRAISAL PROGRAM.

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AN ORDINANCE 44,829

APPOINTING THE CITY TAX ASSESSOR TO BE THE CITY'S MEMBER OF THE BEXAR COUNTY METROPOLITAN APPRAISAL BOARD.

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75-4

FIREMEN'S & POLICEMEN'S PENSION FUND ACT

The Clerk read a proposed resolution endorsing a proposed amendment to the Firemen's and Policemen's Pension Fund Act.

Dr. San Martin stated that on several occasions he has brought to the attention of the City Council problems relating to this pension fund. He said that in order to eliminate some of the problems the Pension Board had with interpretations by the Board's legal counsel on the accumulation of cost of living increase which were becoming unreasonable and dangerous to the financial structure of the Pension Fund, the Board took action to terminate this accumulation as of December 31, 1974. This action was taken with the concurrence of City staff and the City Council.

City Attorney Crawford Reeder and Mr. Harvey Hardy have proposed changes in state legislation and the Council has been asked to endorse the legislation so that there will be no conflict. Dr. San Martin said that he felt the changes are absolutely necessary and will strengthen the Pension Fund.

Captain Curtis Franz spoke on behalf of the Professional Firefighters Association Local 624. He stated that Local 624 is opposed to the proposed amendment as it is vague and they oppose removal of the cost of living factor from the pension plan. He said he feels that all parties should be in agreement before the amendment is presented to the legislature. If it is introduced into the legislature in its present form, Local 624 would oppose it.

Dr. San Martin stated that he had asked for comments on the proposed changes, but had not received any from either the Firefighters or Police Officers. Time is short, but he said he would be willing to wait until next week and try to resolve differences.

Mr. Jerry Clancy, President of the Police Officers' Association, said that his group would support the resolution if a change is made. They oppose the cost of living factor while employed by the City. They do feel that the cost of living should be there after retirement.

After discussion, Dr. San Martin moved that consideration of this resolution be postponed one week. The motion was seconded by Mrs. Cockrell and was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Black, Padilla.

75-4 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell; NAYS: None; ABSENT: Black, Padilla.

AN ORDINANCE 44,830

AUTHORIZING PAYMENT OF \$6,840.00 TO
PAT MALONEY, ATTORNEY AT LAW, FOR
PROFESSIONAL SERVICES RENDERED.

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75-4

CITIZENS TO BE HEARD

MRS. FRANCES LEVENSON

Mrs. Frances Levenson spoke concerning the energy crisis and reminded Council members of warnings she had given before. She spoke of vast reserves of coal owned by the federal government but which is not being recovered. She also spoke of the great danger of nuclear power plants.

Mrs. Levenson also suggested that the bus drivers' contract with the Transit System should run from June to June so that in the event of another strike it would not ruin the Christmas season for downtown merchants.

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ELLA AUSTIN COMMUNITY CENTER

Dr. Alfred Perry representing the Ella Austin Community Center distributed packets of material outlining the needs of the Ella Austin Community Center. With Dr. Perry were Mrs. Clara Wiggins and Mrs. Dolores Ratliff.

Mrs. Ratliff said that \$1.5 million is needed to purchase and renovate the old Emerson Junior High School building at 1023 North Pine. The facility is owned by the San Antonio Independent School District and will be put up for bid. City Council was asked to provide these funds from the Community Development funds. They also asked for an allocation of \$157,958 to continue the Delinquent and Default Counseling Program for a two year period.

Mr. W. S. Clark, Director of R.O.W. and Land Acquisition, said that he has had a legal opinion that the City could negotiate with the San Antonio Independent School District for purchase of the facility without going through the bidding procedure. He said that he has not been instructed to start negotiations.

MRS. ERNEST WILLETT

Mrs. Ernest Willett, representing the Northside P.T.A. Council, submitted a resolution requesting that the City construct a library in the Northside School District.

Mayor Pro-Tem Cockrell asked that this matter be referred to the staff and asked for a report from the Library Director as to whether a facility in this area is included in the library master plan.

MR. JOSE VILLAREAL

Mr. Jose Villareal, 1608 Sanco Street, spoke for the residents of Villa Coronado. He said that the City has been working in the area putting in sewers. The streets are badly torn up and need repair. He also spoke of the need to repair street lights and the installation of stop signs and blinker lights.

Mr. Mel Sueltenfuss, Director of Public Works, said that Mr. Villareal's statement is true. Unfortunately, along with all of the construction work, there has been much rain which makes a bad situation worse. As soon as possible the streets will be repaired.

Mayor Becker asked the City Manager to have his staff meet with Mr. Villareal to arrive at an understanding on his problem.

MRS. CHARLIE L. CUMBERLAND

Mrs. Charlie L. Cumberland, President of the Southwest Council of P.T.A., submitted a petition requesting the location of a library in the Valley-Hi or Lackland Terrace area.

MR. RAMON RODRIGUEZ

Mr. Ramon Rodriguez, 603 S. W. 39th Street, said that he is opposed to having a committee appointed to resolve the energy problem. He said that he felt that the members of the City Council were much more qualified and could do the job.

Mayor Becker explained the situation to Mr. Rodriguez and the intended functions of the committee.

Mr. Rodriguez then spoke of poor and inadequate bus service and asked that the Council see that improvements are made.

MR. CARL WURZ

Mr. Carl Wurz, 820 Florida Street, spoke again of his opposition to some of the proposed projects to be funded by Community Development funds. He complained that citizens weren't really being given an opportunity to have input in this matter.

Mayor Becker reminded Mr. Wurz that there will be a public hearing on the Community Development Act on Jan. 24, 1975 and invited Mr. Wurz to be there.

REVEREND S. E. STEWARD

Reverend S. E. Steward again addressed the Council concerning the drainage problem in the 900 block of Hedges Street. He described the situation as being impossible.

Mr. Mel Sueltenfuss, Director of Public Works, said that this drainage project is included in the 1974 bond issue. The engineering will require 270 days and then there is the matter of R.O.W. acquisition. He said he would review the project and write Rev. Steward a letter giving him some kind of a schedule.

75-4 The meeting recessed for lunch at 12:00 o'clock noon and reconvened at 1:50 P.M.

PUBLIC HEARING ON PROPOSED
AMENDMENT TO CHAPTER 42 OF CITY CODE

The following discussion took place:

MAYOR CHARLES L. BECKER: I see we're very well represented here today. We have a whole page signed up to speak today and I understand there's a second page in the making, is that right, Tony? So there's 16 names on this page and I don't know how many on the second page. I would appreciate it if there's anyone that could try to either limit their remarks to five minutes or something like that. All of those that are in favor of it, of course, will be given all the time they want, but the opposition will be limited to five minutes each. That's the fair way to do it, Henry. I see Henry Van DeWalle out there. He wants to know what he's going to do with his land. Homer Verstuyft, a lot of folks that we know in our business to say the least, growing carrots and sweet potatoes, corn, a little bit of everything. Thank heavens for them. They've been the backbone of this community, I can tell you that, even if they are wondering how this is going to affect their property. I don't blame them one bit. But anyway, all of you, if you can try to use the time as judiciously as you can. We won't blow the whistle on you if you need more time than normal. So, what do you want to do first, Garland, do you want to read the caption on it and then we'll start with the hearing.

CITY CLERK: Read the proposed following ordinance:

AMENDING CHAPTER 42 (ZONING) OF THE
CITY CODE SO AS TO DELETE PROVISIONS
RELATING TO AIRCRAFT NOISE DISTRICTS
AND ADOPTING IN PLACE THEREOF MILITARY
AIRPORT OVERLAY DISTRICTS, SAID DISTRICTS
BEING TWO OVERLAY ZONING DISTRICTS
DESIGNED FOR LAND WITHIN ESTABLISHED
FLIGHT PATHS AND NEAR MILITARY AIRPORT
RUNWAYS WHERE PILOT TRAINING AND/OR
AIRCRAFT TESTING CONSTITUTE EITHER
PARTIAL OR TOTAL ELEMENTS OF OPERATIONAL
ACTIVITIES, SO AS TO PROVIDE COMPATIBLE
DEVELOPMENT AND TO PROTECT LAND, USES
AND RESIDENTS SO SITUATED FROM THE
PECULIAR HAZARDS AND INFLUENCES OF
SUCH LOCATIONS, ADOPTING A TABLE OF
PERMITTED USES FOR SUCH MILITARY
AIRPORT OVERLAY DISTRICTS, PROVIDING
FOR A PENALTY NOT EXCEEDING \$200.00
FOR VIOLATION HEREOF, AND PROVIDING
FOR SEVERABILITY.

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MAYOR BECKER: Okay. Yes, sir.

DR. JOSE SAN MARTIN: Before we allow people in the audience to address this Council, could Mr. Guerra give us a short review, if there have been any changes or recommendations from the staff since it was last presented to this Council at the "B" Session. Have you made any changes?

MR. CIPRIANO GUERRA: Yes, sir, there was one change. We have added foundries as a CC item - a Council consideration item, an item, if that was the intended use for that particular piece of property, they would have to come to the Council for specific approval of that use. That's the only change we've made in the Ordinance since you were briefed on it in "B" Session in November, I believe. We then took it to the Planning Commission and they approved it and recommended it to you for approval.

DR. SAN MARTIN: The Planning Commission made no changes whatsoever, no recommendations?

MR. GUERRA: No, sir. They made no changes. There was considerable discussion of it. It is a controversial Ordinance and there are many compromises here and there could be more. It is an Ordinance that we've given a lot of time to and I don't expect everyone's happy with them. As recently as this week, I met with Mr. Van DeWalle and later on with his son and then Colonel Fry, who now works with the Van DeWalles and discussed the possibility of an additional 14 CC, Council consideration, items that would be included in the table of uses. The approach I had to take was that this amounted to a major revision of the Ordinance, as presented to the Planning Commission and the Council, and would get us back into the loop again. However, it was something that could be addressed at this hearing as to whether or not you would consider the addition of these 14 or 16 additional table use items as CC items.

As the Ordinance stands now, the table of uses has 392 uses, of which, in the first, in the MAOD-1, the area closest to the runway, we permit 68 percent of those without restriction and nine percent more with the CC condition for a total of 301. In the MAOD-2, which is the second strip of land beyond the runway, there we include 70 percent of the items that are on the normal table of uses, plus another nine percent in the CC for a total of 309 uses out of a total of 392 on the table. So there are restrictions here, obviously, and we've left out about 80 of the possible uses and that's the main bone of contention here.

Now the Ordinance does address primarily hazards. The Air Force studies that have been made around airfields and the impact on airfields indicate that there are three basic considerations; noise, crash hazards and that seems to be the main - the most critical one is the crash hazard. We've tried to make judgment and I'll be the first to admit that this is a very difficult area with whether a particular use implied in general, tended to imply, people in an elbow-to-elbow situation and tried to reduce the density so that we wouldn't have those conditions. We also tried to reduce the kind of dangerous things that could exist on the ground, for example, tank storage farms or explosives or the handling of highly flammable materials. These were the kind of judgments we had to make in arriving at these tables. But the only change we made, to get back on your question, since the briefing to you, was to add foundries to the table of uses as a CC item.

MAYOR BECKER: All right. I shouldn't have to remind anybody as to the importance to the City of San Antonio of these various installations, any of these military installations, Air Force or Army. All this, of course, was occasioned by the fact that the Air Force told the City of San Antonio and has been telling the City for some time now, that if something weren't done to protect land around both Randolph Air Force Base and Kelly Air Force Base, that there was a great likelihood that as the future went by, San Antonio stood a chance of losing one of them or both of them, particularly Randolph with training missions and all out there. They cited examples where in the United States six air bases had actually been closed because of encroachment on the Air Force Base, Mitchell and Bolling, and I can't remember all the rest of them.

Well, those of you are well aware, I'm sure, of what you read in the papers and having lived here for many years as citizens, that the military is responsible for approximately both through military payrolls, civilian payrolls, retirement payrolls and all the rest of the type of benefits that accrue to retirees and so forth. It amounts to something in the neighborhood of a billion dollars a year. It's approaching a billion dollars a year. It's by far the largest employer that this City has without even discussing the subject.

So it's most vital that we work with our military friends and try to preserve these facilities for the overall common good of San Antonio and also at the same time, of course, try to be reasonable in our approach so that we don't penalize the property owners and citizens and that's the tightrope that Mr. Guerra was talking about and that's what we're trying to achieve. So without any further adieu, I'd like to call on the first speaker, Mr. Joseph Chacon, Jr.

DR. SAN MARTIN: Could we have a map of the projects so that we can be....

MR. GUERRA: Yes, sir, we have maps of both fields. We can put them up - the maps facing the audience - we can put up both of them. Unfortunately, the ones with the view graphs we have for you will be able to treat one at a time.

DR. SAN MARTIN: But at least we can refer to them.

MR. GUERRA: Now to refresh your memory, those strips in the greenish strip, the first area south of the runway, that happens to be Randolph, the south end of Randolph. The strips - the green strip - is 5,000 feet long and 3,000 feet wide. The darker green, I guess the olive, is what I'm referring to and then the green is 7,000 feet long and 3,000 feet wide, that's the MAOD-2.

MAYOR BECKER: So you have kind of a chartreuse and aqua there. Okay.

MR. JOSEPH CHACON, JR.: Mayor Becker, for the purpose of record, my name is Joseph Chacon, Jr. I'm an attorney, property owner in that area designated MAOD-1. I hope I don't construe the Mayor's comment as an indication as to the frame of mind that I'm presenting my argument to. I'm sure that this....

MAYOR BECKER: I didn't know that I gave myself away.

MR. CHACON: I'm sure this Council will be objective. I'm sure that this Council, of course, is better familiar with the terms of 1011A than I am. I'm sure that they've worked with it daily. They should work with it daily. One of the justifications for this is zoning this Ordinance, authority given this Council - is safety. I believe Mr. Guerra indicated that this is basically what we're proceeding on, safety. I was fortunate enough to acquire a copy of the Randolph Air Force Environmental Study and it is my understanding that the matters contained herein are facts, etc., that have been acquired and accumulated by the Air Force. So if I rely on these facts, I assume I'm not misquoting an existing condition.

From reading the Ordinance, I understand that what we're concerned with is "a real danger." Well, that phrase assumes quite a bit. That phrase assumes that there is a danger in that particular area that they're trying to zone, that we're trying to consider today. Well, I have attended the various meetings with the citizenry at Judson High School when this first broke. I did make an appearance before the Planning and Zoning Commission. We did discuss this so I assume that the proponents for this zoning will not change the diagrams and statistical matter that they presented at those hearings to this Council. To assist the Council in grasping the entire situation, at those particular hearings, a chart was presented justifying the MAOD-1, MAOD-2 designation. At that time there was three, there were 1, 2 and 3. On this chart, they had x'd out various site crash locations, or crash sites. What they did not inform us was where these crashes occurred. Well, if we're concerned or if the premise behind this Ordinance is that there's a real danger in my particular situation in the Converse area, then we're going to have to look at the Converse area. Now, I'm sure that the Council can appreciate that the activity involved at a particular air facility will dictate the hazards that's there. Now, as an

example, I'm saying student pilot training versus rated pilot training. Student pilot training versus instructor pilot training. We're talking about individuals that have already "mastered" the aircraft and they're taking their final step in getting a rating. We're also looking at general aviation versus Air Force aviation. We're also looking at geographical locations. We're looking at areas of high density altitude versus those areas which don't have that density because all these are involved in the safety factor.

Well, in arriving at this, I had the opportunity again to acquire certain statistical data. Now, my statistical data refers to - well, I have it broken down, it refers actually to, in general, aircraft accidents and it refers to accidents involving general aviation that which we encountered at International Airport, for example, Stinson Field, etc., and Air Force, Air Training Command wide. I found it very interesting when I determined that in 1973, based on 982,242 hours flying time, Air Training Command wide, now, this involves 17 air fields, together with the various stage fields that there were 13 accidents for an accident rate of 1.3. At the same time, when I was looking at general aviation, I'm talking again about International Airport, Stinson Field, those areas, during the same particular period, I believe that they had a 20.40 accident rate. Now, for those of you who are not familiar with how an accident rate is determined, you take the figure of 13 as an example, in this case, 13 accidents times 100,000 flying hours and you divide that by one million, that's how we arrive at the rate.

If we follow that, then we're wondering whether or not the criteria followed prior to this situation, by this Council, in allowing other various structures to be constructed at air drome facilities, should also be considered in arriving at their decision in this case. I'm specifically referring to the Tesoro Buildings, which is exactly or directly on the approach path for runway 35 and three right at International Airport. The Broadway National Bank which is also a direct obstruction to aviation and then I'm turned around and I'm looking at our farm land sitting out there and say, well, if no one is concerned enough or feel that there is not a safety factor when we're talking about the Tesoro Building or the Broadway National Bank Building, why should they worry if we build houses here. I'm sure that the Council will appreciate the fact that in that approved list of structures, residence has inadvertently been omitted.

MAYOR BECKER: Now I don't think Mr. Chacon, that the Council has the final say in the matter of the Tesoro Building or the Broadway National Bank. I think that falls in the hands of the CAA, doesn't it? As to whether or not those kind of structures are permitted.

MR. CHACON: I didn't realize - well, CAA doesn't have any prohibition as to what we're talking about right now, but the....

MAYOR BECKER: Or FAA or one of those agencies.

MR. CHACON: I did not bring the regs with me.

MAYOR BECKER: I thought they were the determining factor.

MR. CHACON: No, sir, their criteria, without having my book in front of me, take my word, are very low compared to what we're talking about right now. There's no impediment involved there. We're talking about the type of aircraft that fly on this particular area also. We have to talk about this type of aircraft because this also is what is considered "a real danger." In determining the aircraft, I had again the occasion, see I've been a little busy, of checking the...(inaudible)...on the various aircraft and the aircraft that are involved, together with pattern altitude, because it affects me directly in my pattern or my other pattern. I find that the primary aircraft out there is T-37's and T-38's. I find that the pattern altitude, east pattern, is 2,700 feet and the west pattern is 1,800 feet. The T-37, flying at pattern altitude has a glide ratio

approximately of 5½ nautical miles. The T-38 has a glide ratio approximately of .43 nautical miles. The only reason I bring this before the Council is that if there is a flame-out on an approach, I want the Council to be able to appreciate the gyrations that a pilot has to undergo in order to crash on my site. We have a hard strip, hard surface runway, we have crash rescue facilities at Randolph. I don't think he's going to make an effort which would be required to crash. It's also interesting to note in the research, that in the past 30 some odd years, better than 30 years, there has never been an accident at Randolph Air Force Base proper. Now, if there has never been an accident out there, I don't see nor can I appreciate the phrase "real danger." A meteor could fall on us, but is that a real danger?

Now, this all leads to one thing. We're talking about the justification, for this Council for the City government to go--those are small people out there, they're all little people in the Converse area and say, there is a real danger out here, consequently, we're going to burden your land. We're going to restrict your land. I know you're going to lose money in the process, but by the same token you're doing us a favor. The Air Force say, and I find this very amusing, to tell you the truth, in their study that as a last resort they want to purchase this land. Why should we say let's be fair only as a last resort. We'll buy this land from these people only if we have to. Everyone of us out there paid good money for it. Everyone that's out there, some have been living out there longer than I've been born. So why should we sustain a financial loss solely for, well, I'm not going to use the word I had in mind, but to cooperate.

From what I gathered, best of what I could interpret, prior to the mere announcing of this proposed activity, the land in that area had a value of approximately \$1,600 an acre. I'm sure Mr. Morton will appreciate this. Since the announcing, without anything going on, but since the announcing, the land has been valued at \$450, \$500 an acre. Now, we've been hurt. We've taken a loss and I also share the Mayor's opinion that we should try to cooperate with the various bases, but I also state, and I'm sure that the majority of the Council will agree, it's not fair to say, you five, six, you 20 people out there, you help the City of San Antonio. Stomach the loss. Be quiet and have a go at it. If there is going to be a taking, which this can only be interpreted as a taking, then be fair about it and exercise the right vested, eminent domain. There can be a lawful taking. But I sincerely hope that the Council won't say only as a last resort, we take the property lawfully. Is there any question?

MAYOR BECKER: Mr. Chacon, all I can say is that the information furnished by the Air Force, the statistical data that they showed us and have shown at the other meetings, I have to assume that those figures are not in any way gussied up or anything like that and each one of those x's or whatever they use to indicate location of a crash was impressive to me to say the least. We had a gentleman in here one day, a young officer, who I think ejected at something less than 100 feet or something like that, as I recall. He and a student did their utmost to keep the plane - and I believe it was a T-38 - from crashing into some homes out there. Fortunately for them, they were able to control the airplane to that extent before they had to leave it. I don't know exactly the spot that General Semler crashed and I don't like to bring these kind of things up.

MR. CHACON: That's quite all right, Mr. Mayor, I'm also an aviator. Yes, sir, I fly helicopters and to most people that's the most dangerous thing in the air.

MAYOR BECKER: I like to ride in a helicopter. I'll be happy to ride with you someday.

MR. CHACON: Unfortunately, those of us that are not informed feel that because you get up in the air, you're in danger and you're going to crash and you're going to kill a whole bunch of people. The statistics don't bear that out, especially when we're talking about Air Force flying. 1.3. I'm sure that you'd like to have that type of accident rate on the streets of San Antonio.

MAYOR BECKER: It'd be fantastic. I think it's a credit to the Air Force that it is only 1.3, as compared to general aviation of 20.40, you know. Now, by the same token, however, when you point out that the glide ratio of the T-38, I think, was .43 miles....

MR. CHACON: Nautical miles, yes, sir.

MAYOR BECKER: That's like a rock, you know, and I think this is one of the things they're trying to point out to us is that there just isn't much likelihood of that aircraft being able to clear many built-up areas if she decides to flame-out, come down or whatever. You're really dealing with a missile or rock rather than something as conventional, say, as a Taylor Cub or something of that nature, that - Apache or whatever, you know. So I'm just really making note of these things as you relay them to...you know, to us here for the simple reason that I think that we're not speaking of something here to be taken lightly and I'm not saying that you suggest that it be taken lightly.

MR. CHACON: No, as I said, I am an aviator and I can appreciate any hazard that exists in an aircraft. I mean 4.3 - 4 miles point, you know, 4 and 3/10 miles, nautical miles, and I wish I could throw a rock that far.

DR. SAN MARTIN: You did say .43.

MR. CHACON: I beg your pardon, it's 4.3.

MAYOR BECKER: I'm going to have to call upon Colonel Rollston or some of those kind of folks and I'm not saying that I don't....

MR. CHACON: I would be delighted giving them an opportunity to quarrel....

MAYOR BECKER: That in itself is amazing to me that if that thing will glide that far, then I shouldn't have been as apprehensive as I was when I was riding....

MR. CHACON: Well, I tell you what, Mayor, while you're calling Colonel Rollston, I believe you'll also find that the statistical data I've quoted, was taken directly from their study. I have it earmarked T-38 glide ratio and here is a photocopy of your ten, which substantiates and verifies what I said.

MAYOR BECKER: I'm going to ask him to comment on that when he comes up here, because that is in itself a revelation to me.

MR. CHACON: All right, sir. And also, if you could, ask what type of flight training is being conducted at Randolph Air Force Base and see whether or not my figures are not correct that in 82,168 flying hours at Randolph Air Force Base in 1973, there was no accidents. I haven't been able to acquire the 1974 hours, but 82,168 hours.

MAYOR BECKER: Well, I'm sure that you will agree with me in this that we're both thankful that they established that safety record out there.

MR. CHACON: Yes, sir, but not at the expense of giving my property away.

MAYOR BECKER: I understand. Any other questions of Mr. Chacon?

MR. GUERRA: Mayor, I don't intend to ask you to let me respond to each speaker, but I think it's important, in this case, that I provide a partial response to Mr. Chacon. With regard to credentials, I, too, am a pilot and I'm also an aeronautical engineer and I have flown jets for 20 years and I had five accidents. With regard to the statistics that you're quoting, the ones we used for our study are based on Air Force world-wide accidents over, you know, world-wide, excluding combat aircraft....

MR. CHACON: Including.

MR. GUERRA: Excluding. The data I am using. Now, please allow me to respond to you. The data we're using is accidents world-wide, excluding combat accidents. From 1968 to 1972, there were 369 accidents that came out of this within a ten-mile radius of an airfield. 61 percent of these accidents occurred on take-off, 39 percent, I'm sorry, 61 percent on landings, the pilot was trying to get the machine back on the ground, 39 percent occurred on take-off. A good number of these did occur on the airfield, but the areas we have described here encompass 78 percent of these accidents. That's why we had to go out as far as we did to try to bring up a reasonable - to cover a reasonable number of these accidents and if you plot these accidents, they fall into that pattern. Now, if you recall at one meeting earlier, I spoke to Mr. Van DeWalle to see if we might not narrow the strip and we looked at a thousand feet and it got our accidents below the 50 percent. That certainly ought to be a break-even point, if we're trying to encompass that kind of area. With regard to the accidents of civil aircraft, there is 20 percent or 20 per 100,000 flying hours represents light aircraft primarily. This is a low energy vehicle. A 2,000 pound airplane hitting the ground doing 60 or 80 miles an hour doesn't do the damage that a maybe a ten ton - and I don't think we've got a fighter today that weighs less than ten tons - doing maybe 180 knots, there's a lot more energy in these aircraft. These accidents covered from 2.67 acres of damage, which is almost hard to conceive up to almost 9, it was 8.7 acres. When a machine of that weight, at that speed contacts the ground. So the accident is a very real hazard and the difference, you cannot make comparison strictly on the accident rate. You have to look at the type of machine involved, I will agree with that. But even on that point, he cites the training figures at Randolph. Training is a very controlled situation, admittedly, it has to be. He's trying to train new people in the art. But that does not account for transients. People who are flying into the airfield from other bases, so you have to look at that too. He made a remark that there had not been an accident on Randolph, that's correct. There hasn't been one. But there was one off of Randolph in the kind of areas we're concerned with as recently as May of '74, and if that 38 had hit, I think it's about less than 100 yards from where it did hit on the same line of flight but if he moved it over about 100 yards, he would have taken out quite a few homes. So the accident potential I want to get across is quite real. It may be infrequent, but it is real. That's all.

MAYOR BECKER: And you only have to get killed but once to be impressed.

MR. CHACON: Well, we hope no one gets killed, but may I ask Mr. Guerra a question or two? Did your statistics break down the accidents due to mechanical failure and pilot error?

MR. GUERRA: It doesn't matter, if there's an accident....

MR. CHACON: Well, it makes a big difference in this respect, Mr. Guerra.

MR. GUERRA: The statistics I showed you landing those two areas, it's academic, whether it was due to pilot error or to mechanical failure.

MR. CHACON: May I be permitted to continue, Mayor?

MAYOR BECKER: Yes, sir. Absolutely.

MR. CHACON: All right, because I'd like to pose this situation to him. Do you or do you not agree, sir, that a student pilot is more susceptible to an accident than an individual that's been flying for 2 or 3,000 hours?

MR. GUERRA: Yes, and that's why the Air Force controls training so rigidly. That's how they manage to keep their accident rate down.

MR. CHACON: Well, all right, if that is the case, what I'm saying, sir, what I'm saying is this, if the statistics did not break down these situations - the type of flying, the type of - the cause of the accident, how can we say that this is a compatible situation to Randolph?

MAYOR BECKER: I'd like to just interject one thing, if I may, Mr. Chacon. I don't have a great deal of experience with flying or anything, but, except I spent quite a while in the Air Force and so forth in the second war. I found out one thing then and what I read in magazines and newspapers when these unfortunate accidents occur, malfunction of aircraft doesn't seem to be a respecter of rank and that's the reason I mentioned General Semler. Many high-ranking officers, who I would have to assume would have enough hours to be command pilots and raided on many, many types of aircraft, somehow the second war and, of course, most of the ones today, at least out of Korea and Vietnam, majors, colonels and general officers and so forth, many of those fellows crashed in the states and I don't think you could call it, in all instances, pilot error. A lot of occasions, I think, could be laid strictly to malfunction of aircraft and when it happens, it happens, you know. That's the sad thing of it and it's immediate, it's right here, particularly at low level of take-off and landing, as you well know.

MR. CHACON: But do you think that in order to say that there's a real danger here, we can use a conglomerate of statistics without really understanding or appreciate the cause of these accidents?

MAYOR BECKER: I think Mr. Guerra answered that adequately, when he said that they had taken the statistics as they thought were applicable to the situation out here at Randolph Air Force Base, for example, that is the mixture of the training, the transient aircraft and all the various things taken into consideration, and use those statistics and applied them with all the data, of course, that is factual has absolutely no other bearing on any other place other than what has been accumulated for the usage of the problem, those accidents and things that have occurred strictly at Randolph Air Force Base, you see. I think that he answered that properly as far as I'm concerned at least. I don't think anyone's trying to phony up any statistics, is the point I'm trying to make. We're not trying to build a case for this thing. Just think how simple our life would have been had it never come up. We didn't initiate this, you know, this wasn't of our doing.

MR. CHACON: Are you referring now, sir, to this proposed Ordinance?

MAYOR BECKER: This Ordinance is not of our doing, believe me. What we are interested in though and what our main premise is, is trying to accommodate the Air Force, who we regard as a fine citizen, an adjunct to this community, which in many ways is both economic and social and every other way, as well as historical and traditional, and we're trying to make it possible for them to stay in San Antonio, Texas. We need them badly and, you know, we're not, by the same token, being unmindful or in any way disregarding the feelings, the rights and everything of everyone involved.

MR. CHACON: Well, I can appreciate your comments about the Air Force, Mayor Becker, but might I suggest this also? That the City of San Antonio is not made up entirely of U. S. Air Force personnel. That in the City of San Antonio citizenry, you have a number of small people, these same small people have one forum to which to come to. These same small people say the City Council is going to take care of me, the City Council is going to represent me. Now, I think, that if the attitude is as you say, then there is most definitely a conflict of interest there, because these people come here to the City Council to say to City Council, protect me. Now, if they come here and they know that City Council will protect the U. S. Air Force, why should they be here? They throw in the towels, say okay, here take my land, take anything you want, we can't fight you and I think we've all heard, you can't fight City Hall. But I think you can, Your Honor.

MAYOR BECKER: I think you're using an extreme example there. What were your very opening remarks, how many permissible uses are there by Council consent, out of how many now, what were those figures again?

MR. GUERRA: There were - the total - the normal table of uses has 392 and we used the very same table, so that you could see what we were doing. Out of that we permit without constraint, 68 percent of them, 266 and this is in the MAOD-1 area. In addition to that, we added 35 more where there was a doubt, but we left the doubt to be resolved by Council action. So bringing the total up to 301 out of 392 possible uses.

Now, with regard to the remark about whose Ordinance it is, the Air Force flagged a problem to us, the staff and the Council. The initiative naturally lies with us, with the staff and the Council, in responding to it, so the study he's quoting is not a - the study itself, that book, is not an Air Force book, that is the result of a study done by the region, a Randolph Sub-region, a group of cities. The data used there, yes, some of the data he's quoting is Air Force data, but the study, I didn't want that to be misunderstood, was not conducted by the Air Force.

MR. CHACON: Well, apparently, Mr. Guerra, you and the Mayor haven't gotten together, because I believe the Mayor, as a prelude to his opening of this meeting, stated that we were trying to appease the Air Force and the record quote will bear me out.

MR. GUERRA: We're trying to keep the Air Force here, yes, sir.

MAYOR BECKER: I'm trying to keep the Air Force here, I don't mind saying that, I'll say it all day long.

MR. CHACON: And I'll agree with you, Mayor, only I'm saying not at the price of taking property that belongs to others without just compensation.

MAYOR BECKER: Well, we're not advocating that, Mr. Chacon.

MR. CHACON: Let me make you a deal you can't turn down, Mr. Mayor. I'll sell you my land and everybody here will sell you their land for that value that it had in 1972.

MAYOR BECKER: Sir, I can think of a lot of things I wish I could roll back my value, back to 1972.

MR. CHACON: Right, but on this one it just took somebody to say, hey, let's take that land for the Air Force and that's when we lost our money.

MAYOR BECKER: Hopefully, you won't lose any value on it, Mr. Chacon.

MR. CLIFF MORTON: I'd like to address that statement. When you start talking about value of land, you have to go to comparable sales, don't you?

MR. CHACON: Yes, sir.

MR. MORTON: How many sales did you used to come up with....?

MR. CHACON: I didn't use any. The information I was - I mean the figure I was quoting you was given me by a realtor.

MR. MORTON: Well, how valid do we know his figures were, because
....

MR. CHACON: Same way you know these figures are valid, sir.

MR. MORTON: I happen to be very familiar with that area and I know of no tract of land, of any size whatsoever, that has sold for \$1,600 an acre, south of Randolph.

MR. CHACON: Might I suggest you contact Mr. Edgar Von Scheele and he can put you onto some right now and give you an exact time, place and location where it was selling.

MR. MORTON: The next statement you made was that it now had a value of \$450. How many comparable sales do you have that would substantiate that value?

MR. CHACON: I said approximately \$450 and this information was given to me, the reason being really there's no one wanting to buy out there.

MR. MORTON: Well, Mr. Chacon, that's not unique to the area south of Randolph. I will assure you that as far as raw land of Bexar County is concerned, unless it's for agricultural purposes, there is very little demand for it today.

MR. CHACON: Well, it's ironic or unusual that all of a sudden the demand diminished, isn't it?

MR. MORTON: It sure is, but that's exactly what has happened and I don't think it has anything to do with the taking of land south of Randolph by this Ordinance at all.

MR. CHACON: Well, again, it's your prerogative to have that opinion. I don't think that your opinion will be shared by the people that live in that area.

MR. MORTON: Well, I don't mean to be argumentative with you, but I just would like to know, you made a statement of \$450 an acre, where did you get your information?

MR. CHACON: I got the information from an individual - on that price - the individual had an offer. He was at the last Planning and Zoning Commission hearing and this is the only offer he had on the land for the purchase of the land.

MR. MORTON: But there was no sale at that figure?

MR. CHACON: No, sir, he's figured he's lost enough money.

MR. MORTON: You know, I could offer a dollar for the NBC Building, but that wouldn't mean that that was the value of it, would it?

MR. CHACON: No, sir.

MR. MORTON: I think the same thing is true, if somebody makes an offer of \$450.

MAYOR BECKER: Cipriano, twice the mention's been made of the validity, the voracity of those figures contained in that little book there that Mr. Chacon has. I'd like to set the record straight, once and for all. Are those figures accurate? Are those figures something that we trumped up ourselves down here? Were those figures slanted in any way? Were they rigged in any way or is that an accurate, forthright presentation of facts and data, as we know it?

MR. GUERRA: Without any equivocation, to the best of my knowledge, these are accurate figures.

MAYOR BECKER: Okay, I'd just like for that to be entered into the record, the tape here, because twice Mr. Chacon has made reference to the fact that those figures there are something he doubts the voracity and the validity of it, you know. Now I don't know why he would continue to say that when we have tried to present the thing as we see it in the most honorable, honest and truthful fashion that we know, Mr. Chacon, and at the very outset of the meeting, I just want to clarify that one thing that no one is attempting to rig anything or distort or confuse or purposely lie or in any way deceive anybody with any of the information that we prepared.

MR. CHACON: But that does not preclude that possibility.

MAYOR BECKER: Well, you know, I might think my name is Charles L. Becker and I might have been born somebody else and they put the wrong tag on me, but for the 55 years now, plus, I've been going through this life as Charles L. Becker.

MR. CHACON: And I'll accept you as Charles L. Becker, believe me.

MAYOR BECKER: Fine, I appreciate that.

MR. CHACON: I won't accept the statistics though.

MAYOR BECKER: Okay.

MR. CHACON: Thank you for your objective hearing.

MAYOR BECKER: Thank you very much. Cliff Terrell is in favor of dot, dot, dot. So, does Cliff Terrell want to speak now? All right, sir.

MR. CLIFF TERRELL: Mr. Mayor and fellow members of the Council, I'm Cliff Terrell, Executive Vice President of the Greater San Antonio Chamber of Commerce. I am here to speak for the Chamber's position on this particular subject. The Chamber of Commerce became involved in this issue back in 1973 at the request of the Air Force, who was seeking some guidance as far as land use ordinances to protect their flying mission. In June of 1973, the Chamber, the Chamber Board adopted a policy statement asking the City government and the County government to do whatever was necessary to protect the flying mission at both Randolph and Kelly Air Force Base. As Mayor Becker has stated, certainly the Air Force represents at least one-third of our economy in this area and our organization, as the primary business organization in this community, should support legislation, ordinances that will protect this massive part of our economic aspect here.

I think it's important for everybody to realize the change that has taken place in the military climate in this country. I think it's important that we in San Antonio, where we are so dependent upon the military for our economic vitality, that we realize the nation's Congress is a lot different than it was in 1973. This session of Congress just convened yesterday is going to be even more drastic as far as cutting Federal expenditures for defense purposes. Our Congressman Heber, one of the most outspoken advocates of military preparedness that we've had in this country, barely skimmed through to retain his chairmanship of the Armed

Services Committee. I think this is important that we realize that defense spending in this country is now at its lowest point as far as our percentage of the GNP's since 1938.

All this goes to say that I think we in San Antonio have got to do what is necessary to make the Department of Defense realize that we want to cooperate and that we realize their needs and that this community is willing to meet them. I think it's important that you realize and certainly I'm not going to be one that's presumptuous enough to try to talk about the technical aspects of this Ordinance. I think what you as Council members have got to do is rely on the expertise of your staff, Planning and Zoning Commission recommendations, and then set a policy decision based on the facts that you gather from certainly what is a capable staff.

I would like to express the Chamber's compliments to you for facing this issue head-on, because I think it is one that is vital to our future economic well-being in this City. I do think it's one that needs to be settled on a local level. You know, the Chamber is not the most liberal organization in town and certainly we want to see land use control kept at the lowest possible governmental level. I think to do this, the local government has got to face land use issues, rather than trying to ship them off to Washington or to the state level. So I want to compliment you for facing this issue and ask that you do make a quick resolution on the Ordinance that has been presented by the staff and the Planning and Zoning Commission.

MAYOR BECKER: Mr. Darvel Hodge.

MR. DARVEL HODGE: This is Darvel Hodge, Randolph Field. Texas address is Route 1, Box 205, Converse, Texas. Now I'm going to get Mr. Chacon to speak for me or whoever you say to.

MAYOR BECKER: All right, sir.

MR. EARL COBB: May it please the Council, my name is Earl Cobb. I'm an attorney. I think that the Council may be missing a big point here. I'd like to say at the offset that, from a selfish point of view, I would like to see the Council pass this, because I think the Council will be making lots of money for lawyers in the City of San Antonio. I think the Council would be doing a very foolish thing in that the Council is assuming a liability of the United States Air Force. It's the liability of the United States Air Force, which they in writing have admitted that they want this zoning done as a subterfuge. They have said in their work that our aircraft damaged this land, the noise, the risk of crashes, hurts the land. We're subject to suits and therefore we want to get the City to zone this land and take some of this burden off our backs.

Now, the issue of danger is a very questionable one, but I welcome the Council stating in writing that there is a substantial danger, although I personally believe there is not, because by stating that there is a substantial danger out there to this land, the Council is saying to the people that are being damaged out there, you've got your damages and just come into court and prove them up. The Council, if they pass this Ordinance, is saying, sue the City too, don't go after the Air Force. The Air Force has the right to take this property. They have the right of eminent domain. They could have bought it, they can buy it, they can probably buy it now at a reasonable price, which would be nothing to them. But they want to do it the un-American way and the unfair way. They want to take it for nothing and they're asking the City to help them do that.

Now, the zoning ordinances have never been intended to take property away from people without compensating them. The

purpose of the zoning ordinance is to protect society as a whole. Spot zoning is illegal; strip zoning is illegal. The courts have repeatedly held that freeze zoning is illegal. This Council has repeatedly done things like that and they've repeatedly been stricken down by the court, but this is something else. Here the Council is saying, there is danger out there, where there is not, and the Council is saying, in writing, the danger is substantial, you come in, we're going to fix it up so you can't use your property, but you come in by inverse condemnation and file your suits and prove up your damages against the City. It's not smart.

MAYOR BECKER: Mr. Cobb, I can't regard the Air Force here as a liability. I can't regard any responsibility this City has with respect to recognizing that they have a problem here that we probably have a responsibility as a City Council, I cannot regard that as a liability and frankly, I wish that, somehow, these folks could all be paid for this land and as you say, they might through the courts, but if there was any money to be passed out anywhere, on the part of the Air Force versus material, I think I'd rather that they be able to spend the money on a new FY-16 or a B-1 bomber or something like that, rather than be buying land. Now, if the courts of law, in effect, through any type of suit that may arise out of this, wish to award damages and so forth, I think that's fine. We're not trying to create a situation here where we're actually challenging anybody to go into court, you see. But we feel we have a liability, I mean a responsibility to the Air Force here. I don't regard them as a liability, I don't think anybody regards the Air Force as a liability in the second war or in Korea or during the Vietnamese war and were we in some difficulty tomorrow or the next day or shortly thereafter in the future, I imagine we would be looking upon them with great favor, rather than as a liability. So, you know, I guess that perhaps I am prejudiced, I feel that way about the military and it's maybe a failing.

MR. COBB: Well, perhaps the Mayor should have been a lawyer. The point is very well taken, but it's highly immaterial. I didn't say that the Air Force was a liability, I doubt very seriously that it is.

MAYOR BECKER: We don't regard it as such.

MR. COBB: I have no argument with the Council assuming that the Air Force is an asset. The argument, the point I'm trying to make is that the Council should proceed if there is a risk here, should proceed in the proper manner. They should not try to do it at the expense of twenty people at their expense, if they're going to benefit the whole City of San Antonio or let the whole City of San Antonio pay for it. That's the point. It's just a matter of simple right and wrong and I hope, very seriously, that the Council understands that. I can understand the tremendous amount of pressure that the Air Force can place on this Council and on the Chamber of Commerce and on the City.

MAYOR BECKER: They haven't placed any on me, Mr. Cobb, and I don't think they've placed any pressure on any member of this Council. Not a single member.

MR. COBB: Perhaps.

MAYOR BECKER: Dr. San Martin says he hasn't even been approached so I don't think that's a statement that would be admissible actually.

MR. COBB: May I simply point out that the very outset of this meeting, the Mayor pointed out that the Air Force is an asset and we need to keep it here.

MAYOR BECKER: Indeed we do need them here. Mr. L. D. Bell, I believe. Randolph, all right.

MR. L. D. BELL: My name is L. D. Bell, Randolph Field. I live on Pheil Road. There isn't anything I'm asking for. If you want the land, buy it and pay for it. That's all I'm asking. Now I don't - would not be willing to give it to you.

MAYOR BECKER: Let me ask you, Mr. Bell, how many acres do you have out there, sir?

MR. BELL: Three acres.

MAYOR BECKER: Three acres. And this Ordinance would affect your usage of that land? What may I ask are you doing on it right at the present time?

MR. BELL: Well, I've been raising some cows on it.

MAYOR BECKER: Does the Ordinance preclude the raising of cows on the land or any type of agricultural activity or poultry farming or any of that sort of thing? It does not.

MR. BELL: (Inaudible.)

MAYOR BECKER: Well, not at present anyway. It wouldn't affect those activities, Mr. Bell. Thank you, sir. John P. Rollston, Air Force - Randolph Air Force Base, in favor. The first affirmative speaker that - well, besides Cliff here.

COL. JOHN P. ROLLSTON: Mr. Mayor, lady and gentlemen of the City Council, distinguished citizens, I am Colonel John P. Rollston. I am the Commander of the 12th Flying Training Wing at Randolph Air Force Base and I am here to speak, not on behalf of Randolph or Kelly, but representing the United States Air Force, as responsible citizens, to advise you that San Antonio has an opportunity to avoid a problem rather than to wait and cure a serious one in later years. I bring this message rather redundantly to you. I hope that you'll be considerate and listen. It is principally the folks in the audience that I'm addressing. Principally the concerned citizens around Kelly and Randolph, who somehow sense erroneously that there is an attempt to take their land away from them. Nothing could be further from the truth. The United States Air Force has never suggested taking nor sterilizing anyone's land. We have always encouraged total development, the faster the better, so long as that development is compatible with the recognized hazards of aircraft operation. Mr. Chacon's statistics, I fear, are a bit warped, which seems the more strange in that he's an aviator. Relating, for example, crash positions to traffic altitudes, all the while ignoring the fact that aircraft attitude, it's air speed, it's rate of acceleration or deceleration, the amount of thrust available to the pilot, are all influence where that aircraft may or may not impact. Perhaps, the clarification that he was a helicopter pilot, who customarily, if the aircraft fails, may autorotate to the ground, does not clearly understand the fact that a T-38 and most of our modern fighters today, when the engine fails, become guided missiles, in that the pilot no longer exercises any control over those aircrafts.

His suggestion that no aircraft have crashed at Randolph has been refuted effectively by a knowledgeable Mayor. I suggest that to overlook the loss of one of our nation's great leaders, in General George Semler, is a gross oversight. I would suggest that to overlook the fact that last May, only as recently as last May, I stand here as responsible for the fact that a T-38 crashed approximately in the zones that were outlined here and as was pointed out by Mr. Guerra, your acting City Manager, also very knowledgeably, that but for a scant 100 yards that T-38 might have wiped out a dozen homes and all the people therein, all the

wives and children. I would have had to have faced the irate and distraught husbands, when they returned to find smoldering ashes.

I suggest that he's correct that ATC, the Air Training Command, is proud of its accident rate, but I suggest also that he ignores the fact that we are Air Force installations at Randolph and Kelly and that in 1973 there were in excess with that, with that reduced accident rate that we are so proud of, that there were in excess of 100 Air Force aircraft that were crashed and destroyed some place in this country and I tell you citizens we do not pick the place where we crash airplanes. Every type and size of aircraft in use in the United States Air Force inventory at one time or another over the past year and in the years to come will be transiting Randolph and Kelly Air Force Bases. That same number approximately crashed in 1974 by the way.

We're making remarkable strides in aircraft, in reduction of aircraft crashes and we're pleased and you ought to be as citizens too, because we're talking about monumental tax dollars. The point here is that any one of these 100 plus crashes in a high population density area becomes a catastrophe and instantly your friendly Air Force neighbor becomes vicious killers and we want them out of the community and we want to remain good responsible neighbors.

He alluded to the fact that civilian crashes were much higher in a rate basis. Conceded, they are not as well trained as pilots in general aviation, quite frankly, but I concede also the point or I would like to re-emphasize the point that Mr. Guerra made in rebutting that in that if a light airplane crashes into a high population density area, what he does is smash the airplane and kill the pilot. If I crash a military aircraft loaded with fuel, something like even a T-38, into a high population density area, the inertia of that mass and the fuel therein will cause conflagration. There is no question about that and until you've tromped in the burned-out fuel and the blood that's been smashed around of a crash site of a military aircraft, you have no appreciation of what we're talking about.

As to the point of dollars gained or lost related to land speculation, we only suggest that any growth of value around Randolph and Kelly should be, I think, primarily a tribute to the very existence of those bases. I suggest that if you think controlled development of the vacant land adjacent to those bases will adversely affect the value of your lands, then you should think very carefully about what those lands will be worth if unscrupulous development forces the Air Force to move to avoid becoming an unpopular neighbor.

It was stated that we want San Antonio to save or protect us. Mr. Mayor, Mr. Councilmen and Councilwoman, I suggest that is not so. If the Air Force, the United States Air Force, tells me to move, I can move the entire wing out of Randolph Air Force Base tomorrow and so also could the National Guard and the Reserve Forces from Kelly. I am distressed that, as Mr. Cobb, I am distressed really at Mr. Cobb's insensitive and I believe and ill-conceived suggestion that there is no danger around any military airdrome. I say when we have already cited the fact that just recently and only as recently as May, there has been what could have been a real catastrophe and I further take offense at the suggestion that any Air Force representative has attempted to pressure anyone in the City Council or elsewhere as relates to this Ordinance.

I would suggest, in closing, as it relates to an Air Force, a total Air Force position, if you will, that our representatives, my contemporaries at Kelly have, with the landowners at Kelly, have been in to see these City planners about minor

amendments which relate to suggestion of explosives, as I recall, and the suggestion that there should be, as was brought up some City Council, some additional City Council consent items allowed in the Ordinance. We have talked about this and we are satisfied, without consulting outside ourselves, that the reasonable Air Force position on this is that we are looking, what we are suggesting to the City is that you exercise control over the development in that area. Quite frankly, it would be of no significance to the Air Force whether or not someone suggested building an apartment house off the end of the runways, if there were someone sitting with a legally and enforceable ordinance in hand, who could consider that application and with conviction and authority say, "No, this is the wrong thing to do." Now, I recognize that there are legal complications associated with, or perhaps, associated with changes, as Mr. Guerra suggested. I recognize that it is vitally important that the Ordinance be legally enforceable, as Mr. Cobb himself has suggested. I would suggest that reasonable compromise that does not dilute the Ordinance as proposed, so long as it does not delay the passage of the proposed Ordinance, is in terms of the United States Air Force, certainly acceptable, if that can be accomplished.

In summary, if I might, I would like to remind everyone, the zoning of land around airports is a matter for the proper municipal or county government to decide. The Air Force has responded to earlier City requests for technical consultations on this subject. We have advised them of potential problems associated with failure to properly control development immediately adjacent to our airports. Now, beyond that, local authorities must determine what actions are in the best interest of their total citizenry. Understanding that background, the United States Air Force supports the Ordinance proposed today for adoption by the City of San Antonio, as has your Planning Commission, as a significant first step in addressing land use compatibility around Randolph and Kelly Air Force Bases. Now, while the draft Ordinance, as it existed, may not be the perfect long-term solution, it is a solid foundation on which the City of San Antonio can build and we urge the passage of this landmark legislation.

MAYOR BECKER: Thank you, Colonel. Anyone care to ask Col. Rollston any questions?

DR. SAN MARTIN: Colonel, you're very familiar with some of the recommendations that some of the landowners around Kelly Field have made. It gives the City Council a little bit more latitude in analyzing individual requests as time goes by. I think it would be almost impossible, at this time, to predict what somebody is going to do with his land, say five years from now, ten years from now. Do you have any comments on some of the recommendations that they have made through Mr. Lang, the letter that I've got here in front of me?

COLONEL ROLLSTON: As I understand them, Dr. San Martin, I have not seen the letter, but as I understand them they are suggesting that some of the industrial areas or industrial processes that would currently be prohibited, at least be allowed for consideration by the City Council. I find no fault with it as I suggested from the Air Force standpoint and I do not understand or follow the legal ramifications. I do not purport to do that. What I suggest from a reasonable basis is that the Air Force says that the City could be very careful. What we have said all along is that consider carefully what development you allow to take place around airdromes. Now, one that was suggested as an example was the fact that clothing manufacturing was prohibited. Clothing manufacturing as in a Farah plant is, I would think, a fairly high density population situation. You pack a lot of people in a small area in a manufacturing plant all working with scissors and machines. Now, it has been suggested that perhaps five years from now you might be very anxious to have a highly mechanized clothing manufacturer come into the City and join your industrial base who would have a highly automated clothing manufacturing program and under the ordinance as proposed you would have to amend the ordinance in order to accomodate him and the suggestion is, it could be just as easily accomodated now by the addition of a CC in that segment of the ordinance. That seems logical and reasonable to me. That is exercising control of development and that is all the Air Force is suggesting to you. Does that answer your question?

DR. SAN MARTIN: Yes, sir. May I ask another question? Has the Air Force, for instance, undertaken any type of a study or survey to indicate what kind of expenditure would be needed in order to acquire this land, the same way the land was acquired around Kelly Field for extension of the runway?

COLONEL ROLLSTON: Yes, sir, the answer to that question - I'm pleased that you asked that because that seems paramount in the minds of most of the folks around Randolph, certainly, and perhaps around Kelly as well. The wheels, unfortunately, but the wheels of Federal government grind but slowly. There is an existing authorization to acquire, generally speaking, lands of this nature, however, it is incumbent upon the Air Force to go back to the Army Corps of Engineers which they have done, it is my understanding, and the Army Corps of Engineers has set about a sizeable program to analyze the land situations, developments, around all air force bases in the United States. I'm sure they'll do this very methodically and very meticulously and San Antonio will probably come under the "S". That's way down the line. I'm not sure and we would exercise no control on how this is done. It is in the process of being done. The unfortunate thing as relates to the folks here is that there's not someone standing outside that door with a check book saying, how much is your land worth, we'll write you a check for it because after the land examination process by the Corps of Engineers we're then faced with the real problem of having to go to Congress for funds. I'm sure you folks understand, I'm not sure all the people in the audience understands the process of congressional authorization versus congressional appropriation. They can authorize me to do a lot of things but if they don't give me no money I can't do them.

DR. SAN MARTIN: I'll have Mr. Guerra respond to it later but let me say what one of the reasons I asked that particular question is that after having served on the City Council three times over the last 18 years I always find it very difficult to amend an ordinance because of the slow wheels of governmental function and for that reason I would like to be as flexible at this point as we possibly can as far as giving the City Council the latitude. It is very easy for a citizen to come here right at that podium and request City Council consideration. It's another thing to go through the process of amending an entire ordinance to get the same thing. It's really the same thing - just routes are different to arrive at the same point and for that reason I was trying to listen to your comments as to really how much is the Air Force losing by acceding to some of these requests, especially the area around Kelly Field.

COLONEL ROLLSTON: Doctor, frankly, to clarify it or to reemphasize, the Air Force, quite frankly, stands to lose nothing other than sunk cost in the industrial base. That is, we can take a fleet of airplanes and move them to Albuquerque tomorrow. You do not - I want to reiterate, the City of San Antonio at the moment does not have, I can show you some Air Force bases that have a real problem, some who have had and have moved, at the moment we're suggesting that you have an opportunity. The Air Force was remiss years ago by not warning people that you're not going to be happy with us once you get too close. They grew too close and then the Air Force being unpopular said, "Why don't you move" and then what they find out - the citizens find out they really didn't want us to move after all. What we really meant was we want you to take the hazards away but we want you to stay with your payroll. I'm sorry but the two are inseparable. So from the Air Force standpoint, as I suggested, reasonable compromise, if you will, so long as you maintain control of the development. From the Air Force standpoint how you do it is your business, sir, and we really don't care. I understand from Mr. Guerra that there are other complications associated, for example, with eliminating the allusion to ordnance and explosives. Well, my thought is on that, if somebody wants to build an explosives plant off the end of the runway you'd be kind of dumb to let them do that, sir, quite frankly, and you ought to control that, see. Now, whether you have to stipulate that or not and there is, in fact, as relates to the Air Force side of that, I cannot tell you, we very rarely, it is a very unusual thing for aircraft in this day and age, we're not at war, it is an unusual thing for aircraft to be transiting over San Antonio carrying high explosive ordnance. Anyone that is not familiar with Medina Base I would suggest that we have the ability at anytime and there are on occasions airplanes that are transiting this area with ordnance on board. Now, I can't tell you when those are going to be and I cannot restrict them to Sunday between one and three and I can't tell you that if we were to go at war in the Mideast over the oil fields next year that you would not have a hundred aircraft on each ramp out here sitting armed. I don't know that. Now, if that is imperative to the ordinance from a legal standpoint then that's for you people to decide. From the Air Force standpoint I don't see that that is an imperative item in the ordinance. Does that answer your question?

MR. GUERRA: I'd like to have Colonel Rollston correct me if I'm wrong, but I think when you're talking about the Corps of Engineers studying the landing and maybe buying it, you're talking about the clear zone only.

COLONEL ROLLSTON: Oh yes, sir, I'm sorry, that was not clear.

MR. GUERRA: We're not talking about AMOD 1 or 2, we're talking about the little zone immediately off the end of the runway.

COLONEL ROLLSTON: The first increment immediately off the runway. As I say, the Air Force has proposed that. It's been accepted in principle but we have no funds to do it and how big a size - whether the Corps of Engineers would come in and say, that's the proper clear zone and that's what the Department of Defense will go through condemnation procedure and pay the legitimate people, I don't know. They may strike a different shape or size but that's the approximate area that is now under consideration by the Air Force and the Army Corps of Engineers.

MR. MORTON: I have another question, Colonel Rollston.

COLONEL ROLLSTON: Yes, sir.

MR. MORTON: I don't want to confuse the issue. We are looking at Air Force hazard areas, specifically falling objects. I realize the sound is a part of it but HUD has a different set of zones. In zone 2 they would not permit federal insurance for the construction of either single or multiple dwellings. Is all of MAOD 1 within zone 2?

COLONEL ROLLSTON: Yes, sir, I understand it is.

MR. MORTON: The same thing is also true for MAOD 2 as well?

COLONEL ROLLSTON: I'm not so certain about that. I think we are, but generally you're right.

MR. MORTON: In other words we're saying the area in zone 2 as defined by HUD where they would prohibit housing that would be insured by the federal government would be as large or larger and approximately in the same geographical area as MAOD 1 and MAOD 2?

COLONEL ROLLSTON: You've just touched on a point that I think has been at issue, if you will, Mr. Mayor, and that is why there is not noise criteria and I think you get redundant. Quite frankly, I think HUD will give you more - I would like to say they were as reasonable as the Air Force, but I'm not in a position to say that, but I think you'll have more than adequate noise control by HUD and that's a personal thing. The Air Force, now I say that, I separate them from - the Air Force position on that is that we have suggested and provided data that suggests that a comprehensive ordinance, our ideal ordinance would be one that incorporated noise data. Now, I say the Air Force's official position is that but, say, from a - I'm not frankly, from an individual basis, I'm not sure why inasmuch as another government agency seems to have very adequate control of that factor.

MAYOR BECKER: You reminded me of something, Colonel, when you were talking about during the time of the war, aircraft with ordnance, I don't know and I don't even care to really bring up the subject of sabotage except that when we were in Italy, the bomb group I was with lost 13 aircraft on take-off the morning of the Southern France invasion. They were B-24's primarily. With the 98th Bomb Group, five of them crashed on take-off at the end of the runway or beyond when the nose wheels retracted and they exploded in mid-air. So you know, these are unpleasant thoughts but it's all the more reason to concern ourselves with the possibilities that are attendant to such a thing as this. That same thing could happen in the United States of America. I'm not saying that it would, it could and it's an awful thought but we're dealing in reality a lot more than I think we really realize here and it just isn't all supposition or illusion.

COLONEL ROLLSTON: It's very well said, Mr. Mayor. We do not wish to sterilize the land. Nobody wants to take land. What we suggest is that you do not have to have high population density in order to properly develop land. Other questions?

MAYOR BECKER: Well, thank you very much, Colonel. All right.
Charles W. Johnstone.

MR. CHARLES W. JOHNSTONE: Mayor Becker, members of the Council, I'm Charles W. Johnstone. I'm the Mayor of Universal City and I'm the Acting Chairman for the Community Council. In the interest of brevity, I have rather synopsised what I was going to say and anything I add would be redundant. So, in this interest, sir, I say that we submit and support this ordinance because it presents an approach to a planned and controlled growth that will assure the continuance of Randolph's flying mission. Thank you, sir.

MAYOR BECKER: Thank you, very much, Mr. Johnstone. Thank you, sir.
Rodney Brokau.

MR. RODNEY BROKAU: My name is Rodney Brokau and I live in the Randolph area. I just became a landowner about three years ago so I'm just getting into all the aspects of owning land. Zoning is, of course, what this is all about and my interpretation of zoning is that if you zone an area non-residential, if you have a house there, it can stay there as long as the house still remains or if it burns down. So, initially, when this zoning came about, the clear zone was MAOD 1 and

the MAOD 1 zone was the MAOD 2 and the MAOD 2 was the MAOD 3. So I happen to live in the clear zone so I was in favor of the ordinance as it was initially proposed. There was no such thing as a clear zone that was zone 1 and etc. So, but since the ordinance has been changed and there is such a thing as a clear zone and there is no zoning within a clear zone and the Air Force has stated that they will buy the land in the clear zone at some point in time. I have one question. Since I do own land in the clear zone, as some suggested building a high-rise apartment, I could, in fact, living in a clear zone build a high-rise apartment because there is no zoning, is that true?

MR. MORTON: It's not true.

MR. BROKAU: That's not true.

MR. MORTON: Assuming that our annexation sticks up it is automatically "R-1" and if you want to come in and do something other than single family residential, you have to rezone it.

MR. BROKAU: Okay. Well, I didn't plan on doing anything like that. I just plan on living there myself. I'd like to talk about my own position which probably differs from a lot other people living in the area. I live as close to the runway as anyone does, probably as close to the runway as anyone would want to. I doubt very much whether anyone else would want to live as close to the runway as I do. Of course, I was very happy when I bought the property. I was aware of the noise. I was aware of the hazards. I am in the Air Force. The noise didn't bother me. The hazards didn't bother me and I feel safer than many of the people living in Universal City side because people that live over there, the planes fly right over the top of their houses and the noise is much greater over there. But I've been living out there for three years and I have really yet to have an airplane fly over the top of my house because where the runway is situated and where the landing lights are and everything, they're not about to fly over the top of my house unless they want to land out in the field or at least the part of the runway that's not surfaced. So, like I say, I was in favor of the original ordinance because then it allowed me to live there and I had all intentions of moving there for the rest of my life and I, of course, as with many of the people that have lived out there much longer than I have, naturally, everyone, you know, puts in a lot of work into working on their property and fixing it up and I've spent many many hours as I'm sure many people living out there in the other zone have. Of course, their situations differ from mine that if they live in MAOD 1 and MAOD 2, they can still continue to live there as long as they want to but in my case, at some point in time when the government condemns this land, I'll have to move. Now, of course, I'm hoping that they'll also maybe condemn this thing, they say it's going to be a 3,000 square foot area on Universal City side. So, I get back to them and if I can't live there why should the people of Universal City live in the same 3,000 square foot area. So that's about the extent of what I have to say. Thank you.

MAYOR BECKER: All right, sir. Thank you very much, Mr. Brokau. All right. Well, then let's start with Steven Lang then since he's come to the top of the class here.

MR. STEVE LANG: Mr. Mayor and members of the Council, I'm Steve Lang and I represent approximately 35 land-owners adjoining the Kelly Air Force Base who own land within the proposed clear zones, MAOD 1 and MAOD 2. We've been working together, as you know, for a considerable period of time. I was employed several months ago. I wish that all of my constituents would stand up who are here with me today, would you please stand up. This group has been kind enough to yield all of their time to me unless I leave something out, they might impose on you for a few additional minutes.

This has been a group that has worked with the spirit of cooperation with the Kelly Air Force Base officials and with your Comprehensive Planning and Zoning staff. This is not a group that is in

harmony with Randolph. Frankly, there should probably be - possibly should be two different ordinances. Your staff has not proceeded to - chosen to proceed that way so we have to live with this ordinance. This is a group that wants a zoning ordinance of this nature. This is a group that is not looking for payment for their land for money. This is a group that owns approximately 2500 acres in the portion of San Antonio that should be developed industrially, in the portion of San Antonio where our highest amounts of labor force lives and thus our highest amount of unemployment. This is the area where we are beginning to already produce revenue for the City of San Antonio and this is the area where the industry is. We recognize the danger from air crashes. I believe that Colonel Rollston put it quite clearly. What we have asked you to do today is not junk this ordinance but add to the table of permitted uses, approximately 16 uses that you supervise as a Council, not that one or two people, trying to think what's going to happen ten years from now when we might have to amend the ordinance, think about today. We want this Council to have continuing police power. Each of you received a packet from me, I believe. If you will notice in that packet in the table of permitted uses, what we ask for was not carta blanche to do the other things but City Council approval. That's all that we ask for with respect to the table.

In fact, I brought it just to show that - I went through it just to show that we're not asking for that many more things, numbers don't count, type of employment is what counts. The fact that we can have antique stores completely enclosed isn't going to help the revenue situation in this town. But we need clothing manufacturtrers, we need dye and battery manufacture. If the density is too high then this Council can say no to that project just as this Council - as long as it has the Council-Manager from of government, has been able to say we won't permit that use in that area because the zoning is incompatible with the neighborhood. That's all we're asking for. It is ludicrous, it is ludicrous to permit millinery, fabric and shoe manufacture and then leave a blank by clothing manufacture when San Antonio has Farah, it has Gant that I represent, it has McGregor-Doniger that I represent. This is an ideal spot for clothing manufacture. If the density is too high when someone comes before you with an application, you can say no. We're just asking for CC approval, we're not asking to have this ordinance turned down.

MAYOR BECKER: What happened to the Farah account?

MR. LANG: The Farah situation - nothing happened to it.

MAYOR BECKER: You had the other two, I thought you were.....

MR. LANG: No, the point is though, Mr. Mayor, that's so important to the City. Now, if we go through this, only one in red on the first page that we sent you, two in red on the second page, five CC's in red on the third page, it adds up to about 18. I'm not going to go through all of them. The table submitted to you along with my letter and I believe you also received letters from Representative Madla and Cartwright, possibly, who represent the people in the.....

DR. SAN MARTIN: Did you mark in red our copies?

MR. LANG: No, no. I did not.

DR. SAN MARTIN: When you speak of a red mark, we are at a loss to know what

MR. LANG: I can go through that if possibly we can reach a compromise.

DR. SAN MARTIN: That would be fine because we.....

MR. MORTON: (inaudible)

MAYOR BECKER: We're not committing ourselves to compromise, we'd just like to hear the list.

MR. LANG: I understand. In the first page - if I can pull out the City one also - before I do this, let me add one other thing. After the Planning Commission meeting, the Planning Commission approved this ordinance by vote I believe of 7 to 1, three members of the Commission came up to me and said, "can't you sit down before Council meets and work this out with the staff"? We've worked hard. We got down to the point where we agreed on the entire ordinance except for one sentence and I'll show you that sentence in a few moments and where we agreed on the table of permitted uses, except for three uses. We weren't very far apart. Three days ago, something broke down, I don't know what. We were that close. With respect to the ordinance, that's probably the easiest, you notice that my letter to you speaks of the scare language within the ordinance. That's what's frightening to our landowners, their interested realtors, their interesting factories that might locate here, they don't like the scare language.

In our proposal that we sent you, we have no changes on pages 2 and 3 - the guts of the ordinance, there isn't one change at all. The only changes that we are asking this Council to impose in the ordinance itself are in the preamble and the "whereases" and one line in the enabling portion of the ordinance. One line, and I believe your legal staff will advise you that the removal of one line won't destroy the efficacy of this ordinance. Might I just circulate the ordinance while I go on with the tables.

You know, when potential people that are going to locate in San Antonio pick up an ordinance, what they read are the whereases. They don't read the enabling part. They read the whereases. That's what we want to clean up and that's all that we've done. Now, with respect to the table of permitted uses on page 1, we are asking in addition to that which the staff has recommended that the item third from the bottom, at least be given - we've asked for an "X" but since typing this the automobile filling station, at least be given a CC in MAOD 1. This will appear three times through the ordinance. There are three different types of filling stations. We're not asking carte blanche, we're asking if it's on the edge of it, they can come to Council. I'm on the third from the bottom item on page 1 - automobile filling station.

MAYOR BECKER: CC in MAOD 1.

MR. LANG: Being consistent, we are asking for the same thing in item 8 on page 2 - automotive self-service islands. Again, CC - the staff has recommended an "X" in the MAOD 2.

MAYOR BECKER: Automobile self-service island is CC in MAOD 1, right?

MR. LANG: Yes, sir. Already the staff has recommended an "X" in MAOD 2. With the fifth item from the bottom or sixth - bowling alleys, we're asking for CC in MAOD 2 only.

MAYOR BECKER: That's in there on this copy.

MR. LANG: What you're looking at - you're probably looking at our proposed table.....

MAYOR BECKER: No, sir, I've changed the other two but it's CC on this.....

MR. LANG: I have the draft of the one the Planning Commission passed, it doesn't appear.

MAYOR BECKER: Well, I don't understand because I have one that shows CC printed in. Show that to Mr. Lang please, and these other two.....

MR. LANG: Mr. Guerra's doesn't either.

MAYOR BECKER: I must have gotten the advanced copy or something.

MR. LANG: I don't know where that came from.

MAYOR BECKER: As you see, I made the changes on the other two.

MR. LANG: I don't know.

MAYOR BECKER: I don't understand it. All right. I'll start over. Don't let me hold you up.

MR. LANG: All right. Now we get into some more on page 3. We are asking on page 3 for CC's in the MAOD 2 zone for cafes or restaurants - about item 5, but with a 10,000 square foot space limitation.

MAYOR BECKER: All right, now let me see. Cafes, restaurants, cafeterias, and alcoholic beverages, that's the one you're talking about.

MR. LANG: Yes, MAOD 2.

MAYOR BECKER: Yes, sir, with 10,000 square feet.

MR. LANG: Or less.

MAYOR BECKER: In other words, 10,000.....

MR. LANG: Right, and you'll see some consistency with that, we're thinking of the Church's Chicken type of operation. We're not thinking of the great big restaurant.

MAYOR BECKER: Yes, sir.

MR. LANG: Following down, caustic soda manufacturing and celluloid, we're asking for CC approval for the MAOD 2 zone only.

MAYOR BECKER: On celluloid, dental or medical, CC in both MAOD 1 and MAOD 2. We don't think that's high density; however, if we don't come in and present a case, the high density, you could veto it. We don't think that clinics are as high density as many things that you have suggested. It would be dependent upon the size of the clinic, wouldn't it?

MR. LANG: Yes, of course, it would, that's why we're suggesting CC, we're not asking for.....

MAYOR BECKER: Scot White in Temple is a clinic, I guess. But what do they have, 500 points?

MR. LANG: That's correct, a small doctor's clinic would be entirely different. Clothing manufacture - the next one we need CC in MAOD 1 and 2, that's the most essential one, I believe, for the City of San Antonio.

MAYOR BECKER: What about what Colonel Rollston was talking about and that is the automated feature of it?

MR. LANG: Right and that's why we want it. That's why we want this Council to be able to say yes or no. We're not asking for the "X's", because of the automated feature. We realize you probably wouldn't put another Farah plant in MAOD 1 right now.

MAYOR BECKER: Would you care to say clothing manufacture then typical and/or automated to take care of the future.

MR. LANG: Clothing manufacture will do it so long as this Council has the veto power. What I'm suggesting is that the Council should have the veto power and not one or two people right now.

MAYOR BECKER: You want to spell it out for the future councils so that they'll have.....

MR. LANG: Right at the top of page 4, CC for department store in MAOD 2. Again, are we talking about Joske's or a junior department store like Bruners, for instance? We don't know. We don't know where it will be, will it be at the top OF MAOD 2? We're only asking for that MAOD 2, incidentally, not MAOD 2.

MAYOR BECKER: Would you care to limit that by square footage and number of floors?

MR. LANG: I think we could probably do that. I haven't discussed that but I think it's reasonable.

MAYOR BECKER: Yes, one story rather than three or two.

MR. LANG: We're talking about junior department stores frankly.

MAYOR BECKER: Perhaps up to 40,000 square feet.

MR. LANG: Right.

MAYOR BECKER: Okay.

MR. LANG: Back to industrial, we're asking for CC's with respect to detergent, soaps and MAOD 1 and MAOD 2 - it's right under department store and then disinfectant CC in MAOD 2 only.

MAYOR BECKER: Excuse me, but I was talking. The detergent is in....

MR. LANG: In both MAOD's.

MAYOR BECKER: Is CC in both?

MR. LANG: Right. Yes, sir.

MAYOR BECKER: All right.

MR. LANG: In the disinfectant only in the MAOD 2.

MAYOR BECKER: Right.

MR. LANG: The only remaining one in that page that we're asking for is CC in both MAOD 1 and 2 for electroplating. Again, an industrial use that seems that our labor market is certainly situated for, well qualified for.

MAYOR BECKER: Electroplating, what does that cover primarily? The application of chromeplating and that.....

MR. LANG: Yes.

MAYOR BECKER: Those places aren't generally big size installations, are they? Aren't they kind of shade tree operation generally?

MR. LANG: Yes, sir. Now, I believe - no more on that page - we turn to page 5. A foundry, Mr. Guerra has already addressed himself to. That was new to me today so CC in MAOD 1 and 2. We don't have a dispute. Going down page 5 to fungicide manufacture. CC in MAOD 1 and 2. Going down to gasoline filling stations. Again, asking for CC in MAOD 1 merely to be consistent with the other places where gasoline filling

stations appear throughout this table. Incidentally, this table comes from your master zoning table, that's where it comes from. We are asking on page 6, we then go to page 6, under ice cream store. I'm thinking of a Baskin and Robbins type of operation or Carnation, possibly in MAOD 2 and a CC in MAOD 1. Now....

MAYOR BECKER: CC in both then.

MR. LANG: No, permission in MAOD 2 and a CC in MAOD 1. Now, this may not be the biggest issue. This has been a big issue with the Air Force and I might as well just hit it right out. Once an Air Force plane crashed into an ice cream parlor and so the Air Force in their discussion, I believe, with Mr. Stromberg and Mr. Guerra, have been sort of against ice cream parlors. We're not going to make the biggest issue in the world over it. I think it would be inconsistent not to have it. Because it once crashed in their - that ice cream parlor, it doesn't mean that that's the only place it's going to crash.

MAYOR BECKER: Did one ever crash into a bar?

MR. LANG: I don't know about that?

MAYOR BECKER: You'll get a different age group generally. Okay.

MR. LANG: Now, libraries, non-governmental libraries. We don't think those are high density at all. We think there may be a need in this area some day for libraries for...so we suggest CC in both 1 and 2.

MAYOR BECKER: The only libraries that are high in density are the news stands.

MR. LANG: That's all, we don't - I don't think we address ourselves to newsstands.

MAYOR BECKER: Is that a high density? Is it?

MR. LANG: What?

MAYOR BECKER: Have any Harold Robbins books over there or anything like that. Okay.

MR. LANG: Essential to the area, again, linoleum, vinyl, plastics, rubber, manufacturer - about six lines from the bottom of that page.

DR. SAN MARTIN: Both one and two?

MR. LANG: Yes, both 1 and 2. Turning to page 7 and there are not many left, only 2 on this page. The first one metal ingots. We're asking for CC in 1 and 2. We think that comports a 100 percent with foundries. Mr. Guerra has also indicated the foundries are all right. Metal ingot should be subject to the same Council scrutiny. Then at the bottom of the page, we're asking for CC approval from this Council in MAOD 1 and 2 for paints, pigments, enamels. Again, a matter of how much explosive power they're coming in with and how many people. We just don't want to be foreclosed from maybe doing it in an industrial zone. On top of page 8, the third item, we're asking to have to come back to this Council to sell our land to a paper pulp, cellulose or rayon manufacturer.

MAYOR BECKER: What do you want, CC in both?

MR. LANG: Yes, sir. We're only asking for CC in both. Yes, sir.

MAYOR BECKER: Let me ask you this, with respect to paint manufacturing and all that business. What if one Council approves a fabricating plant a factory and say it's 40,000 square feet and they want to expand it. Now then, what happens then? Do they have to come back to the Council again to....

MR. LANG: Under the terms of this ordinance, they couldn't get a building permit without doing it.

MAYOR BECKER: I see, even if it were CC or whatever?

MR. LANG: My understanding that a person can come in and ask for this kind of a CC approval on a specific parcel. That doesn't mean they have to have a building permit and construct immediately on that. It would cover the whole parcel for that type of use. If they came here later for a second phase expansion for a building permit and it was similar to what they had requested in the zoning, then it should be approved right away without any questions, so a CC can cover the whole parcel for further expansion.

MAYOR BECKER: See, that's something I think, we have to deal with for the simple reason that if you started out with 40,000 square foot paint factory and for some reason or something the fellow wanted to enlarge it to a couple of hundred thousand or 400,000 or whatever.

MR. LANG: That is not my construction of this ordinance. That is my construction of the master zoning ordinance. However, if we have that doubt, we don't need to worry about it we're not asking for that. We can add another sentence to this ordinance. I mean, this is important enough forever, we take care of that.

MAYOR BECKER: I think it should be recognized as a definite possibility.

MR. LANG: Yes, sir and we are willing and my clients also.

MAYOR BECKER: Because a man can actually operate through subterfuge and start off with the little factory knowing fully well six months after he opened the little one he is going to expand it to the larger one. It could happen.

MR. LANG: I'm sure we have no quarrel with this - for the additional sentence for that.

MAYOR BECKER: Okay.

MR. LANG: Continuing on page 8, I believe I covered paper and pulp.

MAYOR BECKER: Yes, sir.

MR. LANG: We have asked for CC's for plastic manufacturer in both MAOD's and for rubber.

MAYOR BECKER: Gutta-Percha manufacture on there?

MR. LANG: Yes, sir.

MAYOR BECKER: In both.

MR. LANG: Yes, sir. Turning to page 9 previously the staff recommended - about halfway down the page - studio fashion worker teaching any form of fine art, the staff had already recommended CC in MAOD 2 and we're asking for a CC in MAOD 1. Then we want to be consistent with the ice cream parlor and so the tavern, Mayor Becker, we want CC approval in MAOD 1. Again, if you'll notice our suggestion is that there be a maximum 10,000 square feet total space limitation.

MAYOR BECKER: In the tavern also.

MR. LANG: Yes, MAOD 2 an X. Again, just like the ice cream parlor. Our final one is on the last page that being the trade school. Again, we don't know what we're talking about. We're talking about a beauty shop school, we're talking about a school employing two or three hundred business students. We just don't know, so we're suggesting CC approval for the trade school in both MAODS.

MAYOR BECKER: How would you feel if you were asked to stipulate the maximum number of students, for example, or a certain size building or something per square footage or some type of a thing.

MR. LANG: That doesn't bother us but I'm not sure that we should. I don't think we have to until they come into this Council, that's the point. If we were asking for X's in these areas is one thing, but we're not asking for that. We're only asking right now. As Colonel Rollston said there is no - the Air Force has no problem with it.

MAYOR BECKER: Yes, we appreciate that.

MR. LANG: They want somebody to police it and I think the Council should police it and I can't think of....

MAYOR BECKER: In California, you know, they had various types of schools out there after the second war, I don't know whether it's still going on or not but some of those schools had two and three thousand students enrolled in them and what not. It was very high density type of a situation. Now, I don't know, as I said, whether that condition still exists or not but it certainly would follow that you wouldn't want to have a trade school out there with a great number of students in attendance at one time where conceivably they're all exposed to the hazards.

MR. LANG: I think then it would be like a hospital or anything else. I think it would be too high density and it shouldn't be built, that's our feeling about it. Now, I want to point out.....

MAYOR BECKER: CC in both categories though for the trade school?

MR. LANG: I want to point out that when we started negotiating with the staff after the Planning Commission meeting, what we've told you, I believe, and you may correct me if I'm wrong, Charlie, all of this was agreed to except for the gas station items and the clothing. We had also asked for the acid manufacturer, the asbestos, the asphalt, butane, the other highly explosive things. So what we sent you, what I just went over with you, is a compromise position. It's not where we started negotiating. The proposed changes in the ordinance eliminating the scare language is because of what these three appraisers and other realtors have told us.

MAYOR BECKER: All right. Now, let's just discuss those for a minute if you care to. I guess I have a copy of that. I have this thing right here in front of me.

MR. LANG: I passed mine up, but I'm pretty familiar with it. I have it.

MAYOR BECKER: Dated November 22, 1974....

MR. LANG: Yes, I have deleted in red on that the portion - that's the City ordinance that you are looking at, Mr. Mayor.

MAYOR BECKER: All right, sir. Okay, but there are deletions on it, you see.

MR. LANG: Yes, sir, that's the City ordinance. You're looking at the City ordinance.

MAYOR BECKER: Yes, and this is yours?

MR. LANG: No....yes and that is ours.

DR. SAN MARTIN: It says landowners.

MR. LANG: Right. We took nothing from the point of view of the Legal Department, I believe they will bear this out, nothing out of the guts of the ordinance. Pages 2 and 3 are unchanged, not a word.

MAYOR BECKER: It all occurred on the first page.

MR. LANG: Yes, sir. Once, five words out of the guts of the ordinance, are all we took out, something to do with bombs and explosives and that doesn't effect its enforceability. We left in the crash hazard language; we left in the density language, because it may be necessary to make the ordinance effective and we want one but we took it out of the whereases in the preamble because that's what the lay people read.

MAYOR BECKER: Have you read all this thing, Cliff? You're acquainted with what Steve's talking about?

MR. GUERRA: Mayor. When Mr. Lang gets through, I'd like an opportunity to explain why we had to do what we did.

MR. LANG: I'm certainly not accusing anyone of over or underreacting. I'm only saying we were very close and we think this should stay out of litigation and not get into it.

MAYOR BECKER: All right, did you want to read these deletions and the reason why you deleted them? Did you care to go into that, into that extent?

MR. LANG: Well, every deletion if I could have the copy with the red someone has it.

MAYOR BECKER: Well, I don't have the red copy.

DR. SAN MARTIN: You gave it to Cliff.

MAYOR BECKER: Oh, I see, you made this one yourself.

MR. LANG: In essence, the reasons that we took it out was because we - from the advices that we were given by realtors and by the three appraisers whose reports we gave to you, they advised us that "why scare off potential purchasers of land"? Mr. Van De Walle, who is one of the landowners, Tom Van De Walle, in the area has been in contact with several people since he started his Van De Walle Industrial Park. They're all spooky about obtaining financing with the whereases in the preamble and there's no point going over each one because they're the same. Now, I took out the language "directly overhead" because it was redundant with low flying aircraft in the third paragraph but the rest of it was taken out merely to get rid of the scare language. Once again, when I first took this up with Mr. Stromberg and Mr. Guerra, we asked to water down the actual ordinance itself. They refused. We compromised. We are only asking for one line to come out. The possibility of aircraft carrying armament and explosives. We talked about potential accidents. We left that in. We leave the density in. We leave the crash hazards in. We don't need to add the words "aircraft carrying armament and explosives" and just wave a red flag and some lender. We want to build several hundred thousand square feet in that area. We want to produce revenue for the City. We want to produce jobs for those people.

MAYOR BECKER: Isn't that purpose generally of the military aircraft, combat type, is to carry of armament, explosives and.....

MR. GUERRA: My understanding is that we need these whereases because that is the legal basis for enforcing this ordinance.

MR. LANG: But I don't.....

MAYOR BECKER: But don't most financial institutions understand that the very nature of military aircraft implies the possibility of ordnance and all of that sort of thing.

MR. LANG: Right but the ordnance if you just look at the first line of the whereas, Mr. Mayor, "whereas there exists within the City of San Antonio several military airports of varied size, purpose in use with training and testing missions". That certainly sets enough whereas for the guts of the ordinance that comes later without saying to someone "including the possibility of aircraft carrying armament and explosives"

MR. MORTON: Would you buy ordnance instead of armament and explosives?

MR. LANG: Probably.

MR. MORTON: Well, this is the same thing.

MR. LANG: We just want the scare language out of the ordinance. The table cleans up, we'll go home then.

MAYOR BECKER: We'll even misspell the word ordnance and spell it like ordinance and no one will ever know the difference.

MR. LANG: That's beautiful.

MR. GUERRA: We have explosive ordinance.....

MR. LANG: Yes.

MAYOR BECKER: If that doesn't confuse them, nothing will.

MR. MORTON: (Inaudible)

MAYOR BECKER: It was a typographical error.

MR. LANG: Now, I really.....

MAYOR BECKER: I'm around lawyers so much I'm beginning to think like you fellows. There's no hope for me. Next, Steve.....

MR. LANG: I just want to make clear I want to show it one more time, the guts of the ordinance starts right there and there are no changes except for that one line.

MAYOR BECKER: That said "including the possibility of aircraft carrying armament and explosives", and that's the same thing as was contained in the first whereas and we used the word ordinance, misspell it and everybody is happy. Right.

MR. LANG: That's correct. Now, I think I really don't want to belabor this. We've worked on this hard. We've worked on it awfully hard. You know, this ordinance, when it first came up, was applicable to the San Antonio airport also. I don't want to say why it isn't applicable or why it isn't at this point because I don't think two wrongs make a right. I think the position of the government is sound and I think the position of the staff is sound but I think we're entitled to these uses because it's not a numbers game. It's what employs those people and thus then these people can sell their land. That don't have to litigate over 18 condemnation cases. I really think it's that simple.

MR. MORTON: Are you really saying is that in your opinion, based on people that you represent, if you had the changes that you're asking for, which are essentially on an individual basis, you have to come before Council to get a license to build this particular 15 or 16 different uses, are you saying that, perhaps, the landowners will be in a better position as far as being able to know what they can do with the land and, therefore, the land might be more valuable than it is right now since it does have that great big cloud over it?

MR. LANG: There is no question about it, Mr. Morton. Right now, they can't sell it because they don't know where they're going to be. But it's just like any other zoning case, once we do this, the earnest money contract is subject to zoning. It's that simple and I really can't add anything more but any members of the Council have any questions. I believe that the Air Force is in accord with us. Any questions?

MAYOR BECKER: Any other questions to Mr. Lang anyone?

MR. LANG: Thank you very much.

MAYOR BECKER: Thank you very much. All right, after Mr. Lang was Mr. Tom Van De Walle.

MR. TOM VAN DE WALLE: Mr. Mayor, would it be proper to request a five minute recess for us to discuss some of the things among the committee members? Then I would like the right to be called as a speaker then before Mr. Lang.

MAYOR BECKER: All right, sir. Fine, absolutely.

* * * *

(At this point, there was a brief recess)

MAYOR BECKER: One of the things you've got to remember is that I never was able to just subscribe to the idea that you did today as a Councilman what you were required to do and then leave the dirty work to your heirs and assigns and successors, you see. I think what we ought to try to do is make their life easy also, whoever this might be, five, ten, fifteen, or twenty years from today.

MR. LANG: I can maybe do that. I'll go talk to them with respect to department stores. I'm not sure that I can though with respect to things like Church's Fried Chicken which needs to service the mass of workers in that area.

MAYOR BECKER: Church's Fried Chicken, I don't have any hangups about that.....

MR. LANG: Which is what I talk about with cafes under 10,000 square feet.

MAYOR BECKER: Department stores, though, are entirely different matter.....

MR. LANG: I understand.....

MAYOR BECKER: Yes, sir?

MR. DAVE BENAVIDES: Mr. Mayor, I'm not on the list. Can I be recognized?

MAYOR BECKER: Yes, sir, absolutely.

MR. DAVE BENAVIDES: My name is Dave Benavides, and I live at 163 Garden Lane, 78237, and I am located in what you call the clear zone here. I would like some clarification from the military as to what do they have in the program for the clear zone.

MAYOR BECKER: I would appreciate you asking Mr. Guerra or Mr. Stromberg about clear zone, what.....

MR. GUERRA: What do they intend to with that?

DR. SAN MARTIN: That's the one they were trying to buy.....

MR. GUERRA: The Air Force intends to acquire that land.

MR. BENAVIDES: I would like to make some remarks to all concerned on this hearing. In 1965, Highway 90 came through that part of the land, and I had to sell part of it for Highway 90 West. That same year, on Interstate 37, I had to yield all my property for the interest of progress. Now, I'm faced again with a similar problem. I am concerned like everybody is for their interest. I am concerned with the economy of San Antonio. I think all of us that lie in that area, regardless where we are, we have a moral obligation to cooperate with the military. I hate to be part of any undertaking that eventually will create San Antonio into a ghost town. The military is the backbone of San Antonio.

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We also have a moral obligation to the people that work at Kelly Field for the military or civil service. These are people that have gone out to buy a home and they didn't pay cash for it. They depend on the economy of the military to pay for the comfort of their families. In the past, when I was a child I used to make kindling out of Jenny propellers, out of the auxiliary landing field from Brooks Field what is now Aero-space medicine, and I still have a propeller in my living room of an old Jenny. I think that in the interest of the economy of San Antonio we owe a certain responsibility to maintain the military in San Antonio. I wouldn't want to take any part in any doing that would cause all air aircraft to fly out of the San Antonio area, whether Randolph or Kelly Field.

We value our lands. I value my land today much more than when I acquired it, but I don't think that the difference would lead me to believe that I should make a definite stand and cause a barrier to the progress and economy of San Antonio. Land can be replaced. The goodwill and the military cannot be replaced once they move away. I, for one, would like to get the clear conscious of everybody concerned who has an interest on that land not to throw too many encroachments on the City and the military that we will regret later.

MAYOR BECKER: Thank you very much, Mr. Benavides.

* * * *

(There was a brief pause at this point)

MR. LANG: I possibly left out two things that were in the draft submitted to you that were not on the City draft. Since you were working and substituting into the City draft I should correct that. The item that I left out was on the second page under "bank", the City permitted banks, savings and loans, and trust companies. No, the City's draft permitted savings and loans, and trust companies, but excluded banks. We're suggesting that banks be put back in, a bank maybe one size, a savings and loan maybe one size, again, it's going to be CC. Let's just see what size it is. That's the first item I might have left out. The other one, the only other one that I might have conceivably left out, but I don't think I did, we're asking for CC approval, again this is industrial use, on page 5 fungicide manufacturer.

MAYOR BECKER: You mentioned it.....

MR. LANG: I did, I thought I did. I think "bank" was the only thing that I left out.

MAYOR BECKER: You asked for CC in both categories?

MR. LANG: Yes, sir. Now, in response to a question that, Your Honor, asked me before we took a small recess. We couldn't agree to no retailing of any character, but we are willing to drop department stores. We're willing to limit the eating establishment to the 3,000 square feet, not 10,000. Our purpose is to the type that I outlined.

MAYOR BECKER: Now, where did the eating establishment appear generally.....

DR. SAN MARTIN: On page 3.

MAYOR BECKER: Yes, there is one. And that will be modified to 3,000 square feet or less.

MR. LANG: Yes.

MAYOR BECKER: Right, and then no department stores at all, okay. All right now as far as this "bank" thing, how does the Council feel about banks? I don't see any difference between banks, savings and loans, you know.

MR. GUERRA:Inaudible....

MAYOR BECKER: Well, there was a CC in MAOD-1 and X in MAOD-2.

MR. LANG: Well, we're only suggesting that you eliminate the banks asterisk - the bank exclusion.

MAYOR BECKER: Right. You want CC in one and two also.

MR. LANG: No, X in 2 and just eliminate the asterisk.

MAYOR BECKER: I see you just want to leave the asterisks, mighty good. Does that agree with the Council? Well, let me see where this department store thing was. Up at the top of page 4, right? That would be out completely. Now, let me see the 10,000 square feet.....

MR. O'CONNELL: Now, Mr. Mayor, I think there was something mentioned about a statement here or adding a sentence where the additions and particularly looking at page 7, the paints, pigments, and so forth, about enlarging or adding additions to - we need some sort of word to keep from having a 100 square foot building become 40,000 square foot building.....

MAYOR BECKER: or a 40 becoming a quarter of a million - something like that.

MR. LANG: I rather proposed that if there's any doubt in the Council's mind about a sentence being added to the basic ordinance saying after the initial CC approval any expansion must be subject to further Council approval.

MAYOR BECKER: Doesn't that sound reasonable?

DR. SAN MARTIN: How about any modification of the original approval must be subject to subsequent Council approval.

MR. LANG: That means everything comes back then it would be all right.

MAYOR BECKER: I can't see this being the real problem on a daily basis or anything like that, but at least it does provide the control factor that I think is necessary.

MR. MORTON: I'd like to address a question to Legal, if I could. When you start specifying and limiting zoning to this degree where you're saying, "Okay, you can only do it based on plans that you have submitted," and then you say "If you modify the plan or expand it, then you must come back," are you sure that we have the legal authority for that?

ASSISTANT CITY ATTORNEY FINLAY: No, sir, but there's no cases on that. We have no CC. Anytime you get into CC, you're in a kind of gray area because it's only state authority that specifies zones in a City and what is allowed and what is not. Now, we think it's reasonable when you have a type of use, say, you can vary so much in its object and being so objectionable that you can put, if we have that in certain limited cases like this, you can have a CC and that the Council at the time can put a limit on the size which is in our basic zoning code already. Anytime there's a CC the Council may put limitations on its size, may provide for screening, may provide for set back, you know, of more than and this is just a certain thing like this. We could put something in there that anytime you have CC, you can't expand it without coming back to Council again, but it could be handled because the very purpose of having a CC in the first place so that the Council at the time granting a special consent can, if it wishes, to put limitations on it.

MAYOR BECKER: Well,.....

ASSISTANT CITY ATTORNEY FINLAY: It could be handled that way, too, on occasion.

MAYOR BECKER: If this would prevent them though overlooking as it were, you see. It's being overlooked and if you had an exhibit "A" to go with everything that a man was building and these were the metes and bounds and dimensions and all this type of next thing in the commercial lease, but you don't have that down here. So, it would seem to me that there should be some control on whether or not you could expand the thing, you know.....

MR. MORTON: Well, I'm not arguing at all with the philosophy of it. I'm just arguing whether we have the authority to enforce this kind of.....

MAYOR BECKER: Well, I appreciate that, Cliff.....

MR. MORTON: And, I think the philosophy is great.

MAYOR BECKER: I just think it's one of those things you assume that authority and then if it's tested - how else do you write laws.....

MR. MORTON: You'd make a whale of a good judge.

MAYOR BECKER: I'm afraid I'd be the first one in jail, but anyway....

MR. DON HAROLD: Mr. Mayor.....

MAYOR BECKER: Sir?

MR. DON HAROLD: Would it be all right in order for me to make some comments?

MAYOR BECKER: Go right ahead, sir.

MR. DON HAROLD: My name is Don Harold, and I'm here particularly in the light of the recent Council approval of K. L. Steel project and in that case this proposal would place upon them an unknown burden of having to come back to City Council each time they want to add another one of their buildings or foundries of their project which means that they don't know whether they could get it or not, and I mean they could put in a sizable investment and then not be able to expand.

MAYOR BECKER: On the other hand though, sir, we wouldn't want to run the risk of losing one of these Air Force Bases as a result of somebody trying to expand the thing from 40,000 square feet to 100,000 or 200,000 square feet or something like that, you see, so I appreciate the problems of the individual entrepreneur, businessman, or whatever and how difficult it is to finance things and all but in this instance we're also trying to preserve the rights of the City of San Antonio to retain these Air Force Bases here. So, you know, there's something to be said on both sides of it.....

MR. HAROLD: Well, I appreciate your concern. I mean that's what we're all here for.....

MAYOR BECKER: We're not trying to make life unbearable for anyone out there or any potential tenant or builder in these areas, but.....

MR. HAROLD: I'm just wondering if there's not some way we could guide initially an expansion program like this because their expansion program was based on conversation we've had with the Planning Commission in light of their requirements under this ordinance would be acceptable and if they could go into it knowing what they could do because their situation is probably not uncommon, and it would probably be experienced elsewhere, you know, everybody today expands once they've started a business. If they don't, they go under. It would kind of stop a business that would anticipate expansion if they couldn't know, at least under some circumstances, they could expand. I'm just wondering if it wouldn't be possible to do this. If they took a project that was acceptable and wanted to ultimately duplicate that in the next tract of land, it wouldn't expand it in the tract that it's on, but it would, you know, duplicate it on the next tract. Is there any way that this could be incorporated because otherwise it would appear to me that it would have the effect of stopping the location of business that might want to expand.

MAYOR BECKER: Well, no one is trying to do that, of course, Mr. Harold, but just take the matter of moving the expansion from one tract of land to another. In some businesses that would be perfectly feasible, you know, because you don't have any continuous flow line of materials or anything like that. I don't know. I guess that we're trying to foresee the future and that's awfully hard to do, and we're also trying to do, as I said earlier, to make it easier for those who succeed us rather than difficult and we're just trying to anticipate some of the things that might eventually arise. It would be nice to think that everyone that ever locates in San Antonio wants to expand their business. Then on the other hand if they were becoming such an obstacle to the military, you should have some control over that, too.

MR. HAROLD: Would this be practical? The requirements as I understand it, that's most critical is the number of people per acre.

MAYOR BECKER: That's right. That's what it's really all about.

MR. HAROLD: Now, could we control the expansion with density requirements? For example, if somebody builds a warehouse and stores cotton in it, for example. They can build millions of square feet of that and you wouldn't care.

MAYOR BECKER: There's not going to be much density there.

MR. HAROLD: That's right. So, could we in some way control density in a manner that would permit them to go ahead and expand as long as they knew that they had to abide by that density requirement?

MAYOR BECKER: Well, that would be a good thing. Of course, as it was pointed out in the case of the, what do you call it, the clothing manufacturing, generally those things are side by side, you know. Electronics assembly, these transistors, and all these minute things, those people are packed in there shoulder to shoulder almost. Cotton storage facilities, you'd probably have six men working around a place that sotes a half a million square feet, you know, with forklift trucks. So, I don't know how in the world you would arrive at a.....

MR. MORTON: Let's run this by. I know what you are trying to say, Don. It would not be necessary to go back to Council provided that expansion or modification does not change the character of the business or increase the density per acre that it was granted under the original zoning.

MR. HAROLD: I think that sounds okay.

MR. O'CONNELL: In other words, you would not be increasing density at all, then.....

MAYOR BECKER: Per acre, square foot - it doesn't make any difference.

MR. MORTON: Yeah, per square mile.

MR. LANG: Yeah, that sounds totally reasonable.

MAYOR BECKER: Is that reasonable? Does that sound reasonable to you, Tom?

ASSISTANT CITY ATTORNEY FINLAY: Yes, sir, it's really in the hands of the building inspector to make the administrative determination. Of course, if he decided wrong, then it could be appealed to you.

MR. MORTON: Really, it would come to the City's attention when there was a request for a building permit.

ASSISTANT CITY ATTORNEY FINLAY: Oh, yes, and at the time, it would be up to.....

MR. LANG: Once you get a permit, you could expand in that manner. Now, if you change the manner in which you want to expand, you'd have to come back at that time, if you get a permit.

MAYOR BECKER: If you leave it up to the building inspector, you're most likely going to be in very good hands. That will permit a certain latitude that otherwise.....

MR. MORTON: Well, I think it's more reasonable that we make this and still accomplish the objectives, the less chance we have of this ordinance being struck down for a taking without compensation.

MAYOR BECKER: I'll agree with that. No question about it.

MR. LANG: Thank you very much.

MAYOR BECKER: All right. Now, with all these changes in mind and Mr. Morton's amendment to the thing and so forth, are we ready to vote on the acceptance of it?

DR. SAN MARTIN: I move that the amendments to the Ordinance, as presented by Mr. Lang and concurred in by staff, be accepted and included in the Ordinance.

MR. MORTON: Second.

MR. FINLAY: Well, I just - we'll go ahead and prepare it, incorporating these changes in it, but we got to thinking that maybe we should actually vote on it next week...if you want to....

MAYOR BECKER: I'd like to vote on it today and next week, too, if you don't mind.

MR. FINLAY: Okay, we'll do it that way.

MAYOR BECKER: Because a bird in the hand and that sort of thing.

MR. FINLAY: All right.

MAYOR BECKER: We have five birds in the hand and next week, with this sickness thing and all, we may not have anybody here.

MR. GUERRA: This has been such a - you know, we started this a year ago. Let me quickly review what I think are the changes, so we won't mess it up at the last minute here. We get rid of the word "explosives" so that we don't have the word - use the word "ordnance."

MR. MORTON: We want to strike explosives, and armaments and substitute ordnance.

MR. GUERRA: Ordnance. Good enough. All right. The rest of it has to do with the table of uses and in it we've gone with the changes Mr. Lang has provided us, except that we struck department store; we restricted the cafe to 3,000 square feet.

MAYOR BECKER: Taverns to 3,000 square feet.

MR. GUERRA: Taverns to 3,000 square feet.

MAYOR BECKER: Ice cream parlors, I think.

MR. GUERRA: Right.

MR. O'CONNELL: We excluded banks.

MR. GUERRA: We struck out the - and we added - oh, I had a question for you on library, whether you wanted the library in there or not.

MAYOR BECKER: I can't see anything that would preclude - now that's just me talking, I don't...I've never seen....

MRS. COCKRELL: It can be a very high density use though.

MAYOR BECKER: Well, Lila, I'm going to have to go look at them....

MRS. COCKRELL: It really can, because sometimes they're wall-to-wall people out there at Westfall Library.

MAYOR BECKER: Oh, really, well, what are they doing out there?

MRS. COCKRELL: Why, they're reading the books.

MAYOR BECKER: I never saw a neighborhood like that. Anyway, why don't we limit the size of the libraries, then?

MR. O'CONNELL: I think that when you apply for Federal funds to build it, they'll take care of that problem for you.

MR. GUERRA: Then we add the paragraph that says that if you have an acceptable density, that you can expand, providing you don't exceed that density per square unit of area, whatever it is.

MR. MORTON: There is no change in the character of the business that would not have been permitted in the original zoning and you do not increase the density per acre or per anything.

MAYOR BECKER: Or population.

MR. O'CONNELL: Why don't you use per square foot, it would be easier - you'll be talking in square feet anyway.

MR. GUERRA: Okay. Then with that understanding....

MAYOR BECKER: Now, is that....

MR. LANG: Yes, that's an understanding, except with one paragraph of the Ordinance itself and I want to address myself to it, because I'm going to be in trial in Laredo next Thursday. You're working from the City's draft of the Ordinance then, not from the proposal.

MAYOR BECKER: So, we're going to work from ours....

MR. LANG: Right, from the staff's, right. Okay. You're not changing then the preamble, you are changing the first whereas to read, "including the possibility of aircraft carrying ordnance?"

MAYOR BECKER: Right.

MR. LANG: And you're making that same change in the first action section of the Ordinance, at the bottom of the page.

MAYOR BECKER: Right.

MR. LANG: We would request this one further change, since it's all through the section that has the meat in it, the one that we show the people who come to town, deleting that language in the fourth whereas, "preventing conditions, which are injurious to health and present a real danger to property and person and preventing intensification of habitation near military airports and reducing density of population and denying potential of density population." The reason we ask for that, it's in the action part anyway. Now, if they can live with that....

MR. GUERRA: I think this is the kind of thing we need to defend this thing.

MR. LANG: Well, let's ask - we have counsel here....

MR. FINLAY: We need our legislative findings, but it is repeated in the other part, so I think we can live with it.

MR. LANG: We just want it out of the whereas, that's all. The findings are all through the Ordinance. We just want out of that whereas, that's the only place we're apart.

MAYOR BECKER: Can you live with it out of the fourth whereas, Tom, and retain it in the rest of the....?

DR. SAN MARTIN: Enabling part. Right, that's what we need.

MR. MORTON: You know I begin to pick up a pattern here with Steve. I'm just always going to read the last page to your contracts and the last paragraph and forget about the....

MAYOR BECKER: Well, you're supposed to do that anyway and that's why I always like to work from my copy, you know. Can you do that, Tom?

MR. FINLAY: Pardon me.

MAYOR BECKER: I said, can you live with that struck from the fourth whereas and retain it in the rest of the part of that thing?

MR. FINLAY: Yes, sir.

MAYOR BECKER: Okay, You think so? All right. Well, is there any Council member have any objection to strike it from the fourth whereas, that part that Stove just read? So, it would read, "Whereas, It is the desire of the City to provide certain restrictions upon land use within such areas for the purpose of promoting harmonious land use and protecting the land, inhabitants, potential uses and inhabitants of such area, of promoting general welfare and promoting public safety and public health to potential users and inhabitants" and all that, right? Okay, we're all in agreement with that? All right, now do you want to call the roll, Garland, I don't think it's necessary, but I mean at least....

CITY CLERK: (Called the roll.) AYES: Cockrell, San Martin, Becker, Morton, O'Connell; NAYS: None; ABSENT: Black, Lacy, Padilla.

MRS. COCKRELL: Motion carried.

MAYOR BECKER: All right, there you go.

DR. SAN MARTIN: Mr. Mayor, I'd like to express my personal feelings, which I think reflect somehow the feelings of this Council, that the citizens who appeared today represented by Mr. Lang were most cooperative in their efforts to work out our differences. I appreciate the problems of the citizens at Randolph, but I think in a way we found more cooperation in trying to work these things out. I would like to express my personal thanks to all of you. I've worked with some of you before and I think this is the way things can be worked out in this town. Thank you, very much.

MAYOR BECKER: I'd like to - I think all the Council members would like to join in expressing those sentiments.

MR. LANG: We would like to thank you in behalf of the Kelly Field landowners.

MAYOR BECKER: Mighty good.

MR. O'CONNELL: I'm sorry the people from Randolph left ahead of time, really.

MAYOR BECKER: Thank you. Come back and see us again. Bring us some sweet potatoes, fresh corn and things - Henry, you all come back and see us again and bring us some fresh vegetables, will you? Sweet potatoes and corn and....

MR. HENRY VAN DE WALLE: Honorable Council, I would like to express my thanks. I think that we have actually seen a problem that originated many years ago actually come true and I think it's another first for the City of San Antonio. I'm glad that I grew up in that part of town.

MAYOR BECKER: Mighty good. Thank you, Henry. Good to see you again.

* * * *

75-4 The meeting was then recessed in order to go into executive session to discuss appointment of board members.

75-4 The Clerk read the following letter:

January 10, 1975

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

Gentlemen and Madam:

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

January 9, 1975

Petition submitted by Mr. Jose M. Villarreal, 1608 Sanco Street, and signed by residents of Villa Coronado, requesting street improvements in the community of Villa Coronado.

/s/ J. H. INSELMANN
City Clerk

* * * *

At the conclusion of the executive session, there being no further business, the meeting adjourned at 5:45 P. M.

A P P R O V E D

ATTEST: 
City Clerk


MAYOR
Charles L. Becker

