

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 5, 1990.

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: None.

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90-29 The invocation was given by Reverend Gordon Zercher, Sr., Glad Tidings Assembly of God.

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90-29 The 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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90-29 NEW HUD S. A. DIRECTOR

Mayor Cockrell introduced Ms. A. Cynthia Leon, new manager of the U. S. Department of Housing and Urban Development in San Antonio, accompanied by Mr. Sam R. Mosley, Regional Administrator for HUD Region 6 in Ft. Worth; Mr. Walter Sevier, Deputy Regional Director; and Mr. George Rodriguez, Special Assistant to HUD Secretary, Jack Kemp in Washington. She noted that she had met Ms. Leon a year ago in Denver, and welcomed her to San Antonio and to City Hall.

Mayor Cockrell and members of the City Council then presented Ms. Leon with a framed picture of San Antonio, and presented San Antonio ties and books to Mr. Mosley, Mr. Sevier and Mr. Rodriguez.

Ms. Leon thanked the Mayor and Council for the gifts and welcome, and stated that, as a native San Antonian, she looks forward to returning to San Antonio.

Several City Council members spoke to the City's close working relationship with HUD, especially in public housing general.

90-29

NORWEGIAN EDUCATORS

Mayor Cockrell recognized a group of 10 Norwegian educators visiting the United States.

A representative of the group explained the purpose of the trip to San Antonio and members of the delegation introduced themselves and spoke of their hometowns or working areas in Norway.

The Mayor and Council presented each with a San Antonio book and welcomed them to San Antonio.

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90-29 The minutes of the regular City Council meeting of May 31, 1990 were approved.

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90-29 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 7 through 28, constituting the Consent Agenda, with items 8, 9, 13 and 22 to be pulled for individual consideration and Item 26 which was pulled earlier from consideration by the City Manager. Mrs. Dutmer seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

AN ORDINANCE 71,811 .

.
APPROVING FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$77,528.58 TO THE CONTRACT WITH V. K. KNOWLTON PAVING CONTRACTOR, INC., IN CONNECTION WITH THE WURZBACH ROAD FROM VANCE JACKSON TO LOCKHILL SELMA AND WURZBACH BRIDGE AT OLMOS CREEK PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,812 .

.
ACCEPTING THE PROPOSAL OF HEINEN AND ASSOCIATES ENGINEERING IN THE AMOUNT OF \$3,905.00 TO PROVIDE A PRELIMINARY ENGINEERING STUDY FOR THE FM 78-ACKERMAN ROAD TO FM 1604 AND FM 78 IH 410 TO ACKERMAN ROAD PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,813

AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION IN THE AMOUNT OF \$7,276.00 TO PROVIDE FOR CITY PARTICIPATION RELATED TO CONSTRUCTION ON LOOP 368 (BROADWAY) FROM IH 35 TO AUSTIN HIGHWAY.

* * * *

AN ORDINANCE 71,814

ACCEPTING THE LOW BID OF V. K. KNOWLTON PAVING CONTRACTOR, INC., IN THE AMOUNT OF \$419,345.45 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE RAY ELLISON DRIVE AT SOUTH SAN HIGH SCHOOL WEST CAMPUS RECONSTRUCTION PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING \$41,934.54 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,815

APPROVING CITY WATER BOARD FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$22,320.00 TO THE CONTRACT WITH R. L. JONES COMPANY, INC., TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE E. CRAIG FROM McCULLOUGH TO N. ST. MARY'S STREET PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,816

ACCEPTING THE LOW, QUALIFIED BID OF RAY FARIS, INC. IN THE AMOUNT OF \$190,625.63 IN CONNECTION WITH THE NOLAN STREET (WILLOW TO PALMETTO) RECONSTRUCTION PROJECT; AUTHORIZING \$19,062.56 FOR CONSTRUCTION CONTINGENCIES, \$7,513.82 FOR PROJECT OVERSIGHT COSTS AND \$2,382.82 FOR ENGINEERING EXPENSES; AUTHORIZING A CONTRACT; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,817

APPROVING FIELD ALTERATION NO. 9 IN THE AMOUNT OF \$25,238.00 TO THE CONTRACT WITH M. J. BOYLE GENERAL CONTRACTOR, INC., TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE STANDBY GENERATOR SYSTEM, UNINTERRUPTIBLE POWER SOURCE SYSTEM, DEPARTMENT OF INFORMATION RESOURCES PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,818

AUTHORIZING PAYMENT OF AN ADDITIONAL \$45,635.56 TO THE CONTRACT WITH K. M. NG AND ASSOCIATES, INC., FOR ENGINEERING SERVICES IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT NO. 58, H, I, AND J.

* * * *

AN ORDINANCE 71,819

AUTHORIZING PAYMENT OF AN ADDITIONAL \$10,000.00 TO THE CONTRACT WITH FERNANDEZ, FRAZER, WHITE AND ASSOCIATES, INC., FOR ENGINEERING SERVICES IN CONNECTION WITH THE PACIFIC DRAINAGE PROJECT NO. 66A, PHASE II-B.

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AN ORDINANCE 71,820

APPROVING A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$75,939.00, WITH THE DABNEY GROUP, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE PERIMETER ROAD CONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; APPROVING A BUDGET; PROVIDING FOR PAYMENT; AND TERMINATING A PREVIOUS CONTRACT.

* * * *

AN ORDINANCE 71,821

ACCEPTING THE PROPOSAL OF SEDA CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$18,920.00 TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE CEDAR CREEK MUNICIPAL GOLF COURSE BOUNDARY SURVEY; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,822

ACCEPTING THE LOW BID OF STRAYHORN TENNIS COURT CONSTRUCTION, INC., IN THE AMOUNT OF \$68,813.00 TO PROVIDE FOR TENNIS COURT RENOVATION AT THE FAIRCHILD TENNIS CENTER; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; AND PROVIDING \$6,000.00 FOR A CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 71,823

RATIFYING THE PAYMENT OF AN ADDITIONAL \$64,000.00 IN ENGINEERING FEES TO OZUNA AND ASSOCIATES, INC. FOR SERVICES IN CONNECTION WITH THE ELMENDORF DRAINAGE PROJECT NO. 38, PHASE II.

* * * *

AN ORDINANCE 71,824

AUTHORIZING THE PURCHASE OF LOT 1 AND THE EAST TWO FEET OF LOT 2, BLOCK 1, NEW CITY BLOCK 9287, SAN ANTONIO, BEXAR COUNTY, TEXAS, (3302 WEST WOODLAWN AVENUE) TO IMPROVE LOCAL STORM DRAINAGE FOR THE SUM OF \$70,000.00 AND PAYING FOR APPRAISAL FEES IN THE SUM OF \$225.00.

* * * *

AN ORDINANCE 71,825

ACCEPTING THE PROPOSAL OF VITA TORRES GIRDLER D/B/A VIP BARBER SHOPS AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE HAIRSTYLING CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$3,000.00 OR 20.1 PERCENT OF GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 71,826

AUTHORIZING PAYMENT OF \$8,740 TO THE AIRPORT OPERATORS COUNCIL INTERNATIONAL FOR 1990-91 MEMBERSHIP DUES.

* * * *

AN ORDINANCE 71,827

CLOSING A PORTION OF NUEVA STREET ON JULY 21 AND JULY 22, 1990, SO THAT IT MAY BE USED FOR A REY-FEO SCHOLARSHIP FUNDRAISER.

* * * *

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,828

APPROVING FIELD ALTERATION NO. 7 IN THE AMOUNT OF \$20,980.56 TO THE CONTRACT WITH V. K. KNOWLTON PAVING CONTRACTOR, INC. IN CONNECTION WITH THE WURZBACH ROAD FROM VANCE JACKSON TO LOCKHILL SELMA AND WURZBACH BRIDGE AT OLMOS CREEK PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Labatt seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,829

ACCEPTING THE PROPOSAL OF FLORES AND COMPANY CONSULTING ENGINEERS IN THE AMOUNT OF \$13,240.00 TO PROVIDE A PRELIMINARY ENGINEERING STUDY FOR THE IH-10 - HUEBNER TO LOOP 1604 PROJECT; AUTHORIZING

THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT;
AND PROVIDING FOR PAYMENT.

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Mr. Hasslocher made a motion to approve the proposed Ordinance.
Mrs. Dutmer seconded the motion.

In response to a question by Mr. Wolff, Mr. Joe Aceves, Director of Public Works, discussed the work schedule and completion so as not to conflict with the opening of Fiesta Texas.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

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90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,830

ACCEPTING THE BID OF JOHN COPELAND ENTERPRISES, INC., IN THE AMOUNT OF \$27,163.00 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE TILLIE DRIVE PROJECT NO. 114-A (LATERAL) FENCE RELOCATION; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING \$2,716.00 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance.
Mr. Labatt seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Director of Public Works, explained details of the fence relocation work in connection with the Tillie Drive project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,831

AUTHORIZING PAYMENT OF AN ADDITIONAL \$7,000.00 TO THE CONTRACT WITH W. E. SIMPSON, INC., TO PROVIDE FOR ARCHITECTURAL/ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION SUPERVISION OF THE NEW LEON CREEK WASTEWATER TREATMENT PLANT HYDROGEN CHLORIDE FACILITY; AND PROVIDING AN ADDITIONAL \$1,400.00 FOR THE ENGINEERING CONTINGENCY.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Labatt seconded the motion.

In response to a question by Mr. Labatt, Mr. Joe Aceves, Director of Public Works, explained the inadequacy of the current small building and its design, in light of plans to store hydrogen chloride in it.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,832

APPROVING AN AMENDMENT TO THE CITY OF SAN ANTONIO HOUSING TRUST DECLARATION OF TRUST TO PERMIT THE USE OF TRUST FUNDS TO SUPPORT A COMPREHENSIVE HOUSING STUDY UNDER THE AEGIS OF THE HOUSING MASTER PLAN TASK FORCE.

* * * *

Mr. Webb made a motion to approve the proposed Ordinance. Mr. Labatt seconded the motion.

In response to a question by Mr. Hasslocher, Mr. Alex Briseno, City Manager, spoke to the location of one staff member of the Housing Trust at City Hall in order to assist with the housing master plan work.

Mrs. Dutmer spoke to her concern with possible expenditure of the principal involved in the housing funds set aside for the Housing Trust.

Mr. Robert Jodon, representing the Housing Trust, explained that the funds involved are from the interest earned by the principal, not the principal itself, and that this is a one-time expenditure.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,833

AMENDING ORDINANCE NO. 71036 BY AUTHORIZING ACCEPTANCE OF AN ADDITIONAL \$383,335.00 IN JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB CARRYOVER AND REOBLIGATED FUNDS; APPROVING THE ALLOCATION OF SAID FUNDS TO PREVIOUSLY APPROVED SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM (SYETP) SERVICE PROVIDERS; AND APPROVING THE BUDGET AND PERSONNEL COMPLEMENT THEREFOR.

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Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,834

ACCEPTING THE LOW QUALIFIED BID OF HUNTER DEMOLITION AND WRECKING CORPORATION IN THE AMOUNT OF \$322,000.00 FOR DEMOLITION SERVICES IN CONNECTION WITH THE SAN ANTONIO MULTIPURPOSE DOME FACILITY; DEMOLITION, PHASE I - PACKAGE 1; AUTHORIZING THE EXECUTION OF A DEMOLITION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; PROVIDING \$32,000.00 FOR THE DEMOLITION CONTINGENCY.

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Mr. Webb made a motion to approve the proposed Ordinance. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Hasslocher, Mr. Roland Lozano, Director of Dome Development, explained the demolition site involved in this ordinance and stated that this ordinance completes the demolition of the Alamo Iron Works site in order to make way for the 'footprint' of the domed stadium. He explained the work to be done, to ameliorate concerns of a nearby business owner, Ray's Drive-In, and the possible impact upon his property.

A discussion then took place concerning the new City Public Service facility planned for the site.

Mr. Hasslocher spoke of his concern with the equity in taking property needed for the dome or its ancillary facilities.

Mr. Lozano spoke to CPS' plans to acquire the building adjacent to the drive-in.

Ms. Berriozabal spoke to her concern with health problems caused by rats during the building demolition phase.

Mrs. Dutmer spoke to the properties in jeopardy by CPS plans to acquire a site for its substation now situated in Hemisfair Park, and spoke of her concern for fairness.

In response to a question by Mr. Martinez, Mr. Lozano noted that the three demolition package combined have a 29 per cent small and minority business participation factor.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,835

APPROVING PAYMENT OF A SETTLEMENT IN CAUSE NO. 88-CI-16981, VESTA BELL JOHNSON, ET AL V. CITY OF SAN ANTONIO AND ROBERT STRICKLIN, IN THE AMOUNT OF \$62,287.38.

* * * *

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

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90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,836 .

.
APPROPRIATING A TOTAL OF \$1,400.00 FROM THE DISTRICT
2 DISCRETIONARY AND IMPROVEMENTS FUND TO SUPPORT THE
ALAMO YMCA FUNDRAISER "TEXAS FUNFEST" TO BE HELD AT
PITTMAN SULLIVAN PARK.

* * * *

Mr. Webb made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

Mr. Webb spoke of a new program designed to handle young people during late-night hours and the need for some \$16,000, part of which will be taken from his own discretionary fund.

A discussion followed concerning possible financial input from other Council members, during which Mrs. Dutmer stated that she would subsequently contribute \$1,000.00.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

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90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,837 .

.
AUTHORIZING PAYMENT OF AN ADDITIONAL \$189,655.35 TO
THE CONTRACT WITH JOINT VENTURE OF K. M. NG AND
ASSOCIATES, INC./W. H. MULLINS, INC., TO PROVIDE FOR
THE COMPLETION OF FINAL DESIGN PLANS AND FOR
ADDITIONAL SERVICES IN CONNECTION WITH THE RILLING
ROAD TREATMENT PLANT - UTILITIES DEMOLITION GRADING
AND HEADWORKS RELOCATION PROJECT; AND PROVIDING AN

ADDITIONAL \$18,964.65 FOR THE ENGINEERING
CONTINGENCY.

* * * *

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

Mr. Joe Aceves, Director of Public Works, spoke to possible ceremonies to mark the demolition of the old Rilling Road Wastewater plant.

Mr. Alex Briseno, City Manager, stated that he would be reporting to the Council next week on all the ramifications of this project, including matters involving the former Director of Environmental Management Frank Kiolbassa, noting that some of these matters remain before the Bexar County grand jury.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Martinez, Vera, Hasslocher.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,838

ACCEPTING THE LOW BID OF CRANE AND LESTER GENERAL CONTRACTORS IN THE AMOUNT OF \$84,481.00 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE DETENTION CALLS/PUBLIC INEBRIATE PROGRAM PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; AND PROVIDING \$1,000.00 PAYABLE TO RABA-KISTNER CONSULTANTS, INC., FOR ENGINEERING EXPENSES IN CONNECTION WITH THE SAME PROJECT.

* * * *

Mr. Wing made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Martinez, Vera.

90-29 TRAVEL AUTHORIZATIONS - Granted:

Mayor Lila Cockrell to travel to Houston, Texas on June 22, 1990, to testify before the House Banking Committee.

* * * *

Mayor Lila Cockrell to travel to Minneapolis, Minnesota from July 6, 1990 to July 7, 1990, for the San Antonio Sports Foundation trip to the 1990 U. S. Olympic Festival to speak to Festival Officials about hosting a Festival in San Antonio.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,839

APPOINTING CERTAIN INDIVIDUALS TO SERVE AS PART-TIME MAGISTRATES. (Gloria Cabrera, Reynolds Cate, Regina M. Cusack, Ramiro Estrada, Jr., Alberto Rodriguez, Roger Segura, John Smith, R. Robert Willmann, Jr.)

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Mr. Wing made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

Mr. Hasslocher thanked Mr. Wing for his hard work and leadership on the Council's Municipal Court Committee.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,840

APPROPRIATING A TOTAL OF APPROXIMATELY \$550.00 FROM THE DISTRICT 4 DISCRETIONARY AND IMPROVEMENTS FUND TO PURCHASE A TDD TELEPHONE (SPECIAL TELEPHONE FOR THE HEARING IMPAIRED) FOR THE MUNICIPAL COURT.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Wing seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Martinez, Vera.

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90-29 Agenda Item 40, being a proposed ordinance accepting the bid of \$378,865.55 submitted by GLI Distributing, Inc., to purchase two tracts of land being Lot 35 and a portion of Lot 34, Block 90, New City Block 268, Vista Verde South Unit 5A, City of San Antonio, Bexar County, Texas, and authorizing the execution of two purchase contracts, an assignment of the right to purchase of GLI Distributing, Inc., to Gillis Properties, a Texas General Partnership, a release of lease agreement, a quitclaim, and all other instruments necessary to effectuate such purchase; and directing the Director of Finance to deposit the proceeds into the Vista Verde South UDAG Account Fund No. 26, Project No. 054029, was removed from consideration at this time by the City Manager.

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90-29 The Clerk read the following Resolution:

A RESOLUTION NO. 90-29-36 .

.
AUTHORIZING THE CITY OF SAN ANTONIO TO HOLD A SAN ANTONIO ECONOMIC SUMMIT AND AUTHORIZING THE MAYOR TO DESIGNATE AN ECONOMIC DEVELOPMENT SUMMIT TASK FORCE TO PROCEED WITH PLANNING THE SUMMIT.

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Mrs. Dutmer made a motion to approve the proposed Resolution. Mr. Thompson seconded the motion.

Mayor Cockrell spoke to her views designed to assist San Antonio's economic recovery, speaking to Houston's recovery, especially in the area of small business.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Martinez, Vera.

(Council recessed at 2:20 P.M. to convene a "B" Session discussion on the Alamo Iron Works tax phase-in consideration, reconvening in regular session at 3:58 P.M.)

90-29 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING AN UNIMPROVED ALLEY.

Mayor Cockrell declared the Public Hearing open.

No citizen appeared to speak on this matter.

Mayor Cockrell then declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 71,841

ABANDONING, CLOSING AND QUITCLAIMING AN EXISTING FIFTEEN (15.0') FOOT UNIMPROVED ALLEY BOUNDED BY JENNINGS AVENUE TO THE NORTH, CAVALIER AVENUE TO THE SOUTH, PHYLLIS STREET TO THE EAST AND SOUTH ZARZAMORA STREET TO THE WEST. SPECIFICALLY, SAID ALLEY IS LOCATED IN BLOCK 2, NEW CITY BLOCK 9028, SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER OR THE ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM TO OSCAR'S ENTERPRISES, INC., FOR A CONSIDERATION OF ONE DOLLAR.

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Mr. Wing made a motion to approve the proposed Ordinance. Mr. Labatt seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Labatt, Cockrell; NAYS: None; ABSENT: Martinez, Vera, Wolff, Hasslocher.

90-29 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE APPROVING AN EXCHANGE OF LANDS CONTRACT BETWEEN THE UNITED STATES OF AMERICA AND THE CITY OF SAN ANTONIO.

Mayor Cockrell declared the Public Hearing open.

Mr. Bill Toudouze, Real Estate Division, Public Works Department, briefly explained the plan to exchange land near Kelly Air Force Base with the federal government.

Mr. Lauren Barneby, 7272 Wurzbach, spoke in opposition to this proposal which has been presented by area businesses and others, stating his contention that such a proposal which has been presented by area businesses and others, stating his contention that such a proposal will close General McMullen Drive and interfere with access to Kelly Air Force Base.

Mr. Pat Hufstickler, attorney, Cox and Smith, representing nearby apartment project owners whose project now is in bankruptcy, noted that the Air Force wants the land to provide better security for Kelly, and his firm supports it.

Mr. Toudouze provided a brief history of the exchange request and noted that the federal government owns all properties fronting onto General McMullen Drive from both sides of the affected area.

Mr. Wing explained the security aspect of the request by federal officials.

Mr. Martinez spoke to plans for a new entrance gate to Kelly Air Force Base in this area, noting that the gate will permit access 24 hours a day.

There being no further citizens to speak on this matter, Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 71,842

APPROVING AN EXCHANGE OF LANDS CONTRACT BETWEEN THE UNITED STATES OF AMERICA AND THE CITY OF SAN ANTONIO; WHEREBY, THAT PORTION OF GENERAL MCMULLEN DRIVE BETWEEN BILLY MITCHELL ROAD AND CALGARY AVENUE, WITHIN NEW CITY BLOCK 7530, SAN ANTONIO, BEXAR COUNTY, TEXAS, IS CLOSED, VACATED AND ABANDONED; ACCEPTING IN EXCHANGE A PERPETUAL RIGHT-OF-WAY EASEMENT OVER TWO PARCELS OF LAND BEING PORTIONS OF CALGARY AVENUE AND BILLY MITCHELL/ ANDREWS ROAD; AND AUTHORIZING THE EXECUTION OF ANY AND ALL INSTRUMENTS NECESSARY TO EFFECT SAID AGREEMENT.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr.

Webb seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Vera, Hasslocher.

(At this point, Mayor Cockrell was obliged to leave the meeting. Mayor Pro Tem Webb presided.)

90-29 The Clerk read the following Ordinance:

AN ORDINANCE 71,843

ADOPTING THE EMERGENCY ACTION PLAN INCORPORATING USE REDUCTION MEASURES WHICH SHALL GREATLY REDUCE THE MAGNITUDE OF PUMPAGE FROM THE EDWARDS AQUIFER TO INSURE THAT AN ADEQUATE WATER SUPPLY EXISTS TO PRESERVE THE ECOLOGICAL BALANCE OF THE AQUIFER REGION; ADOPTING THE DROUGHT STAGE CONDITIONS SET OUT IN THE EMERGENCY ACTION PLAN WHICH SHALL BE AUTOMATICALLY TRIGGERED WHEN THE AQUIFER WELLS AY-68-37-203 (J-17) IN SAN ANTONIO AND YP-69-50-302 IN UVALDE REACH CERTAIN LEVELS; MAKING IT A CRIMINAL OFFENSE TO FAIL TO COMPLY WITH THE EMERGENCY ACTION PLAN AND THE USE REDUCTION MEASURES INCORPORATED THEREIN AND PROVIDING A PENALTY UPON CONVICTION IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); AND MAKING A PRIMA FACIE PRESUMPTION THAT THE PERSON IN WHOM A WATER CONNECTION IS REGISTERED IS THE PERSON WHO PERMITS OR CAUSES THE ILLEGAL USE OF WATER TO OCCUR; SUSPENDING AND SUPERCEDING THE PROVISIONS OF THE CITY OF SAN ANTONIO MANDATORY WATER REDUCTION PROGRAM ADOPTED PURSUANT TO CITY ORDINANCE 71768 DATED JUNE 21st, 1990, DURING THE PERIOD THE EMERGENCY ACTION PLAN AND INCORPORATED USE REDUCTION MEASURES ARE IN EFFECT, SUCH PERIOD BEING FROM -JULY 15th, 1990 THROUGH DECEMBER 31st, 1990; ACKNOWLEDGING THAT THE PROVISIONS OF THE MANDATORY WATER REDUCTION PROGRAM SHALL BE IN FULL FORCE AND EFFECT UPON THE TERMINATION OF SUCH TIME PERIOD; AND PROVIDING A SEVERABILITY CLAUSE.

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Mr. Don Durden, representing the Greater San Antonio Chamber of

Commerce, spoke in support for the proposed ordinance, stating his contention that failure to do so will place the Edwards Aquifer under federal or state control. He urged that San Antonio be a good neighbor and continue work on a comprehensive water plan for the entire aquifer region.

Mr. David Posson, President, National Spa and Pool Institute, spoke in defense of spa and pool users from alleged 'water-waster' charges, addressing the economic impact of curtailment of the filling of spas and pools in San Antonio.

Ms. Carol Patterson, representing the Aquifer Resource Council, stated her belief that without rainfall, no water reduction plan will save Comal Springs from drying up or stave off enforcement of the Endangered Species Act regulations.

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

Ms. Patterson expressed her opinion that only augmentation wells and recharge action can save Comal Springs from drying up, and recommended that San Antonio can assist in preserving New Braunfels' recreation industry. She stated her belief that an augmentation well to supply water to the springs could be drilled in San Antonio.

Mr. Philip M. Ross, representing the Aquifer Protection Association, stated his belief that the proposed ordinance represents a serious crisis-management act, and noted that the dry-up of Comal Springs was predicted 10 years ago, in 1979, by state water officials. He then spoke to what he termed 'lost water opportunities' over the past years and urged San Antonians to pull together a feasibility study on piping augmentation-well waters to Comal Springs, which Department of the Interior officials reportedly have told him could stave off enforcement of the Endangered Species Act regulations.

In response to a question by Mr. Hugh Lynch, representing Gary Pools, Mr. Labatt stated that, under the proposed action plan, filling of swimming pools would be forbidden when the Edwards Aquifer level in the test-well reached 612 feet above sea level.

Mr. John Dalton, 112 Sheffield, spoke of practical water conservation measures by urging citizens to take shorter showers instead of baths, based on his military experience.

Mayor Cockrell spoke of temporary two-part water reduction measures, one of which already has been enacted. She spoke in support of the concept of using augmentation of water and thanked Mr. Labatt and his team for their work in this very delicate area. She also noted that the emergency action plan would automatically expire on December 31, 1990.

Mr. Labatt identified members of the team of City staff workers who assisted him in this work on the problem, and spoke of the 16 hours of negotiations that had taken place on this issue. He briefly explained the concept of the proposed ordinance, including the Emergency Action Plan, a copy of which is made a part of the papers of this meeting. He spoke to the impact of the Endangered Species Act regulations, should they be enforced in this case, and stated his opinion that either the Texas Water Commission would impose new regulations on use of water from the Edwards Aquifer, or the Act would be imposed, should the Council decide not to act on this matter today. He noted that this ordinance represents only a temporary measure, although a longterm solution is required. He also stated his belief that rainfall, not only water conservation, is needed to save Comal Springs from drying up. He also stated that his team could have a longrange measure back before the City Council in 30 days, if necessary, noting that the entire team backs the temporary ordinance provisions coupled with continued work toward a longterm solution.

Mr. Lloyd Garza, City Attorney, spoke to the legal ramifications of the threatened litigation, and spoke to the effect of the new ordinance on the Emergency Action Plan which is good only through December 31, 1990.

Ms. Rebecca Q. Cedillo, Director of Planning, explained the Water Use Reduction Measures to the Council, a copy of which is made a part of the papers of this meeting.

In response to a question by Mr. Thompson, Mr. Durden stated that his organization is concerned because of the impact of the ordinance and the fact that they have not had the time to fully review it as thoroughly as they might prefer.

Mr. Thompson spoke to the fact that the swimming pool representatives were put more at ease when they learned that the aquifer level which would impact them would be 612 feet, not 628 feet in the test-well levels.

Mrs. Dutmer stated that the Chamber of Commerce is in favor of the ordinance as an emergency measure.

In response to a question by Mr. Thompson, Mr. Labatt stated his group had discussed and had agreed to limit water usage if the agricultural interests would agree to a pumpage user fee, to be imposed when water usage reaches a certain amount.

A discussion then took place concerning the 'triggering' effects of the ordinance, based upon aquifer levels.

Mr. Garza then spoke briefly to the threatened Endangered Species Act lawsuit.

Mr. Labatt spoke to the discussions of a market-driven Voluntary

Drought Plan.

Mrs. Dutmer stated her opinion that the ordinance is too stringent, and that the 628-foot level is too high. She further stated that no one has yet addressed the ecological balance question of the endangered species in this particular case. She then spoke to the high costs of water for those persons who draw their water supply from surface water, versus aquifer water.

In response to a question by Mr. Wolff, Ms. Cedillo noted that, since 1984, San Antonio has been below the 628-foot level twice.

Mr. Wolff spoke to reservations under which he would support the ordinance, including penalties on irrigation in western counties of the Edwards Aquifer region for next spring's crops. He spoke to the need for a long-term solution to the problem.

In response to a question by Mr. Wolff, Mr. Bill Finck, member of the Edwards Underground Water District, stated that, personally, he would favor enactment by his board of similar legislation to today's pending ordinance.

Ms. Berriozabal voiced her concern with the possibility that western counties may again back off from any long-term water plan for the region. She then spoke to the depth of the J-17 indicator well and the significance of the 612-foot water-mark. She stated her belief that the citizens need answers to their questions in this regard.

Mayor Cockrell noted that City Water Board wells only reach down to the 575-foot levels, at present.

Mr. Labatt noted that San Antonio cannot force New Braunfels or San Marcos to accept any augmentation-well concept to maintain their spring flow, and spoke of his hopes for concessions from both eastern and western regions of the Edwards Aquifer area.

Ms. Berriozabal spoke to her concerns that San Antonio appears to be bearing the costs for the Applewhite Reservoir, a project demanded by the western counties as part of any regional water plan, then they backed off from the water plan approval.

Mr. Garza reminded the Council that the Guadalupe-Blanco River Authority and Sierra Club are legal adversaries of San Antonio, at the present time, not New Braunfels or San Marcos.

Ms. Berriozabal asked to have a Council "B" Session briefing on the complete Edwards Aquifer question, with all facts and figures available.

Mayor Cockrell spoke of a number of studies that have been made

since the 1950's on this issue, and addressed scientific evidence presented to substantiate the City's water policies.

Mr. Labatt stated that he would not accept any changes to the proposed ordinance for any further short-term solutions to the water problem.

Mr. Thompson made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

Mayor Cockrell spoke in support for the ordinance in order to fend off any possible lawsuit.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Wing, Martinez, Thompson, Wolff, Labatt, Cockrell; NAYS: Berriozabal, Dutmer; ABSENT: Vera, Hasslocher.

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90-29

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CITIZENS TO BE HEARD

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TEEN HELPLINE, INC.

Mr. Steven LaCour spoke to this organization's history and gave the background information on how it was started. He related specific instances on how they have been able to help teenagers. He asked the City Council to assist them in funding this program.

Ms. Tonie Mari spoke to letters of support which they have received and distributed a copy of this information to each Council member, a copy of which is on file with the papers of this meeting. She then asked the City Council for a similar letter of support.

Mayor Cockrell stated that she would ask that they meet with Mr. Kevin Moriarty, Director of Human Resources, in order to have a review of the agency prior to endorsing the organization.

Ms. Mari stated that they have met with Mr. Walter Martinez, and he advised them to go to United Way as well as coming to the City Council.

Mr. Martinez asked that the City Manager's office arrange for a meeting between this group and the United Way's office and discuss potential sources of funding. He also stated that he had asked them to come to City Council to apprise them of the organization's purpose.

(Mayor Cockrell left at this point and Mayor Pro Tem Webb presided.)

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July 5, 1990
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MR. JESSIE E. WRIGHT

Mr. Jessie E. Wright, 4403 Chesapeake Drive, spoke to the Council about his case. He referred to a letter from his doctor which he received. He stated that he has not been helped by the City or City Council in this matter.

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MR. GAYLORD STEVENS

Mr. Gaylord Stevens again invited the City Council to visit the Vietnam War Museum. He asked for ideas from the Council to show their support for this project. They are also in dire need of funding and asked for suggestions in order to raise funds.

Mrs. Dutmer stated that she is available to assist them and offered her assistance.

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90-29 Council recessed at 6:45 P.M. and reconvened at 7:45 P.M. to discuss "B" Session item, Facility Management, Dome Advisory Committee recommendation.

The "B" Session was adjourned at 8:30 P.M., at which time Mayor Cockrell convened the Executive Session in order to discuss 1.) The Recreational Vehicles-status of litigation and negotiations; and 2.) Majestic Theatre's legal issues.

Mayor Cockrell reconvened the "A" Session at 9:20 P.M. and stated that the Council heard briefings by the City Staff on the above stated issue and concurred that staff proceed with certain legal steps.

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There being no further business to be discussed, the meeting was adjourned at 9:20 P.M.

A P P R O V E D

Lula Cockell

M A Y O R

ATTEST:

Norm S. Rodriguez
C i t y C l e r k

