

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 3, 1997.

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97-13 The City Council convened in an informal "B" Session at 10:00 a.m., Municipal Plaza Building, "B" Room, to consider the following items(s):

A. Presentation of the Salado Creek Watershed Study and the proposed Drainage Master Plan - Council approved the City Staff recommendation to move to the "A" Session in two weeks a consideration of a Resolution and to consider issues as to staffing and other volunteer efforts during the budget process.

Plan B. Presentation of the proposed Salado Creek Open Space Corrdior and Natural Trail - Council concurred that this issue come back in two weeks with a request for the issue to be restudied for more options before it comes back to Council for formal consideration.

The Council members present were: Flores, Lott, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster and Thornton. ABSENT: Billa Burke.

"B" Session adjourned at 11:45 A.M.

97-13 The regular meeting was called to order at 1:00 p.m. by the Presiding Officer, Mayor William E. Thornton, with the following members present: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster and Thornton. ABSENT: None.

97-13 Invocation - Father John Mannion, Divine Providence Catholic Church.

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97-13 Pledge of Allegiance to the flag of the United States.

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97-13 **BOARDS/COMMISSION SWEARING IN CEREMONY**

Mayor Thornton recognized new members to fourteen of the City's Boards and Commission, to be formally sworn in as members of Boards and Commissions. He asked City Clerk Norma S. Rodriguez to perform the swearing-in ceremonies, and asked that each newly-sworn board member come forward to receive their Certificates of Appointment from the Mayor and City Council.

City Clerk Rodriguez then administered the mass swearing-in and congratulated the individuals concerned.

Each newly-sworn board or commission member then came forward to receive their individual Certificate of Appointment and to be congratulated by the Mayor and City Council.

Mayor Thornton thanked all for being here today, and spoke to the importance of their service to the City of San Antonio.

97-13 **CEREMONIAL ITEMS**

SHOWCASE OF CITY PROGRAMS

Mayor Thornton spoke to the many exhibits set up by various City departments and programs for the National League of Cities Conference recently, and spoke to the many positive comments from NLC delegates on those exhibits.

Mr. Alexander E. Briseno, City Manager, stated that a program now has been created through which those City exhibits or 'showcase programs' can be shared with the public.

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Mr. Antonio Bosmans, Director of Community Relations, narrated a brief video presentation on the subject, noting that some 20 City departments or programs are being taken out into the community at various malls. He briefly explained the planned schedule of showings.

Mr. Peak stated that he was glad for City employees to have the opportunity to display their talents to San Antonio citizens in this manner.

Mr. Vasquez spoke of this as an excellent opportunity for the City to showcase its services.

In response to a question by Mr. Ross, Mr. Bosmans and City Manager Briseno spoke to the status of the "Community Link" project, which will be briefed to City Council members next week.

Mr. Ross spoke in support for appearances by City department heads out in the community.

97-13 CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 5 through 30-L(2), constituting the Consent Agenda, with items 13, 19, 21, 25, 26, 29, 30-E and 30-L(2) having been pulled for individual consideration. Ms. Lott seconded the motion.

After consideration, the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke, Herrera.

AN ORDINANCE 85806

ACCEPTING THE PROPOSAL OF UNIVERSITY MICROFILMS INTERNATIONAL TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH PERIODICAL PUBLICATIONS IN MICROFILM FORMAT FOR A TOTAL OF \$22,252.20.

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AN ORDINANCE 85807

ACCEPTING THE LOW BID OF SUMMERS ELECTRIC TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ELECTRIC FLOODLIGHT FIXTURES FOR A TOTAL OF \$16,169.88.

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AN ORDINANCE 85808

ACCEPTING THE PROPOSAL OF SOFTWARE AG AMERICAS, INC. TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH A DATABASE SOFTWARE LICENSE FOR A TOTAL OF \$16,868.00.

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AN ORDINANCE 85809

ACCEPTING THE LOW BID OF UNITED MEDICAL SUPPLY TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH PRENATAL VITAMINS ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF \$22,000.00 ANNUALLY.

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AN ORDINANCE 85810

ACCEPTING THE BID OF ANTARES DEVELOPMENT COMPANY TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH DOCUMENT IMAGING SOFTWARE FOR A TOTAL OF APPROXIMATELY \$50,000.00 ANNUALLY. (MBE)

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AN ORDINANCE 85811

ACCEPTING THE LOW, QUALIFIED BID OF SOFTWARE HOUSE INTERNATIONAL, INC. TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH OFFICE AUTOMATION AND PERSONAL COMPUTER SOFTWARE FOR A TOTAL OF APPROXIMATELY \$500,000.00 ANNUALLY. (MBE/WBE)

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AN ORDINANCE 85812

AUTHORIZING AN ADDITIONAL \$26,249.00 PAYABLE TO GARCIA & WRIGHT, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH THE SOUTH GEVERS - IH 10 TO HARDING STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 79142 DATED NOV. 18, 1993)

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AN ORDINANCE 85813

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH ATC ASSOCIATES, INC. SO AS TO INCREASE THE SCOPE OF WORK; AUTHORIZING PREVIOUSLY PERFORMED WORK; AND APPROPRIATING FUNDS IN THE AMOUNT OF \$45,000.00 FOR THE INCREASED SCOPE OF WORK ASSOCIATED WITH THE INTERNATIONAL CENTER PROJECT.(AMENDS ORD. NO 83225 OF NOV. 21, 1995 & NO. 84643 OF AUG. 29, 1996)

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AN ORDINANCE 85814

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$15,000.00 WITH DUGGER, CANADAY, GRAFE & WOELFEL, INC., FOR PREPARATION OF REAL ESTATE APPRAISALS RELATED TO THE BLANCO ROAD AND JACKSON-KELLER INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85815

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$16,451.00 OUT OF 1996 TAX EXEMPT CERTIFICATES OF OBLIGATION STREET IMPROVEMENT (METROPOLITAN PLANNING ORGANIZATION) FUNDS; ACQUIRING FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE O'CONNOR ROAD METROPOLITAN PLANNING ORGANIZATION PROJECT; AND ACQUIRING FEE SIMPLE TITLE TO THREE PARCELS IN CONNECTION WITH THE NACOGDOCHES ROAD - BROADWAY TO N. NEW BRAUNFELS, A METROPOLITAN PLANNING ORGANIZATION PROJECT.

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AN ORDINANCE 85816

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$11,000.00 WITH ECKMANN, GROLL, RUNYAN & WATERS, INC. FOR PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS RELATED TO THE TEZEL ROAD AT TIMBER PATH METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85817

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH NAOKO SHIRANE IN THE AMOUNT OF \$15,000.00 PER YEAR TO REPRESENT THE CITY OF SAN ANTONIO IN JAPAN FOR THE PERIOD OF JANUARY 1, 1997 TO DECEMBER 31, 1998 WITH A CONDITIONAL TWO YEAR RENEWAL PERIOD; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85818

AMENDING THE UNIFIED DEVELOPMENT CODE TO REQUIRE DEVELOPERS TO UPGRADE TRAFFIC SIGNALS WHERE A PROPOSED STREET OR DRIVEWAY INTERSECTS AN EXISTING SIGNALIZED STREET AND REQUIRING THE INSTALLATION OF THE UNDERGROUND PORTIONS OF THE TRAFFIC SIGNAL INFRASTRUCTURE WHERE THE DIRECTOR OF PUBLIC WORKS DETERMINES A TRAFFIC SIGNAL WOULD BE WARRANTED WITHIN FIVE YEARS. (AMENDS CHAPTER 35 OF CITY CODE)

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AN ORDINANCE 85819

AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$78,335.00 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THROUGH THE DIVISION OF EMERGENCY MANAGEMENT OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY.

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AN ORDINANCE 85820

APPOINTING PRESIDING AND ALTERNATE ELECTION JUDGES FOR THE JOINT AND SPECIAL CHARTER REVISION ELECTION TO BE HELD ON SATURDAY, MAY 3, 1997, AND PROVIDING FOR MINIMUM TRAINING STANDARDS AND COMPENSATION FOR THESE JUDGES.

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AN ORDINANCE 85821

APPOINTING MANUAL C. VARA, CHAIRMAN, NELSON CARDWELL, CO-CHAIRMAN, AND GEORGE PANFELY, JEFF PIERCY, AND WILLIAM B. MUNGIA, MEMBERS, OF THE SIGNATURE VERIFICATION COMMITTEE FOR THE JOINT AND SPECIAL CHARTER REVISION ELECTION TO BE HELD ON SATURDAY, MAY 3, 1997.

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AN ORDINANCE 85822

ESTABLISHING A CENTRAL COUNTING STATION FOR THE PURPOSE OF TABULATING EARLY VOTING BALLOTS FOR THE JOINT AND SPECIAL CHARTER REVISION ELECTION OF MAY 3, 1997 AND VOTES CAST ON ELECTION DAY; APPOINTING A CENTRAL COUNTING STATION MANAGER AND TABULATION SUPERVISOR; APPROVING ASSISTANTS TO SAID SUPERVISOR, APPOINTING A PRESIDING JUDGE OF THE CENTRAL COUNTING STATION, PROVIDING FOR NOTICE OF ACCURACY TESTING OF THE AUTOMATIC TABULATION EQUIPMENT TO BE CONDUCTED ON APRIL 30, 1997 AT 3:00 P.M. IN THE COMPUTER ROOM, 203 W. NUEVA, SUITE 100, SAN ANTONIO, TEXAS, AND PROVIDING FOR COMPENSATION FOR THE COUNTING STATION MANAGER, TABULATION SUPERVISOR, AND ASSISTANTS TO THE TABULATION SUPERVISOR.

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AN ORDINANCE 85823

AUTHORIZING THE TEMPORARY CLOSURE OF CASTLERIDGE BETWEEN PINN ROAD AND MILITARY DRIVE W. BEGINNING AT 7:00 A.M. UNTIL 12:00 MIDNIGHT ON SUNDAY, JUNE 1, 1997 FOR THE RESURRECTION OF THE LORD CATHOLIC CHURCH FESTIVAL.

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AN ORDINANCE 85824

APPROVING A PARADE/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF LA CANTERA PARKWAY FROM SIX FLAGS DRIVE TO I.H. 10 EASTBOUND ACCESS ROAD, I.H. 10 EASTBOUND ACCESS ROAD FROM LA CANTERA PARKWAY TO LOOP 1604 SOUTHBOUND ACCESS ROAD, LOOP 1604 SOUTHBOUND ACCESS ROAD FROM I.H. 10 EASTBOUND ACCESS ROAD LA CANTERA PARKWAY, LA CANTERA PARKWAY FROM LOOP 1604 SOUTHBOUND TO SIX FLAGS DRIVE BEGINNING AT 7:00 A.M., UNTIL 11:30 A.M., SUNDAY, APRIL 13, 1997 IN CONNECTION WITH THE ANNUAL MARCH OF DIMES WALK AMERICA.

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AN ORDINANCE 85825

APPOINTING JEAN KIMMERMAN (DISTRICT 1) TO THE ANIMAL CONTROL ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 1999.

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AN ORDINANCE 85826

APPOINTING KAREN BARBEE ADKISSON (DISTRICT 3) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 1998.

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AN ORDINANCE 85827

APPOINTING GABRIEL N. MENDIOLA (DISTRICT 3) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON JUNE 27, 1998.

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AN ORDINANCE 85828

APPOINTING DR. LARRY HUFFORD (DISTRICT 3) TO THE HIGHER EDUCATION AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1997.

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AN ORDINANCE 85829

APPOINTING LORIS PERKINS (DISTRICT 3) TO THE OPEN SPACE ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON AUGUST 29, 1999.

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AN ORDINANCE 85830

APPOINTING JULIE NEED (DISTRICT 1) TO THE PLUMBING APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1999.

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AN ORDINANCE 85831

APPOINTING JOHN DICKSON (DISTRICT 1) AS TRUSTEE AND DIRECTOR TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2000.

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AN ORDINANCE 85832

REAPPOINTING JAMES SANDY RANSOM (DISTRICT 7) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 1998.

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AN ORDINANCE 85833

APPOINTING SANDRA BLISS (DISTRICT 1) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 1998.

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AN ORDINANCE 85834

REAPPOINTING MARLENE MARTIN, ROBERT MCADAMS, DR. LINA SILVA AND DR. PRENZA WOODS TO THE ETHICS REVIEW

COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 31,
1999 AND 1998, RESPECTIVELY.

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AN ORDINANCE 85835

AMENDING THE FOLLOWING GREATER SAN ANTONIO CRIME
PREVENTION COMMISSION CATEGORIES: THE CATEGORY FOR
AACOG MAYOR SHALL BE CHANGED TO EDUCATION
REPRESENTATIVE AND THE CATEGORY FROM HEALTH/MEDICAL
ORGANIZATION TO DISTRICT ATTORNEY REPRESENTATIVE.

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97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85836

AUTHORIZING PAYMENT OF THE TOTAL AMOUNT OF \$2,275.25 FOR
TITLE CHARGES IN CONNECTION WITH THE CASTROVILLE ROAD
RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD;
THE OCTAVIA PLACE DRAINAGE PROJECT #63; THE PINN ROAD
PROJECT - U.S. HIGHWAY 90 TO COMMERCE; THE CHERRY STREET
DRAINAGE PROJECT NO. 15B, PHASE II; THE BABCOCK AND
HILLCREST INTERSECTION PROJECT; THE QUINTANA ROAD ACCESS
EASEMENT; AND THE STONE OAK FIRE STATION SITE;
APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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Mr. Herrera made a motion to approve the proposed Ordinance. Mr. Lott
seconded the motion.

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In response to a question by Mr. Faris Hodge, Jr., 140 Dora, a City staff representative spoke to the land-purchase procedures for the site for new Fire Station No. 10 in the Stone Oak area.

Mr. Hodge asked for information on the next meeting on the Fire Master Plan and the need to have details of that matter.

Mayor Thornton noted that the new fire station will provide better fire protection not only to the Stone Oak area, but to the nearby Encino Park area, as well.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85837

RATIFYING THE PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$22,000.00 WITH SOLUTION WORKSHOP, P.C. TO PROVIDE IN-SERVICE STRESS MANAGEMENT TRAINING FOR ALL SAN ANTONIO POLICE OFFICERS DURING THE CURRENT CALENDAR YEAR.

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Mr. Herrera made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in support for in-service stress management training for police officers, and addressed the need for similar training for firefighters and Emergency Medical Technicians, as well.

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85838

CREATING EARLY VOTING BALLOT BOARD TO PROCESS EARLY VOTING RESULTS FOR THE JOINT AND SPECIAL CHARTER REVISIONS ELECTION TO BE HELD ON MAY 3, 1997.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Lott seconded the motion.

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated his opinion that people don't understand the elections process, and spoke to the need for more information to the public, such as educating the public on the candidates and the issues. He also spoke to limiting campaign spending to the same amount of money for all candidates.

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke, Herrera.

City Clerk Norma S. Rodriguez asked for a correction to enactment of the Consent Agenda to reflect that a citizen has signed up to speak to Agenda Item 25, not Agenda Item 29 as previously indicated.

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After consideration, by unanimous consent, the City Council agreed to make the necessary adjustment to the Consent Agenda, and to reflect that Agenda Item 25 also be added to the items pulled for individual consideration.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85839

ESTABLISHING VARIOUS PARKING RATES FOR THE CITY-OWNED PARKING LOT LOCATED AT 700 W. COMMERCE STREET AS \$1.00 PER HOUR WITH A \$4.00 DAILY MAXIMUM, AN EVENT SECTION 19-199 OF THE CITY CODE.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Herrera seconded the motion.

In response to a question by Mr. Faris Hodge, Jr., 140 Dora, Mr. John German, Director of Public Works, spoke to the parking rates to be charged by the City at the Cattleman's Square parking lot at West Commerce and South Frio Streets, adjacent to the new downtown campus of the University of Texas at San Antonio. He noted that parking will be permitted there until such time as construction begins on a new City parking garage on the site. He then addressed the financing package for the site.

Mr. Hodge expressed his belief that all City functions should be concentrated in City Hall.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Avila, Vasquez, Herrera, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Billa Burke, Ross.

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97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85840

RATIFYING LEGAL SERVICES PREVIOUSLY PERFORMED BY THE FIRM OF LLOYD, GOSSELINK, FOWLER, BLEVINS & MATHEWS, P.C.; APPROPRIATING FUNDS IN THE AMOUNT OF \$2,977.00 FOR LEGAL SERVICES RENDERED TO DATE IN CONNECTION WITH THE CONVENTION CENTER EXPANSION PROJECT; AND AUTHORIZING PAYMENT.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Marbut seconded the motion.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Avila, Vasquez, Herrera, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Billa Burke, Ross.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85841

APPROVING A PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ALAMO STREET MARKET AND DURANGO BEGINNING AT 6:00 A.M. UNTIL 8:00 P.M., SATURDAY, MAY 17, 1997, (WITH A RAIN DATE OF JUNE 14, 1997) IN CONNECTION WITH THE RESPITE CARE OF SAN ANTONIO MINIATURE GRAN PRIX RACE.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Peak seconded the motion.

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Avila, Vasquez, Herrera, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Billa Burke, Ross.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85842

APPOINTING IDA A. ARRAMBIDE (DISTRICT 3) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1998.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Lott seconded the motion.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Avila, Vasquez, Herrera, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Billa Burke, Ross.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85843

APPOINTING GABE QUINTANILLA, STEVE HILBIG, MARY ROCHA, DR. JAMES DONALD GINGER, CAPTAIN MIKE GINGRAS, ISABEL CASTILLO, LEM BATTS, CLYDE ROSS AND GREGORY ALAN MOORE; AND REAPPOINTING DAVID BOWLES, ANDY MIRELES, SERGIO SOTO, KENNETH THOMPSON, RAUL ZAMORA, RAY HAMILTON, MONSIGNOR DERMOT N. BROSANAN AND GILBERT CANDIA TO THE GREATER SAN ANTONIO CRIME PREVENTION COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON NOVEMBER 30, 1998 AND 1999, RESPECTIVELY.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Peak seconded the motion.

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, congratulated the Greater San Antonio Crime Prevention Commission and commended the Police Department for its work against crime, especially for the work in controlling gangs in the downtown area, and the war on drugs.

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Mr. Avila, Chairman of the Commission, congratulated the new appointees to the Commission.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Avila, Vasquez, Herrera, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Billa Burke, Ross.

97-13 City Council recessed its regular session at 1:45 P.M. to convene in Executive Session for the purpose of Attorney/Client consultation regarding the legal implications of a personnel matter involving Municipal Court Judge Jerry Valdez, Jr.

City Council adjourned the Executive Session and reconvened in regular session at 2:10 P.M., at which time Mayor Thornton stated that the City Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

97-13
P.M.

SPECIAL CITY COUNCIL MEETING TO BE HELD AT 4:00

Mayor Thornton announced that the City Council would convene a Special City Council meeting at 4:00 P.M. today to consider the item discussed in Executive Session.

By unanimous consent of City Council, it was agreed to temporarily bypass Agenda Item 31 at this time for consideration later in this meeting.

97-13 Agenda Item 32, being a proposed ordinance amending Chapter 34, City Code of the City of San Antonio, regarding Article IV, Division 4, Aquifer Management Plan, Sections 34-316 to 34-350, providing changes in accordance with the Edwards Aquifer Authority Critical Management Plan, making violation of additional provisions subject to civil and criminal penalties, and directing publication, was earlier removed from consideration by the City Manager.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85844

APPROVING A CONTRACT FOR ELECTION SERVICES WITH BEXAR COUNTY CLERK, SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF BEXAR COUNTY THROUGH THE BEXAR COUNTY CLERK IN CONNECTION WITH THE MAY 3, 1997 ELECTION; SPECIFICALLY THE USE OF THE COUNTY'S ELECTION EQUIPMENT AND TABULATION EQUIPMENT; AUTHORIZING PAYMENT FOR THESE SERVICES; AND APPROVING A JOINT ELECTION WITH THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT TO BE HELD ON THE 3RD OF MAY, 1997.

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City Clerk Norma S. Rodriguez explained details of the proposed ordinance to contract with Bexar County for certain election services for the May 3, 1997 election, and to approve a joint election with Northside Independent School District.

Mr. Herrera made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Mayor Thornton congratulated the City for combining a number of polling places, and addressed the money this will save.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke, Herrera, Ross.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85845

AMENDING ORDINANCE NO. 85569 OF FEBRUARY 6, 1997; WHICH ADOPTED POLLING LOCATIONS FOR THE MAY 3, 1997, JOINT AND SPECIAL CHARTER REVISION ELECTION TO REFLECT CHANGES TO THE POLLING LOCATIONS FOR PRECINCTS 2043, 3017, 3141, 3019, 3164, AND A NAME CHANGE FOR THE POLLING LOCATION FOR PRECINCT 4028.

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City Clerk Norma S. Rodriguez spoke to the reasons for the polling place changes at this time.

Mr. Avila made a motion to approve the proposed Ordinance. Mr. Lott seconded the motion.

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke.

97-13 It was the concensus of City Council members present to at this time undertake consideration of Agenda Item 31.

The Clerk read the following Ordinance:

AN ORDINANCE 85846

AUTHORIZING A FIREWORKS DISPLAY PERMIT IN CONJUNCTION WITH THE SEASONAL OPENING CEREMONIES OF THE SAN ANTONIO MISSIONS BASEBALL CLUB LOCATED AT 5757 OLD HWY. 90 W. TO BE HELD AT 10:00 P.M. THURSDAY, APRIL 3, 1997, (WITH A RAIN DATE OF FRIDAY, APRIL4, 1997); AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT AFFIRMATIVE VOTES.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Herrera seconded the motion.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke.

97-13 The Clerk read the following Ordinance:

AN ORDINANCE 85847

AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX-EXEMPT MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$8,360,000.00 TO

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PROVIDE FINANCING TO ACQUIRE AND REHABILITATE THE BABCOCK VILLA AND STONE RIDGE APARTMENTS FOR A TOTAL 198 AND 204 UNITS, RESPECTIVELY; AND FURTHER AUTHORIZING THE CREATION OF A FUND TO ACCEPT TRANSFER OF THE ONEHALF PERCENT (1/2%) ISSUANCE FEE INTO SAID FUND.

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Mr. Ross made a motion to approve the proposed Ordinance. Mr. Lott seconded the motion.

Ms. Diana Kinlaw, representing San Antonio Housing Authority, addressed details of the project plans and financing.

Mr. Ross stated that the Council's Housing Task Force recommends approval of the ordinance, noting that there is no liability on the part of the City involved in this issue, yet the city benefits from a rehabilitated apartment project back on the tax rolls.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Herrera, Ross, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke, Marbut.

97-13 The Clerk read the following Resolution:

A RESOLUTION NO: 97-13-15

CONFIRMING A ZONING CHANGE TO PROVIDE FOR EXPANSION OF THE BROWNING-FERRIS, INC. (BFI), ENVIROPLEX LANDFILL AT TESSMAN ROAD.

* * * *

Mr. Webster made a motion to approve the proposed Resolution. Mr. Avila seconded the motion.

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The following persons appeared to speak:

Ms. Betty Dzeranoski, Route 9, Box 107B, asked the City Council to postpone approval of this matter. She stated that a number of nearby homeowners are negotiating with BFI for a buyout of their homes.

Ms. Georgia Mae Lieck, Route 9, Box 108, also requested postponement of this issue until everyone has had a further look at BFI's plans for expansion of its landfill.

Ms. Mary Ann Freitag, Route 9, Box 106, also requested the postponement and spoke in request for Council's support in asking BFI to give full replacement value to the homes purchased.

Mr. Faris Hodge, Jr., 140 Dora, spoke to his concern with landfills located in residential areas. He spoke in favor of regional landfills and against any further annexation by the City.

Mr. Frank Burney, attorney for BFI, spoke to a brief background of the Tessman Road landfill, and to the City's waste-stream and recycling program. He asked for Council support for BFI's application to the Texas Natural Resources Conservation Commission for expansion permission for the Tessman Road landfill, and spoke to a time-line of events and hearings on that request. He addressed TNRCC's examination of the landfill, and noted that only one violation was found, that for an odor problem, after which a re-inspection found the problem corrected. He spoke to negotiations that have taken place with nearby neighbors on their requests, including possible buyouts of some properties. He further noted that offers have been made to accomplish that, but no final agreement has been reached. He spoke to the need to receive the TNRCC expansion permit, first, and pledged to continue negotiations with the nearby neighbors on the proposed buyouts.

Mr. Ross noted that this landfill area was rezoned in 1994, and that the Resolution only reaffirms that rezoning.

Mayor Thornton noted that the City does not own its own landfill, and he spoke to the costs for disposal of solid waste. He addressed the advantages of the three

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bidders in the landfill process in San Antonio, and stated that some 246,000 homes in San Antonio dispose of solid waste each day. Finally, he noted that BFI must meet certain conditions for expansion of its Tessman Road landfill.

In response to a question by Mr. Avila, Mr. Burney addressed details of the mediation of the firm's meetings with the neighbors and spoke to the agreements involved. He then spoke to the January letter from BFI, offering to purchase some of the homes.

In response to a question by Mr. Avila, Ms. Freitag spoke to the negotiations and offers, and noted that neighbors have filed some 130 compliants against the landfill.

Mr. Burney then read from the January BFI letter to neighborhood residents concerning the firm's proposals.

Mr. Vasquez thanked BFI for dealing with its neighbors, and spoke of the firm's operations in his own district and their record of service. He then spoke in support for more recycling efforts to create even more local jobs.

Ms. Lott noted that San Antonio has a 30-year contract with BFI, and the firm has only three more years worth of capacity in the Tessman Road landfill, in its present configuration, and needs to expand it.

In response to a question by Ms. Lott, Mr. Burney stated that he will continue to negotiate with the neighbors in good faith.

Mayor Thornton spoke to the need for BFI to be fair to the neighbors.

After consideration, the motion carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke.

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SPECIAL MEETING TIME SET FOR 4:45 P.M.

Mayor Thornton announced that the time for the Special City Council meeting, mentioned earlier in this meeting, now will be 4:45 P.M.

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97-13 ABSTENTION NOTIFICATION ON AGENDA ITEM #35

Mr. Marbut asked that the record reflect his abstention from the vote on Agenda Item 35.

97-13 City Council then recessed its regular session at 2:40 P.M., reconvening at 3:05 P.M.

97-13 The Clerk read the following Resolution:

A RESOLUTION NO: 97-13-16

OF THE SAN ANTONIO CITY COUNCIL IN SUPPORT OF THE SAN ANTONIO WATER SYSTEM (SAWS) BOARD OF TRUSTEES IMPLEMENTATION OF THE "MAYOR'S CITIZEN'S COMMITTEE ON WATER PLAN AND POLICY DEVELOPMENT" REPORT.

* * * *

Mr. Mike Thuss, Interim President, San Antonio Water System, noted that the level of the Edwards Aquifer test well today stands only 7.6 feet below the average level for this date, and he stated that he was cautiously optimistic about the city's water levels for this coming summer, although he still is concerned about the drought. He then narrated a video presentation to City Council, a copy of which is made a part of the papers of this meeting.

Mr. Thuss spoke to the hearings held on this matter and the recommendations of the SAWS board, then addressed the background of the SAWS Water Resource Action Plan and its five Key Focuses. He then spoke to the two-part plan for immediate actions and the 50-year water resources plan, and further defined each. He noted that Part One (immediate actions) contains recommendations for (1) expansion of the public information program (2) study aquifer optimization (3) expand regional cooperation (4) expand the conservation program (5) continue the critical-period

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management (6) continue water recycling (7) participate in storage and recovery pilot projects (8) continue water quality protection (9) expand the saline water line study (10) purchase surface water rights options (11) participate in weather modification pilot program , and (12) participate in recharge enhancement.

Mr. Thuss then addressed the financial summary for implementation of the Mayor's Citizens Committee on Water Policy Report and spoke to the estimated \$38.2 million cost for 1998, with some \$3.9 million still unfunded at this time. He further noted that the "action plan" costs are expected to rise.

Mr. Thuss then spoke to the Second Phase (50-year horizon) and its various points, including developing additional water supplies, long-range.

Finally, he reiterated the SAWS board recommendations being made, stating his belief that this is a solid plan, and asked for Council support.

Mr. Tom Culbertson, 511 Westwood, stated his belief that Mr. Thuss is doing a great job as Interim President of SAWS, and asked that SAWS consider changing its starting time for meetings from 8:30 A.M. to a later time so that more citizens can participate in their meetings. He spoke in support of having the Water Committee continue to allow citizen input, and addressed the need for more technical representation in the process. He stated his belief that San Antonio has more of a problem with air quality than with water quality.

Mr. Jack Rogers, representing the Greater San Antonio Chamber of Commerce, spoke in support for the SAWS recommendations for a long-term water policy plan, and addressed statistics in support of that recommendation. He spoke to the need for regional cooperation and additional surface water rights for San Antonio.

Mr. Hans Helland, Water Committee member, recommended that an aquifer optimization study be performed within the next 18 months, and spoke in support for recharge of the aquifer as its major point. He stated his opinion that no major surface water recharge feature can be approved, and stated his belief that only a small portion of the SAWS plan deals with aquifer optimization.

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Mr. Faris Hodge, Jr., 140 Dora, spoke in support for construction of a pipeline from Canyon Lake to San Antonio, and from the Gulf Coast to San Antonio. He addressed several points of opposition, including construction of more hotels which he feels use more water. He stated his opinion that more studies are not needed, and in support for more surface water sources.

Ms. Maria A. Berriozabal, Water Committee member, stated her belief that the committee report is a framework, and she does not agree with all its points. She spoke to the need to break the deadlocks and move forward, and spoke in support for more protection and optimization of Edwards Aquifer water as vital. She also stated that goodwill and fairness is needed in this process, and spoke to her concerns that a bad-water study still has not been funded nor begun. She stated her belief that the aquifer is not a uniform pool of water that can be measured at a single well, and spoke to the need to maintain the integrity of the report.

Mr. Jack Finger, P.O. Box 12048, asked that an independent review be made of the SAWS estimates, and spoke in support for more optimization of the aquifer water, since the report allocates less than two per cent of the costs for this, while allocating 70 per cent to wastewater re-use.

Ms. Kay Turner, Water committee member, spoke to her concerns that the City has not resolved the water problems yet, and also spoke to her concern for legislation currently before the legislature in Austin. She stated her belief that the report funds projects that don't work, and downplays those that she feels are needed. She addressed certain lawsuits involved in the aquifer matter, and spoke to her belief that wastewater should be an 'on-site' matter. She spoke against paying farmers to the west not to farm and irrigate their lands.

Mr. Kirk Patterson, 410 Larkwood, noted that the report is not a concensus of the committee members, in his opinion. He spoke against the use of 70 per cent of the costs for wastewater within having a cost/benefit analysis. He spoke in support for optimization of aquifer water in lieu of surface water projects as a short-term solution to the problem, and stated his belief that this should be a priority item. He stated his opinion that the report has both bad and good recommendations, and that much of the SAWS plan was never reviewed by the Water Committee. He asked the City Council to reject the report.

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Ms. Carol Patterson, 410 Larkwood, spoke in support for optimization of aquifer water, including recharge, and spoke against the SAWS plan, speaking to certain specifics. She also stated that she opposes some of the current legislation now before the state legislature in Austin, and spoke to her hopes for a real solution to the water problem.

* * * *

Mayor Thornton thanked the Water Committee for its report, and noted that the wastewater re-use program already was underway by SAWS at the time of the report, and should continue. He noted that this now begins a regional water plan, and he spoke to the time-lines of the report and the proposed SAWS plan. He spoke in support for that plan format, and spoke to its two-phase structure (five-year phase, and 50-year phase). Finally, he addressed the importance of the water issue to this region.

In reponse to a question by Mr. Ross, Mr. Thuss discussed the costs of various parts of the SAWS plan and the need for prioritization by the SAWS board. He stated his feeling that the Edwards Aquifer Authority should use some of the fees paid to it by SAWS to fund an optimization study of the aquifer. He then spoke to certain immediate plans for recharge studies in the SAWS report, including a cost/benefit analysis.

Mr. Ross spoke to this as a dynamic process that will span many years, and addressed the impact and fluid nature of water legislation now in place.

Mr. Peak thanked everyone for their comments, and stated his opinion that a long-term water supply will be a combination of a number of actions over the long-term.

In response to a question by Mr. Peak, Mr. Thuss provided a status report on the bad-water-line study, noting that the first test well will be drilled next November. He addressed the potential for outside funding of this study and delivered an update on recharge study efforts with the Edwards Aquifer Authority.

Mr. Vasquez thanked the Mayor for his leadership in this effort and spoke to the change in philosophy at SAWS, over time. He spoke of this as being a thorough process in dealing with the water issue.

Mr. Flores noted that the report addresses strategies to be followed for creation of a beneficial program.

In response to a question by Mr. Webster, Mr. Thuss noted that the Edwards Aquifer Authority is working on monitoring test well in New Braunfels to perhaps increase the spring-flow there.

Ms. Billa Burke made a motion to approve the proposed Resolution. Mr. Webster seconded the motion.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Billa Burke

At this point, City Council recessed its regular meeting in order to convene a Special City Council meeting at 4:45 P.M.

(see Minutes of Special City Council meeting, this date)

City Council adjourned the Special Meeting at 4:57 P.M. and reconvened the regular meeting at 4:58 P.M.

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CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Hodge, 140 Dora, asked the status of the Fire Department Master Plan, to which City Manager Alexander E. Briseno replied that the plan would be completed next Tuesday at 4:00 P.M.

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Mr. Hodge also asked about the policy of hanging oil portraits of former mayors in the hallways of the Municipal Plaza Building, and stated that several Mayors are missing.

97-13 There being no further business to come before the Council, the meeting was adjourned at 5:01 P.M.

A P P R O V E D



WILLIAM E. THORNTON
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

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SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 3, 1997.

* * * *

97-14 The special meeting was called to order at 4:45 p.m. by the Presiding Officer, Mayor William E. Thornton, with the following members present: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster and Thornton. **Absent:** None.

* * * *

97-14 Mr. Lloyd Garza, City Attorney, discussed the two proposed items dealing with possible actions involving Municipal Court Judge Jerry Valdez, Jr., and the need for eight affirmative City Council votes in order for the first item to become effective immediately. He then spoke to Judge Valdez's arrest and its impact, and the justification of City Council in using state law provisions in possibly removing Judge Valdez from office.

Mayor Thornton noted that these are matters not to be taken lightly, and he spoke to the important role of a judge in today's society. He then spoke to the posting of legal notice, calling this meeting. Finally, he asked if any citizen present wished to speak to this matter.

There were no citizens who responded.

Councilman Flores, Chairman of the Municipal Court Committee, stated that he wants to include a request for Judge Valdez to resign.

The City Clerk then read the following Ordinance:

AN ORDINANCE 85848

AUTHORIZING THE CITY ATTORNEY'S OFFICE TO FILE SUIT UNDER ARTICLE 5, SECTION 24 OF THE TEXAS CONSTITUTION TO TAKE ALL

APRIL 03, 1997 SPECIAL MEETING

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NECESSARY ACTIONS TO REMOVE AND SUSPEND JUDGE JERRY VALDEZ, JR. FROM HIS POSITION AS A MUNICIPAL COURT JUDGE; AUTHORIZING THE CITY COUNCIL TO FORWARD ALL INFORMATION NECESSARY FOR THE STATE COMMISSION ON JUDICIAL CONDUCT TO REVIEW THE ALLEGATIONS AGAINST JUDGE JERRY VALDEZ, JR. AS A BASIS FOR REMOVAL FROM OFFICE; FURTHER AUTHORIZING CITY COUNCIL TO REQUEST THE IMMEDIATE RESIGNATION OF JUDGE JERRY VALDEZ, JR. FROM HIS POSITION AS A MUNICIPAL COURT JUDGE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

* * * *

Mr. Flores made a motion to approve the Ordinance. Mr. Avila seconded the motion.

Mr. Garza further amplified the amended motion as requested by Mr. Flores and read by the City Clerk.

Mr. Webster spoke to the need to support HB 3537, as well.

Mr. Garza then spoke to the provisions of HB 3537, now before the state legislature.

Mr. Webster stated his belief that the City Council needs to be able to remove Municipal Court judges for cause.

Mr. Avila stated that this will send a strong message to all Municipal Court judges, and he spoke in support for the resignation of Judge Jerry Valdez, Jr. In order to protect the integrity of Municipal Court.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

Mr. Ross spoke in support for a proposed Resolution urging passage of House Bill 3537, asking that its language add emphasis to its adoption.

The City Clerk then read the following Resolution:

A RESOLUTION NO: 97-14-17

URGING PASSAGE OF HOUSE BILL 3537 BY REPRESENTATIVE RUTH JONES MCCLENDON RELATING TO THE AUTHORITY OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO TO REMOVE A MUNICIPAL COURT JUDGE FROM OFFICE AT ANY TIME FOR INCOMPETENCY, MISCONDUCT, MALFEASANCE OR DISABILITY.

* * * *

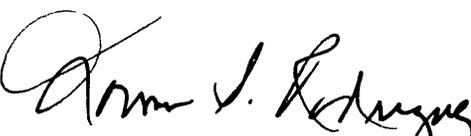
Mr. Webster made a motion to approve the Resolution. Mr. Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

97-14 There being no further business to come before the City Council in this Special City Council meeting, the meeting was adjourned at 4:57 P.M.

A P P R O V E D

WILLIAM E. THORNTON
M A Y O R

Attest: 
NORMA S. RODRIGUEZ, CMC/AEE
City Clerk