

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, AUGUST 4,
1994.

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94-37 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: AVILA.

A. Presentation of the Greater San Antonio Crime Prevention Commission Working Paper (Report filed with papers of this meeting).

B. Scheduling of Future "B" Sessions:

1. Priortization of Bond Projects - August 25, 1994 "B" Session.

2. Discussion of Ordinance prohibiting drinking in public areas.

3. Discussion of the possible identification of "Casino" Gambling Areas.

4. Discussion of Downtown Entertainment District.

5. Discussion of Ordinance to give authority to Municipal Court Judges to assess like sentences for parents as assessed their children for graffiti violations.

6. Receive report (scientific data) regarding health concerns with cellular towers; arrange to have Zoning Commission members present.

7. Work Session with County Commissioners to hear presentation by the Council Annexation Committee on three-year annexation plan.

8. Bring back recommendations of the Council Ethics Committee on any revisions to present Ethics ordinance.

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The issue of public paddling was not moved forward for "B" Session discussion.

94-37 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: AVILA.

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94-37 Invocation - Father Bernard Rochan, St. Timothy Catholic Church.

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94-37 Pledge of Allegiance to the flag of the United States.

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94-37 Minutes of the May 19, 1994 and June 16, 1994 Regular City Council meeting were approved.

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94-37 HOUSTON OILERS FOOTBALL CLUB

Mayor Wolff introduced Mr. Ray Childress and Mr. Bucky Richardson, members of the Houston Oilers football team, and Mr. Gary Becker, representing Pace Entertainment, and stated that they are present today to discuss the upcoming Houston Oilers-San Diego Chargers professional football game in the Alamodome.

Mr. Childress and Mr. Richardson both spoke to details of the upcoming game.

Mr. Becker spoke to the upcoming football game and the contributions of the team representatives present today.

Members of the group then distributed footballs and tickets to members of the City Council.

Mr. Larson noted that Mr. Childress and Mr. Richardson both are former Texas Aggies, and he thanked the Houston Oilers football club for all its contributions to San Antonio through conducting its training camps here.

Mr. Peak noted that San Antonio would not have these contributions without the presence of the Alamodome.

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94-37 KUMAMOTO, JAPAN BASEBALL DELEGATION

Mayor Wolff noted that the City of San Antonio is hosting a

delegation from our Sister City of Kumamoto, Japan August 2-7, 1994, a youth baseball team and accompanying coaches and officials which constitute the continuing exchange program between the two cities. He then read an official Proclamation and presented it to the delegation.

Special certificates were then read and presented to the baseball team members and their coaches.

Mayor Wolff spoke to this activity as only one of numerous such activities between Kumamoto City and San Antonio.

A representative of the Kumamoto City delegation then introduced other delegation members, and expressed gratitude for the opportunity for yet another cultural exchange between the two cities. He then read an official letter of greeting from Mayor Tajiri of Kumamoto City, and presented the Mayor and City Council members with special baseball banners and caps.

A representative of the Catholic Youth Organization (CYO) hosting baseball group spoke to the City Council's support for these exchange baseball games, and presented the Mayor and City Council members with special T-shirts.

Several Council members lauded the close working relationship between San Antonio and Kumamoto City, and welcomed the delegation to San Antonio.

94-37

DR. VICTOR RODRIGUEZ

Mayor Wolff introduced Dr. Victor Rodriguez, recently-retired Superintendent of the San Antonio Independent School District, accompanied by his wife, school board President Ms. Connie Rocha, board member Mr. Oscar Hernandez, and district PTA representatives. He then read and presented the following BENEFACTOR DE LA COMUNIDAD:

This extraordinary City earned its position among America's unique cities because of the many contributions made in the past by special people like you. Our present City is nothing more and nothing less than the sum of all these efforts.

The Mayor and members of the City Council would like to take this opportunity to commend you for your thirty-seven years of service and leadership at the San Antonio Independent School District, the last twelve of which were as Superintendent. Your expertise in the field of education has been an invaluable asset to our city, state and nation. You are widely known as a dedicated educator who truly believes in serving as a "champion of children." You have truly distinguished yourself in your professional endeavors as well as while serving on various boards and commissions and participating in many public service activities throughout the years.

At this time, the Mayor and City Council call to the attention of all the citizens of San Antonio your very important contributions and hereby proclaim you as "BENEFACOR DE LA COMUNIDAD" The community owes you a great debt of gratitude. You should always take great pride in knowing that you have joined the ranks of all eminent San Antonians who have made this City such an exceptional place with such a bright future.

Dr. Rodriguez thanked the Mayor and City Council for the honor, and stated his belief that no single individual can take credit for the manifold accomplishments of the school district, over the years. He then spoke to the many facets of cooperative agreements between the school district and City of San Antonio, and thanked his school board for its support of him during his tenure as superintendent.

Several City Council members thanked Mr. Rodriguez for his contributions to youth and their education over more than 30 years of service.

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94-37

"AT YOUR SERVICE" AWARD - MR. TIM PALOMERA

City Manager Alex Briseno introduced this month's "At Your Service" award-winner, City Architect Tim Palomera, as well as members of his family, present in the audience. He then spoke briefly to Mr. Palomera's background, and introduced a videotape presentation.

Mr. Briseno presented Mr. Palomera with a special Citation and a check for \$200.00.

Mr. Palomera thanked the Mayor, City Council and City Manager for the recognition.

Several Council members offered their congratulations and spoke to their work with Mr. Palomera.

94-37 At this time, it was the unanimous concensus of City Council members present to undertake consideration of Agenda Item 18 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 80,558

AUTHORIZING THE EXPENDITURE OF DISCRETIONARY FUNDS FROM VARIOUS ACCOUNTS TO REIMBURSE THE EXPENSES INCURRED BY THE PROSPECT HILL YELLOWJACKETS "BABE RUTH BASEBALL LEAGUE" FOR THEIR PARTICIPATION IN THE

1994 REGIONAL TOURNAMENT IN PAMPA, TEXAS, ON JULY
28, 1994, AS REQUESTED BY COUNCILMAN BOB ROSS.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Ross spoke to his recollections of the Mayor as a member of the Prospect Hill Yellowjackets years ago, and introduced the team's current coach and players, present in the audience. He spoke to the City Council Discretionary Funds that have been pledged to help defray the costs of a recent baseball tournament in Pampa, Texas.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Ayala, Ross, Thornton, Larson, Wolff; NAYS: None; ABSENT: McClendon, Avila, Solis, Peak.

94-37 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda items 7 through 14, constituting the Consent Agenda. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, Billa Burke, Ayala, Thornton, Larson, Wolff. NAYS: None. ABSENT: McClendon, Avila, Solis, Ross, Peak.

AN ORDINANCE 80,559

CANCELLING THE CONTRACT OF ABRAM'S AIR CONDITIONING AND REFRIGERATION, APPROVED BY ORDINANCE NO. 78449, DATED AUGUST 13, 1993, BECAUSE OF FAILURE TO PROVIDE HEATING AND AIR CONDITIONING MAINTENANCE AT THE SAN ANTONIO POLICE HEADQUARTERS & POLICE DIVISION CENTRAL AND BUILDING MAINTENANCE DIVISION DOWNTOWN FACILITIES ACCORDING TO THE TERMS OF THE CONTRACT.

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AN ORDINANCE 80,560

ACCEPTING THE LOW, QUALIFIED BID OF CENTRAL ELECTRIC ENTERPRISES AND CO. IN THE AMOUNT OF \$21,138.00 IN CONNECTION WITH THE HERRERA PARK LIGHTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET;

AUTHORIZING \$5,282.00 FOR CONSTRUCTION CONTINGENCIES AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,561

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$3,040.25 AND PROVIDING AN ADDITIONAL \$1,690.25 TO THE CONTRACT WITH ADVANTAGE CONTRACTING CORPORATION IN CONNECTION WITH THE REROOFING OF THE CITY-OWNED PARKING DIVISION BUILDING LOCATED AT 243 CENTER STREET; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS FOR SAID PROJECT.

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AN ORDINANCE 80,562

RESCINDING ORDINANCE NO. 79459 PASSED AND APPROVED ON JANUARY 20, 1994 WHICH AWARDED A CONSTRUCTION CONTRACT TO JAVCO CONSTRUCTION SERVICES FOR THE GRANT FROM FRESNO TO MCILVAINE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$40,949.60 TO THE CONTRACT WITH SAN ANTONIO CONSTRUCTORS, INC. IN CONNECTION WITH THE LEE HALL STREETS, PHASE V PROJECT AND INCORPORATING THE GRANT FROM FRESNO TO MCILVAINE RECONSTRUCTION PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$1,719.88 FOR PROJECT OVERSIGHT COSTS AND \$1,588.68 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,563

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE CITY OF SAN ANTONIO THROUGH THE NEIGHBORHOOD HOUSING SERVICES OF SAN ANTONIO (NHS) OF A CERTAIN PARCEL OF LAND AND IMPROVEMENTS LOCATED AT 559 MORNINGVIEW WITHIN THE EASTSIDE NEIGHBORHOOD HOUSING SERVICES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR A TOTAL AMOUNT OF 31,000.00.

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AN ORDINANCE 80,564

AUTHORIZING THE FINANCE DEPARTMENT TO PAY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH CARE FINANCING ADMINISTRATION, \$3,441.00 IN CLINICAL LABORATORY IMPROVEMENT AMENDMENTS OF 1988

(CLEA) LABORATORY CERTIFICATION FEES FOR THE SAN ANOTNIO METROPOLITAN HEALTH DISTRICT PUBLIC HEALTH LABORATORY.

* * * *

AN ORDINANCE 80,565

AUTHORIZING THE ACCEPTANCE OF \$2,850.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO FUND THE ACQUISITION OF A COMPUTER FOR USE IN THE AIDS EXPANDED SURVEILLANCE PROJECT OPERATED BY THE SAN ANOTNIO METROPOLITAN HEALTH DISTRICT (SAMHD); AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 1, COMPRISED OF ATTACHMENT 2A TO CONTRACT C6000011 WITH THE TDH; AND REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1995/96 ESTABLISHED IN ORDINANCE 79398 PASSED AND APPROVED JANUARY 6, 1994.

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AN ORDINANCE 80,566

APPOINTING COUNCILMAN BOB ROSS TO THE BEXAR COUNTY HOUSING FINANCE CORPORATION FOR A TERM OF OFFICE TO RUN CONCURRENT WITH HIS CITY COUNCIL TERM.

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94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,567

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$79,898.33, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 75 TAX ACCOUNTS.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Ayala, Thornton, Larson, Wolff; NAYS: None; ABSENT: McClendon, Avila, Solis, Ross, Peak.

94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,568

ACCEPTING A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION (CJD) IN THE AMOUNT OF \$523,736.00 FOR THE PERIOD OF JULY 1, 1994 TO JUNE 30, 1995, TO AUGMENT THE CITY'S EFFORTS TO REDUCE DRUG TRAFFICKING IN THE SAN ANTONIO AREA.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Larson seconded the motion.

Captain William Smith, San Antonio Police Department, described the proposed grant to reduce drug-trafficking in the San Antonio area, and spoke to the results of the effort, thus far, citing statistics of accomplishments.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon, Avila, Solis.

94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,569

ESTABLISHING A NEW INITIATIVE TO BE KNOWN AS THE BUSINESS ASSISTANCE FOCUS CENTER; AND AUTHORIZING THE EXECUTION OF A BUSINESS ASSISTANCE FOCUS CENTER PARTICIPATION AGREEMENT WITH THE U.S. SMALL BUSINESS ADMINISTRATION, THE SERVICE CORPS OF RETIRED EXECUTIVES, UTSA'S SMALL BUSINESS DEVELOPMENT CENTER, AND THE SMALL BUSINESS COORDINATING COUNCIL.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Clint Bolden, Director of Economic Development, explained the creation of a new initiative focusing on business assistance, and described its functions.

Several City Council members urged that this organization be "fast-tracked" in order to assist more small businesses, both new and established firms.

A discussion then took place concerning a coming workshop to be hosted by the City Council's Small Business Committee.

Representatives of participating agencies in the new business-assistance initiative then came forward to introduce themselves and their respective agencies.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Avila.

94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,570

RENAMING THE ALAMO BRANCH YMCA LOCATED AT 1213 IOWA STREET TO ODIE E. DAVIS, JR. - DR. S.T. SCOTT BRANCH YMCA, AS REQUESTED BY COUNCILWOMAN RUTH JONES MCCLENDON.

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Ms. McClendon made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

Ms. McClendon briefly explained the request of the Alamo Branch YMCA board of directors to adopt a new name for the facility.

Mr. Charles Shannon, Executive Director, Alamo Branch YMCA, thanked the Mayor and City Council for its consideration of this proposed name change.

Several Council member lauded the renaming effort and spoke to the contributions of the Alamo Branch over the years.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ayala, Ross, Thornton, Peak, Wolff; NAYS: None; ABSENT: Avila, Larson.

94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,571

RENAMING IH 37 FROM IH 10/90 TO LOOP 410 IN HONOR OF MR. LUCIAN ADAMS AND IH 10 AND 90 FROM IH 37 TO LOOP 410 IN HONOR OF MR. JOSE LOPEZ BOTH TEXAN

MEDAL OF HONOR WINNERS, AS REQUESTED BY COUNCILWOMAN
LYNDA BILLA BURKE AND HELEN AYALA.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Ms. Ayala seconded the motion.

Mr. Peak addressed the need to coordinate closely with the Texas Department of Transportation on signing costs involved in renaming various interstate highways in San Antonio.

Ms. Billa Burke and Ms. Ayala spoke to the background of this request and the rationale for renaming local highways for San Antonio Medal of Honor winners.

Ms. Ayala spoke to the need to identify a single memorial site to designate as a place of honor for all the military veterans of San Antonio.

Ms. Billa Burke recommended naming the new Municipal Baseball Stadium "Veterans Stadium", and selecting individual seats in the stadium to honor individuals.

Mayor Wolff read from a letter received from Congressman Frank Tejeda, thanking the Mayor and City Council for its support for renaming various local highways for Congressional Medal of Honor winners from San Antonio.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Ayala, Ross, Thornton, Larson, Wolff; NAYS: None; ABSENT: Avila, Solis, Peak.

94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,572

AUTHORIZING THE EXPENDITURE OF CITY COUNCIL DISCRETIONARY FUNDS TO AUGMENT THE COST OF POLICE SECURITY COSTS IN CONNECTION WITH THE 5K RUN/WALK FOR THE HABITAT FOR HUMANITY SCHEDULED FOR SATURDAY, NOVEMBER 26, 1994, AND AUTHORIZING THE CLOSURE OF CERTAIN DOWNTOWN STREETS, AS REQUESTED BY COUNCILMAN ROGER A. PEREZ.

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Mr. Perez made a motion to approve the proposed Ordinance. Mr. Billa Burke seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Ayala, Ross, Thornton, Larson, Wolff; NAYS: None; ABSENT: Avila, Solis, Peak.

94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,573

AUTHORIZING THE SUBMISSION BY THE CITY OF SAN ANTONIO DEPARTMENT OF COMMUNITY INITIATIVES OF AN APPLICATION FOR A THREE-YEAR GRANT IN THE AMOUNT OF \$5,667,935.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE SUPPORTIVE HOUSING PROGRAM.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Ms. McClendon seconded the motion.

Mr. Kevin Moriarty, Director of Community Initiatives, stated that this enhanced grant will involve some 12 agencies in a three-year grant program. He outlined the agencies involved and their recommended allocations, noting that 51 per cent of the total is being allocated for emergency shelter for the homeless. He stated that the City is acting as the "broker" for this large grant.

A videotaped presentation described various agencies and their work, followed by live presentations by the directors of each agency, describing how the grant funding will be used in their respective agency.

A list of the agencies is made a part of the papers of this meeting.

City Council members thanked each agency for its work in the community, and congratulated City staff for being the grant 'broker'.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Avila.

94-37 AMENDING CHAPTER 34 - WATER AND SEWERS

Mayor Wolff declared the Public Hearing to be open.

(At this point, Mayor Wolff was obliged to leave the meeting. Mr. Perez presided in the temporary absence of the Mayor Pro Tem.)

Ms. Rebecca Q. Cedillo, Vice President-Planning, San Antonio Water System, explained the comprehensive amendments being proposed for Chapter 34 of the City Code, including the total reorganization of the chapter. She spoke to four major segments of the proposed amendments dealing with water and wastewater.

The following citizens appeared to speak:

Mr. Will Wilson, representing American Wastewater, Houston TX, spoke in support for the amendments, calling them 'foresighted'. He stated his belief that these amendments will be a model for emulation by other cities and by the Texas Natural Resources Conservation Commission. He noted that his firm plans to develop a new waste processing facility in San Antonio.

There being no further citizens signed to speak to this matter, Mr. Perez, presiding, declared the Public Hearing to be closed.

In response to a question by Mr. Peak, Ms. Cedillo and Mr. David Earl, attorney for SAWS, spoke to the criminal and civil penalties being recommended.

A discussion ensued concerning several points in the proposed amendments, including the washing-down of service station driveways and reasons why transportation of hazardous waste is not being included in these proposed amendments, since work continues on a separate ordinance dealing with this matter.

(At this point, Mayor Wolff returned to the meeting to preside.)

A discussion then took place concerning criminal and civil penalties, and which penalty would apply in a certain situation.

In response to a question by Mr. Ross, Ms. Cedillo confirmed the two new changes addressing water quality.

In response to another question by Mr. Ross, Ms. Cedillo spoke to the customer conservation program being provided by SAWS through monies generated by the increase in water rates.

Responding to a question by Mr. Solis, Ms. Cedillo spoke to the new program created through this ordinance, namely, the Water Quality and Environmental Education and Enforcement Fund.

Mr. Earl then spoke specifically to the education and enhancement of enforcement.

Mr. Solis asked that 25 per cent of these monies be dedicated

to educating children, and spoke of the importance of educating parents through children's programs.

Mr. Solis made a motion to approve the ordinance. Mr. Peak seconded the motion.

Mr. Solis then offered an amendment that a minimum of 25 per cent of the funds deposited in the Account shall be used for funding activities directed towards the education of school-age children on topics of water quality, conservation, environmental awareness and pollution prevention. Mr. Perez seconded the amendment.

Discussion then took place concerning the capping of wells, during which it was noted that the state has a listing of all wells drilled in Texas, of which some 170 are located in Bexar County.

Mr. Thornton noted that some landowners are concerned with the costs required to cap those wells.

The amendment prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Avila, Ayala.

The main motion as amended, carrying with it the passage of the following Ordinance, then prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Avila, Ayala.

AN ORDINANCE 80,574

AMENDING CHAPTER 34 OF THE CITY CODE BY RENUMBERING EXISTING CODE SECTIONS; BY ADDING DIVISIONS 8 AND 9 TO ARTICLE 1; BY ADDING DIVISIONS 2 THRU 5 TO ARTICLE IV; BY ADDING ARTICLE V CONTAINING DIVISIONS 1 THRU 4; BY ADDING ARTICLE VI CONTAINING DIVISIONS 1 THRU 5; BY MAKING SUBSTANTIVE AMENDMENTS TO THE EXISTING RESTRICTIONS ON LANDSCAPE WATERING, TO THE AQUIFER MANAGEMENT PLAN, TO THE LIQUID WASTE TRANSPORTATION AND DISPOSAL REGULATIONS, AND TO THE WELL PERMITTING REGULATIONS; BY ADOPTING NEW SECTIONS WHICH, CREATE THE WATER QUALITY AND ENVIRONMENTAL EDUCATION AND ENFORCEMENT FUND, AUTHORIZE THE SAN ANTONIO WATER SYSTEM TO ENFORCE AND ADMINISTER THE PROVISIONS OF CHAPTER 34, AND WHICH REGULATE PROHIBITED DISCHARGES INTO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM ("MS4"); PROVIDING FOR COLLECTION OF CIVIL PENALTIES FOR VIOLATION OF CHAPTER 34; DECLARING THE VIOLATION THEREOF TO BE A CRIMINAL MISDEMEANOR AND PROVIDING FOR PUNISHMENT UPON CONVICTION BY A FINE NOT TO EXCEED \$2,000.00; DIRECTING PUBLICATION OF THIS

ORDINANCE AFTER PASSAGE; AND DECLARING AN
EMERGENCY.

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94-37 The Clerk read the following Ordinance:

AN ORDINANCE 80,575

ACCEPTING THE REGIONAL ENVIRONMENTAL ENTERPRISE ZONE (REEZ) PHASE I REPORT CONDUCTED BY MALCOLM PIRNIE, INC., APPROVING THE TERMS AND CONDITIONS FOR THE DISSOLUTION OF THE CONTRACT FOR SERVICES IN CONNECTION WITH THE REEZ BETWEEN THE CITY OF SAN ANTONIO AND MALCOLM PIRNIE, INC., INCLUDING THE FINAL PAYMENT NOT TO EXCEED \$325,000; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO CARRY OUT THE DISSOLUTION; AND FURTHER AUTHORIZING THE CITY MANAGER TO COMMENCE PHASE II SITE ASSESSMENT.

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Mr. Perez made a motion to approve the proposed Ordinance. Ms. McClendon seconded the motion.

Mr. Lloyd Garza, City Attorney, noted that this matter has been covered with City Council in a previous Executive Session, last week, and he addressed the details of the proposed Ordinance. He noted that Malcolm Pirnie Inc. is eligible to apply for contractor or sub-contractor on future City projects.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Avila, Solis, Ayala.

94-37 City Council recessed its regular meeting at 4:35 P.M. in order to convene in Executive Session for:

A. Briefing on litigation styled International Association of Firefighters vs. City of San Antonio, Cause No. 94-CI-10668.

B. Briefing on proposed amendments to contracts relating to the Federal Initiatives Program.

C. Briefing on status of Police Collective Bargaining Agreement negotiations.

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94-37 City Council reconvened in regular session at 6:29 P.M., at which time Mayor Wolff stated that the City Council had been briefed in Executive Session and had not taken any official action.

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94-37

CITIZENS TO BE HEARD

MR. WALTER HAGEN

Mr. Walter Hagen spoke to the Council regarding the action they took with regard to the passage of the animal control ordinance which he feels gave greater impetus to the Animal Rights movements. He then read quotes from Animal Rights activists and their plans for stricter ordinances. He then likened them to the environments. He urged the Mayor and Council not to cave in and approve a mandatory spay and neuter ordinance .

Mayor Wolff stated that he is sensitive to the concerns expressed by Mr. Hagen and stated that the City Council will take his comments under advisement.

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MR. PHILIP M. ROSS

Mr. Philip M. Ross, Chairman of the Association to Abandon the Applewhite Project, referred to a copy of the Sample Ballot for the August 13, 1994 Special Election and stated that comments being made by the Mayor are misleading in that this election is for the completion of the Applewhite not for the 2050 Plan. He stated that a Federal judge cannot order the City of San Antonio to limit withdrawals from the Edwards Aquifer. He then made suggestions other than the Applewhite as sources of water. Mr. Ross then presented for the Record a copy of a press release regarding complaints against the "Citizens for 2050 Plan." (A copy of this statement is on file with the papers of this meeting.) He asked the City Council to refer this matter to the Police Department for investigation.

94-37 There being no further business to come before the Council, the meeting was adjourned at 6:40 P.M.

A P P R O V E D

[Handwritten signatures]
M A Y O R

Attest:

[Handwritten signature: Anna I. Rodriguez]
C I T Y C L E R K

Aug. 04, 1994
bg

August 4, 1994

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

The following petitions were received in my office and forwarded to the appropriate departments for investigation and report to the City Council:

July 18, 1994

Petition submitted by Ms. Carrie D. Ship, et al, 1017 Central Parking N., Suite 112, San Antonio, Texas 78232, on behalf of Royal George Association owners, requesting that the City take necessary steps to have the property located at 8033 N. New Braunfels cleaned and proper signage added.

July 18, 1994

Petition submitted by Mr. Al Alaniz, 218 N. Cherry, San Antonio, Texas 78202, requesting that the City take necessary steps to have the dumpster containers moved to another location from the 225 Swiss location.

July 20, 1994

Petition submitted by Ms. Majorie M. Oubre, 5326 King George, San Antonio, Texas 78229, on behalf of area residents requesting to have Merkens Street made a one-way street and have a light installed at Wurzbach and Newcome with left hand signal and right hand signal.

/s/ Norma S. Rodriguez
City Clerk