

SPECIAL MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
MONDAY, MAY 6, 1991.

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, DUTMER, WING, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: WEBB, MARTINEZ, THOMPSON.

91-19 City Council members present proceeded with the official canvass of the returns of the May 4, 1991 Municipal and Special Elections.

City Clerk Norma S. Rodriguez then noted that the official canvass had been completed, and she spoke to several minor changes in the unofficial returns, by affected voting precinct. A copy of these changes is made a part of the papers of this meeting. She further noted that she is awaiting arrival of the corrected proposed ordinance that reflects these changes.

Ms. Kay Turner stated her assumption that the City Council will respect the will of the people as expressed at the polls during the May 4, 1991 elections and that work will be stopped on the Applewhite Reservoir. She then spoke to possible legal action and addressed the campaign to stop the reservoir work. She then reiterated her demand that Applewhite Reservoir work be stopped.

Mayor Cockrell stated that the City Council probably would act on this issue at its next regular City Council meeting on Thursday next.

Ms. Turner spoke to possible Charter-allowed actions if the will of the people is not obeyed.

Mr. John Yiamonniannis stated that he feels the taxpayers are losing some \$200,000-400,000 per day as the Applewhite Reservoir contractor continues to work on the project. He asked the City Council to order a stop to the Applewhite Reservoir project, and stated that his attorney feels that any delay in stopping the project work will bring all City Council members into a possible lawsuit. He stated that he may have to seek a temporary restraining order, and stated the Council must stop the project work or a group of persons may go to the site to seek to stop the work, themselves.

City Clerk Norma S. Rodriguez then read the following Ordinance:

AN ORDINANCE 73,582

DECLARING THE RESULTS OF THE CANVASS OF THE MUNICIPAL ELECTION HELD THE 4TH DAY OF MAY, 1991, AND ORDERING A RUNOFF ELECTION TO BE HELD ON THE 25TH DAY OF MAY, 1991.

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WHEREAS, the regular municipal election was held on the 4th day of May, 1991, to determine the Mayor and Council Members of the City of San Antonio for the ensuing term of office of two years; and

WHEREAS, the names of the candidates were submitted, the election was held and conducted and the returns thereof were made, all as required by the City Charter and the laws of the State of Texas; and

WHEREAS, the City Council met on May 6, 1991, in the Council Chamber at City Hall to canvass the returns of the said election; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The city Council having convened May 6, 1991, to canvass the returns of the regular City election held May 4, 1991, after canvassing the returns of said election, does hereby find and declare the result of the election to be as follows:

FOR MEMBER OF COUNCIL, PLACE NO. 1:

"FOR" Roger Perez . . . . .	3,998	votes
"FOR" Mike Garcia . . . . .	2,500	votes
"FOR" Don Wilkins Castillo . . . . .	82	votes
"FOR" Eloy Centeno . . . . .	984	votes
"FOR" Stephen Wayne Parker . . . . .	337	votes
"FOR" Joseph V. Cisneros . . . . .	172	votes

FOR MEMBER OF COUNCIL, PLACE NO. 2:

"FOR" Frank Pierce . . . . .	3,866	votes
"FOR" C. C. Houston . . . . .	473	votes
"FOR" Joe Webb . . . . .	2,493	votes

FOR MEMBER OF COUNCIL, PLACE NO. 3:

"FOR" Helen Dutmer . . . . .	8,481	votes
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FOR MEMBER OF COUNCIL, PLACE NO. 4:

"FOR" Phil Ross . . . . .	1,620	votes
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"FOR"	Javier Pena Martinez . . . . .	1,091	votes
"FOR"	Edgar Dodson . . . . .	649	votes

FOR MEMBER OF COUNCIL, PLACE NO. 5:

"FOR"	Ernest Quiroga . . . . .	2,040	votes
"FOR"	Juan Pena . . . . .	254	votes
"FOR"	Pete Ramirez . . . . .	766	votes
"FOR"	Walter Martinez . . . . .	4,044	votes
"FOR"	Eduardo W. Morales . . . . .	233	votes

FOR MEMBER OF COUNCIL, PLACE NO. 6:

"FOR"	Bob Thompson . . . . .	4,085	votes
"FOR"	Joe Kierstead . . . . .	2,708	votes
"FOR"	Cheryl Holmes . . . . .	402	votes
"FOR"	Howard Atwell . . . . .	141	votes

FOR MEMBER OF COUNCIL, PLACE NO. 7:

"FOR"	Jim Markwell . . . . .	1,407	votes
"FOR"	Rosa Mendez . . . . .	725	votes
"FOR"	Yolanda Vera . . . . .	5,321	votes
"FOR"	Robert A. Herrera . . . . .	2,292	votes
"FOR"	Ricardo Garza . . . . .	633	votes

FOR MEMBER OF COUNCIL, PLACE NO. 8:

"FOR"	Gary Gius . . . . .	1,062	votes
"FOR"	Jeff Webster . . . . .	4,086	votes
"FOR"	Bill Thornton . . . . .	15,346	votes
"FOR"	Carl S. Mauthe . . . . .	9,347	votes

FOR MEMBER OF COUNCIL, PLACE NO. 9:

"FOR"	Weir Labatt . . . . .	8,516	votes
"FOR"	Rick Cockrerham . . . . .	2,018	votes
"FOR"	Bob Brown . . . . .	1,272	votes
"FOR"	Jose Garcia . . . . .	1,573	votes

FOR MEMBER OF COUNCIL, PLACE NO. 10:

"FOR"	David Beere . . . . .	2,415	votes
"FOR"	Betty Bueche . . . . .	7,407	votes
"FOR"	Lyle Larson . . . . .	7,894	votes
"FOR"	Gilbert Casillas . . . . .	720	votes
"FOR"	John K. Courage . . . . .	2,728	votes

FOR MEMBER OF COUNCIL, PLACE NO. 11 (MAYOR):

"FOR"	Lila Cockrell . . . . .	26,941	votes
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"FOR"	Maria Antonietta Berriozabal . . . . .	40,313	votes
"FOR"	Jose Olivares . . . . .	239	votes
"FOR"	Victor T. Hernandez . . . . .	201	votes
"FOR"	Eugenio Macias . . . . .	195	votes
"FOR"	Jimmy Hasslocher . . . . .	2,135	votes
"FOR"	Kay Turner . . . . .	5,024	votes
"FOR"	Will Camps . . . . .	56	votes
"FOR"	Lowell "Duke" Embs . . . . .	106	votes
"FOR"	Nelson W. Wolff . . . . .	34,076	votes
"FOR"	Van Archer . . . . .	20,978	votes

SECTION 2. It is further declared that as a result of said election, the following persons were elected Council Members for two-year term commencing June 1, 1991:

- Frank Pierce, Member of Council, Place No. 2
- Helen Dutmer, Member of Council, Place No. 3
- Frank D. Wing, Member of Council, Place No. 4
- Walter Martinez, Member of Council, Place No. 5
- Bob Thompson, Member of Council, Place No. 6
- Yolanda Vera, Member of Council, Place No. 7
- Bill Thornton, Member of Council, Place No. 8
- Wier Labatt, Member of Council, Place No. 9

and each of them was elected by receiving a majority of all the votes cast for the office for which each was a candidate cast by the qualified voters of the City of San Antonio voting at said election, and they and each of them are hereby declared to be the lawful and duly elected Council Member of the City for the places specified.

SECTION 3. It is further declared that as a result of said election, no candidate for Places No. 1, 10, or 11 (Mayor) received a majority of all the votes for the office for which he/she was a candidate cast by the qualified voters of the City voting in said election, and therefore, no candidate was elected at said election for the office of Member of council for Places 1, 10, or 11 (Mayor), but that a second or run-off election will be necessary in order that the candidate receiving the highest number of votes shall have received a majority of all the votes cast for the office for which he/she was a candidate, and said run-off election is hereby ordered to be held on Saturday, May 25, 1991. The two candidates receiving the highest number of votes for such places in the election shall again be voted for at the second or run-off election.

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, Dutmer, Wing, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Webb, Martinez, Thompson.

Ms. Berriozabal expressed her gratitude for having served

District 1 for 10 years as a member of the City Council, and called it a distinct honor. She expressed her gratitude to Mayor Cockrell for her many years of service to the City, service for which the people of San Antonio are grateful. She addressed the Mayor's years of hard work and spoke to the many doors that she opened to women in politics by her service. She thanked Mr. Hasslocher and Mr. Webb for their service to the community and congratulated the new incumbents on their success at the polls.

Mr. Dutmer thanked both winners and losers, alike, and briefly spoke to reasons why the contractor on the Applewhite Reservoir project cannot immediately stop work, although she feels that the people have mandated a stop to the project. She stated her belief that all involved must reason together on a solution to the matter of surface water for San Antonio.

Ms. Vera thanked Mayor Cockrell for her leadership and congratulated those Council members who were reelected. She also thanked those not reelected for their years of service, and expressed her congratulations to the new incumbents.

Mr. Wolff also thanked Mayor Cockrell for her total leadership of the community and her many contributions to San Antonio. He expressed his hope that she will continue to serve the city. He then welcomed the newly-elected Council members, including Mr. Thornton, who succeeds him in District 8.

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91-19 CERTIFICATES OF ELECTION AND STATEMENTS OF ELECTED OFFICIAL

Mayor Cockrell issued the Certificates of Election to the winners of City Council races, as outlined in the preceding ordinance.

City Clerk Norma S. Rodriguez then administered the Statement of Elected Official to the newly-elected and reelected Council members, who each took the proper oath. Ms. Rodriguez reminded the Council members that they must be officially sworn into office within 10 days of their election.

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91-19 City Clerk Norma S. Rodriguez read the following Ordinance:

AN ORDINANCE 73,583

DECLARING THE RESULTS OF THE CANVASS OF THE  
SPECIAL MUNICIPAL ELECTION HELD ON MAY 4,  
1991, ON A PROPOSED INITIATIVE ORDINANCE TO  
ABANDON THE APPLEWHITE RESERVOIR PROJECT.

\* \* \* \* \*

WHEREAS, a petition was filed with the City Clerk entitled "Petition For an Initiative Ordinance to abandon the proposed Applewhite Reservoir Project"; and

WHEREAS, the City Clerk, on February 21, 1991, certified to the City Council that the petition contained sufficient valid signatures as called for in Article IV of the City Charter, to require action thereon; and

WHEREAS, a public hearing was held on the issue, and the City Council considered the proposed ordinance, but failed to enact same; and

WHEREAS, the City Council by Ordinance 73214 of February 28, 1991, submitted the proposed ordinance to a vote of the electors, calling a special election to be held on May 4, 1991, at which election the qualified voters would vote on the proposition to approve or disapprove

"AN ORDINANCE

ABANDONING THE APPLEWHITE RESERVOIR PROJECT.

\* \* \* \* \*

The City Council hereby adopts this ordinance to abandon the Applewhite Reservoir Project, finding that project will not serve a proper public purpose and declaring that no public funds will be authorized for said project"; and

WHEREAS, the election was duly and legally held in conformity with the Charter and the State statutes and City ordinances, and the result of said election has been certified and returned to this Council by the proper officials; and

WHEREAS, the City Council met on May 6, 1991, in the Council Chamber at City Hall to canvass the returns of said election;  
NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

The City Council having convened on May 6, 1991 to canvass the returns of the special election held on May 4, 1991, on the proposed Ordinance to abandon the Applewhite Reservoir Project, does hereby find and declare the results of the election to be as follows:

Proposed Initiative Ordinance:

An Ordinance Abandoning the Applewhite Reservoir Project

FOR THE ORDINANCE . . . . . 63,258 votes  
AGAINST THE ORDINANCE . . . . . 59,833 votes

It is therefore declared that a majority of the qualified voters voting in said election voted in favor of said ordinance, and that the ordinance shall hereupon be an ordinance of the City of San Antonio. Said ordinance shall be published by the City Clerk in accordance with Section 44 of the City Charter.

\* \* \* \*

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

Mr. Labatt briefly clarified the wording of the proposed ordinance.

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

In response to a question by Ms. Berriozabal, Mr. Lloyd Garza, City Attorney, spoke to this immediate past action's standing and stated that the next step is to enact an ordinance to actually abandon the Applewhite Reservoir project. He noted that the Council cannot do this today, but noted that it is on the agenda for the Thursday Council meeting.

A discussion then took place concerning requirements to cause an "emergency" posting of a proposed ordinance.

Ms. Berriozabal asked the City Council to act in accordance with the will of the people.

Mr. Wing addressed his objections to halting the Applewhite Reservoir project, and stated his feeling that a majority of the City Council must be the ones to stop the project. He noted that opponents to the project failed once before in attempts to halt the reservoir project.

Mrs. Dutmer spoke to her objections to this argument and stated her belief that the question of legality of the petition process should have been done before the matter went to the voters.

In response to a question by Ms. Vera, Mayor Cockrell stated that the City Attorney would brief City Council members on the issue.

Mayor Cockrell stated that City Water Board feels it has a

mandate from the City Council on the Applewhite Reservoir project and must continue that project until ordered to stop.

91-19 City Clerk Norma S. Rodriguez read the following Ordinance:

AN ORDINANCE 73,584

DECLARING THE RESULTS OF THE CANVASS OF THE SPECIAL MUNICIPAL ELECTION HELD ON THE 4TH DAY OF MAY, 1991, ON A PROPOSED AMENDMENT TO THE CITY CHARTER PROVIDING THAT NO PERSON SHALL BE ELIGIBLE FOR ANY ELECTED POSITION WHO HAS ALREADY SERVED TWO FULL TERMS IN THAT OFFICE.

\* \* \* \* \*

WHEREAS, pursuant to Section 9.004 of the Local Government Code, V.T.C.S., a petition was filed with the City Clerk on the 22nd day of January, 1991, requesting that an election be held on a proposed amendment to the City Charter; and

WHEREAS, on the 31st day of January, 1991, the City Clerk verified that the petition was signed by the required number of qualified electors as required by the Local Government Code, and, therefore, certified the petition as valid; and

WHEREAS, the petition sought an election on a proposal to add to the City Charter a Section 21a which would limit the terms of office for elected city positions, by providing that "[N]o person shall be eligible for any elected position who has already served two full terms in that office"; and

WHEREAS, the City Council, by Ordinance 73215 of February 28, 1991, called such election, and the election was duly conducted on May 4, 1991, in accordance with law; and

WHEREAS, the City Council met on May 6, 1991, in the Council Chamber at City Hall to canvass the returns of said election;  
NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

The City Council, having convened on May 6, 1991, to canvass the returns of the special City election held May 4, 1991, on the aforesaid proposed Charter amendment, after canvassing the returns of said election, does hereby find and declare the result of the election to be as follows:

Shall the Charter of the City of San Antonio be

amended by adding the following section:

"Article III, Section 21a. LIMITATION ON TERMS OF OFFICE. No person shall be eligible for any elected position who has already served two full terms in that office."

Yes . . . . . 70,363 votes  
No . . . . . 37,428 votes

It is therefore found and declared that a majority of the qualified voters of the municipality who voted at the election voted for the proposed Charter amendment. Therefore, the City Council declares that the amendment has been adopted, and shall be entered in the records of the City as a part of the City Charter.

As soon as practical, the City Manager shall certify to the Secretary of State an authenticated copy of the Charter amendment in accordance with law, showing approval by the voters, for filing in his office.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Ms. Berriozabal seconded the motion.

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

91-19 City Clerk Norma S. Rodriguez read the following Ordinance:

AN ORDINANCE 73,585

APPROVING POLLING PLACES FOR THE RUN-OFF ELECTION TO BE HELD ON MAY 25, 1991.

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Ms. Rodriguez spoke to minor changes made in the list of polling places and explained them, noting that, otherwise, the list of polling places is the same as that used May 4, 1991.

Mrs. Dutmer made a motion to approve the proposed Ordinance. Ms. Berriozabal seconded the motion.

After consideration, the motion, carrying with it the passage

of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Webb, Wing, Martinez, Thompson, Hasslocher.

91-19 City Clerk Norma S. Rodriguez read the following Ordinance:

AN ORDINANCE 73,586

AUTHORIZING ESTABLISHMENT OF TEMPORARY BRANCH OFFICES FOR CONDUCTING EXTENDED VOTING BY PERSONAL APPEARANCE FOR THE RUN-OFF CITY ELECTION TO BE HELD ON MAY 25, 1991.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Ms. Berriozabal seconded the motion.

Ms. Rodriguez explained the changes and times for extended voting for the May 25, 1991 runoff election.

In response to a question by Mr. Labatt, Ms. Rodriguez explained the reasons why two extended voting sites were dropped for the runoff election.

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

91-19 There being no further business to come before the Council, the meeting was adjourned at 3:04 P.M.

A P P R O V E D

*Lela Cockrell*

M A Y O R

Attest: *Norma S. Rodriguez*  
City Clerk