

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MAY 4, 2000

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2000-18 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 Street Maintenance Program – Presented by Mr. John German, Director of Public Works.

The Council members present were: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter and Peak. ABSENT: None.

The "B" Session adjourned at 10:50 A.M.

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2000-18 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter and Peak. ABSENT: None.

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2000-18 Invocation – Rev. Tony Posada, St. Joseph's Catholic Church.

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2000-18 Pledge of Allegiance to the flag of the United States.

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2000-18 Minutes of the Regular City Council Meeting for April 6, 2000 were approved.

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2000-18 **SMITHSONIAN INSTITUTION**

Mayor Peak recognized Mr. Lawrence M. Small, Secretary of the Smithsonian Institution, and formally welcomed him to San Antonio by presenting him with an Alcalde, designating him an honorary Mayor of La Villita. Mayor Peak noted that Mr. Small was in San Antonio to help announce the Smithsonian's permanent presence in San Antonio, which is due to a joint effort of the Smithsonian Institution with The Alameda, in a signed agreement establishing The Alameda as the Smithsonian's first formal affiliated museum in the United States. The Mayor explained that The Alameda is dedicated to creating a cultural zone for the arts, economic development, education, and entertainment in downtown San Antonio.

Mr. Small accepted the Alcalde and thanked the Mayor and members of the City Council. He also recognized Mr. Henry Muñoz for his leadership efforts on coordinating this international project.

Mr. Muñoz thanked San Antonio for having the Smithsonian and thanked the Mayor and members of the City Council for their efforts as well.

Mayor Peak and members of the City Council welcomed Mr. Small to San Antonio and thanked him and Mr. Muñoz for their hard work in bringing this new cultural aspect to the City.

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2000-18 **DISTINGUISHED EDUCATORS**

Mayor Peak explained that each year, Trinity University selects teachers from throughout the San Antonio area who because of their exemplary work are recognized as "Distinguished Educators." He then introduced Dr. John Moore from Trinity University.

Dr. Moore thanked the Mayor and introduced this year's "Distinguished Educators" to the City Council.

Mayor Peak thanked these outstanding teachers for taking the time to come attend the ceremony today, and for all their hard work throughout the year.

Councilmembers spoke regarding these individuals and their efforts in teaching and raising children to be active participants in society. They also thanked them for all the hard work they do that goes beyond the classroom.

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2000-18 KARATE KIDS

Mayor Peak explained that Karate Kids of San Antonio were presented a proclamation during the Proclamation Ceremonies this morning. He then introduced the founder of the group, Mr. Eli Guerra, and Fay Hopkins, President of the North Central Optimist Club, who were here today to introduce the 1st, 2nd, and 3rd place winners in their "WRITE A LETTER TO A FRIEND" contest.

Mr. Guerra made a brief presentation and introduced the contest winners. He then introduced Fay Hopkins and thanked her for her assistance on the projects. She then presented awards to the Mayor, members of the City Council and a member of the City Clerk's office for their assistance.

Councilmembers recognized the winners and congratulated them, their parents and their mentors for their positive impact on the community.

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2000-18 PUBLIC SERVICE MONTH

Mayor Peak spoke to the importance of Public Service Month and explained that the City of San Antonio will use various venues to call attention to the services employees perform for the citizens of our community. Mayor Peak read the proclamation and recognized Mr. Alexander E. Briseño, City Manager, as accepting it on behalf of the City.

Mr. Briseño accepted the proclamation designating "Public Service Month" and thanked the three corporate sponsors, Express News, Wal-Mart, and Time Warner for recognizing Public Service Month and City employees. Employees reflective of the City workforce came forward after being recognized by Mr. Briseño, who explained that City employees work hard because it is their job. He also noted that there are many events occurring this month in observance of "Public Service Month".

Mayor Peak and members of the City Council thanked Mr. Briseño and all City employees for choosing to be public servants. Members of City Council also thanked City employees and their families for their hard work and getting the job done for the citizens of San Antonio.

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2000-18 CONSENT AGENDA – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke on each item on the Consent Agenda, addressing details of several.

Mr. Jack Finger, P.O. Box 12048, spoke regarding a contract with Don Durden Inc. and took exception that there was no bidding on the contract.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to various items on the agenda, particularly Agenda Items 18, 20, 21 and 24.

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2000-18 CONSENT AGENDA

Mr. Perez made a motion to approve Agenda Items 7 – 25C, constituting the Consent Agenda. Ms. Conner seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Guerrero, Carpenter.

AN ORDINANCE 91712

ACCEPTING THE LOW BID SUBMITTED BY CATO ELECTRIC COMPANY TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH DRILLING AND INSTALLATION OF WOOD AND STEEL POLE FOUNDATIONS ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED TOTAL OF \$20,000.00.

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AN ORDINANCE 91713

ACCEPTING THE LOW QUALIFIED BASE BID OF DONSAN CONSTRUCTION, LLC IN THE TOTAL AMOUNT OF \$274,000.00 FOR CAPITAL IMPROVEMENTS TO THE CITY'S LACKLAND TERRACE COMMUNITY CENTER IN CITY COUNCIL DISTRICT 6; AUTHORIZING A CONSTRUCTION CONTRACT; ESTABLISHING THE PROJECT'S BUDGET; AUTHORIZING THE TRANSFER OF 1999 PARK GENERAL OBLIGATION BOND ISSUE FUNDS INTO PROJECT BUDGET; AUTHORIZING \$27,400.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; ALLOCATING AN ADDITIONAL \$11,745.35 FOR ARCHITECT FEES; PROVIDING AN ADDITIONAL \$3,436.00 FOR ARCHITECTURAL CONTINGENCIES; PROVIDING \$583.00 FOR BID ADVERTISING EXPENSES; AUTHORIZING \$300.00 FOR STORMWATER PARTICIPATION LICENSE FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91714

AUTHORIZING THE EXPENDITURE OF SAN ANTONIO WATER SYSTEM FUNDS, IN THE AMOUNT OF \$567,011.00 TO PROVIDE FOR THE OVERSIZING OF A 12-INCH BORDER MAIN ALONG N.W. LOOP 1604 TO N.W. MILITARY DRIVE AND A 12-INCH APPROACH MAIN ON THE SOUTH SIDE OF N.W. LOOP 1604 TO THE NORTH SIDE OF N.W. LOOP 1604 IN CONNECTION WITH THE SHAVANO PARK UNIT 19 SUBDIVISION.

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AN ORDINANCE 91715

AUTHORIZING THE EXPENDITURE OF SAN ANTONIO WATER SYSTEM FUNDS IN THE AMOUNT OF \$323,225.00, TO PROVIDE FOR THE OVERSIZING OF APPROXIMATELY 900 FEET OF 12-INCH APPROACH MAIN LOCATED ON BLANCO ROAD AND APPROXIMATELY 2,600 FEET OF 12-INCH BORDER MAIN FROM THE SOUTHEASTERN CORNER OF THE TRACT ALONG THE PROPOSED WURZBACH PARKWAY EXTENSION TO THE END OF THE TRACT.

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AN ORDINANCE 91716

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID OF SERVICE STATION CONSTRUCTORS & FUEL SYSTEMS IN THE AMOUNT OF \$444,640.79 IN CONNECTION WITH STRECH - CHAVANEUX TO MALLEY BLVD. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$20,724.61 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$15,951.78 PAYABLE TO HNTB CORPORATION, INC. FOR ENGINEERING EXPENSES; AUTHORIZING \$1,595.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91717

APPROVING DEDUCTIVE FIELD ALTERATION NO. 10 IN THE AMOUNT OF \$93,578.80 PAYABLE TO S. H. TOLIVER COMPANY IN CONNECTION WITH THE S. FLORES 70-70A, PHASE II, PART 2 PROJECT, LOCATED IN COUNCIL DISTRICT 4.

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AN ORDINANCE 91718

APPROVING SAWS FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$80,000.00 PAYABLE TO YANTIS CORPORATION (MBE) IN CONNECTION WITH THE BABCOCK ROAD - HAUSMAN ROAD TO DEZAVALA ROAD SAWS NO. 1 PROJECT, LOCATED IN COUNCIL DISTRICT 8.

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AN ORDINANCE 91719

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH DON DURDEN, INC., D/B/A CIVIL ENGINEERING CONSULTANTS AND AUTHORIZING ADDITIONAL MPO/CITY MATCH FUNDS IN AN AMOUNT NOT TO EXCEED \$18,601.00 PLUS AN ADDITIONAL \$13,063.51 AS AUTHORIZED BY SAWS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE MITCHELL PROJECT FROM PROBANDT TO ROOSEVELT, LOCATED IN

COUNCIL DISTRICT 3; ESTABLISHING A CONTINGENCY IN THE AMOUNT OF \$9,000.00; AUTHORIZING A RECEIPT OF ADDITIONAL FUNDS FROM SAWS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91720

AUTHORIZING ASBESTOS REMEDIATION WORK AND LEAD PAINT REMOVAL ASSOCIATED WITH THE PLANNED NORTHEAST SERVICE CENTER, LOCATED IN COUNCIL DISTRICT 10, ALLOWING \$15,649.00 COMPENSATION TO KMAC CONSTRUCTION SERVICES, INC., AND AUTHORIZING \$5,000.00 TO CLEAN ENVIRONMENTS, INC.; AUTHORIZING \$3,351.00 FOR CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91721

AUTHORIZING THE EXECUTION OF AGREEMENTS AND CONSENTING TO THE ASSIGNMENT AND RATIFYING THE ASSIGNMENT OF LEASE AGREEMENT NO.'S 122051, 122114, 122115 AND 124086 AT SAN ANTONIO INTERNATIONAL AIRPORT BY FAIRCHILD GEN-AERO, INC. TO FBO LP AND THE FURTHER ASSIGNMENT OF SUCH ASSIGNED LEASE AGREEMENTS BY FBO LP TO HAWTHORNE AVIATION.

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AN ORDINANCE 91722

APPROVING A LEASE AGREEMENT WITH MILTON BONIUK, M.D. OF SAN ANTONIO, TEXAS FOR 1,530 SQUARE FEET OF OFFICE SPACE AT 310 VALLEY-HI DRIVE, SPACE #107, FOR USE BY THE YOUTH SERVICES DIVISION OF COMMUNITY INITIATIVES DEPARTMENT FOR A THREE-YEAR TERM BEGINNING APRIL 1, 2000 AND ENDING MARCH 31, 2003 AT A BASE MONTHLY RENTAL RATE OF \$850.00 FOR THE TERM OF THIS LEASE AGREEMENT; AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT AND ANY OTHER NECESSARY DOCUMENTS IN CONNECTION THEREWITH AND AUTHORIZING THE PAYMENT OF THE MONTHLY LEASE RENTAL.

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AN ORDINANCE 91723

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO A 0.170 ACRE TRACT OF LAND OUT OF LOT 3, BLOCK 10, NEW CITY BLOCK 15506, KEL-LAND HEIGHTS SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS, AND A 0.047 ACRE TEMPORARY EASEMENT OUT OF A 0.376 ACRE TRACT BEING KNOWN AS LOT 2F, BEING OUT OF LOT 2, BLOCK 10 NEW CITY BLOCK 15506, KEL-LAND HEIGHTS SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE GLIDER AND LANDING - GUNSMOKE TO LOOP 410 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91724

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO 0.001 HECTARES (0.002 ACRES), OUT OF LOT 37, NEW CITY BLOCK 3057, ROBERTS ADDITION SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE MISSION TRAILS PARKWAY PROJECT, PACKAGE IV; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91725

AMENDING ORDINANCE NO. 91646, PASSED AND APPROVED ON APRIL 20, 2000, TO CORRECT THE AMOUNT OF THE PAYMENT BY \$750.00, FOR FEE SIMPLE TITLE TO LOT 15, NEW CITY BLOCK 11185, HARLANDALE HOUSING CORPORATION SUBDIVISION, UNIT 1, SAN ANTONIO, BEXAR COUNTY, TEXAS, IN CONNECTION WITH THE UPPER SIX MILE CREEK DRAINAGE PROJECT #83; AND AUTHORIZING AN INCREASE OF \$750.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR HARLANDALE HOUSING CORPORATION FOR FEE SIMPLE; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91726

AUTHORIZING THE ACCEPTANCE OF A CONTINUATION GRANT FOR THE RUNAWAY YOUTH PROGRAM ADMINISTERED BY THE DEPARTMENT OF COMMUNITY INITIATIVES, YOUTH SERVICES DIVISION IN THE AMOUNT OF \$7,576.00 FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR FY 2000-2001, APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 91727

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$12,572.00 IN CASH SUPPORT FROM THE TEXAS DEPARTMENT OF HEALTH FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO OFFSET THE ELIMINATION OF A VACANT TDH IN-KIND POSITION ASSIGNED TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; APPROVING A CHANGE TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH; REVISING THE BUDGET AND PERSONNEL COMPLEMENT FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1999/2000 ESTABLISHED IN ORDINANCE 88976, PASSED AND APPROVED ON DECEMBER 17, 1998.

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AN ORDINANCE 91728

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD IN THE AMOUNT OF \$289,968.00 FROM THE PATRICIAN MOVEMENT FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO ADMINISTER THE ONGOING SAN ANTONIO REGIONAL DETOXIFICATION PROGRAM DURING THE PERIOD SEPTEMBER 1, 1999 THROUGH AUGUST 31, 2000; APPROVING THE EXECUTION OF A CONTRACT WITH THE PATRICIAN MOVEMENT; ESTABLISHING A FUND; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT AND AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 91729

AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO THE CITY'S DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT (DEAAG) CONTRACTS WITH THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT TO ACCOMMODATE CHANGES IN PROJECT TIMELINES AND SCOPE OF WORK.

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AN ORDINANCE 91730

ESTABLISHING A BUDGET FOR THE PROCUREMENT OF GOODS AND SERVICES IN A TOTAL AMOUNT NOT TO EXCEED \$33,000.00 IN SUPPORT OF THE PUBLIC WORKS DEPARTMENT VEHICLE SAFETY ROAD-E-O AND EMPLOYEE SAFETY RECOGNITION EVENT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91731

AUTHORIZING A FIREWORKS DISPLAY TO BE HELD ON SATURDAY, JUNE 10, 2000 AT APPROXIMATELY 9:00 P.M. ON CATHOLIC LIFE INSURANCE PARKING LOT LOCATED AT 1635 N.E. LOOP 410, AS REQUESTED BY CATHOLIC LIFE INS. CO. AND ZAMBELLI FIREWORKS INTERNATIONALE IN CELEBRATION OF THEIR 100TH ANNIVERSARY.

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AN ORDINANCE 91732

APPOINTING OSCAR R. WILLIAMS (DISTRICT 2) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2002.

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AN ORDINANCE 91733

APPOINTING RODRIC E. FITZGERALD (DISTRICT 2) AND RE-APPOINTING BENNIE J. WILSON (DISTRICT 9) TO THE HOUSING TRUST FUND BOARD OF

TRUSTEES FOR TERMS OF OFFICE TO EXPIRE ON MAY 30, 2001 AND MAY 30, 2002, RESPECTIVELY.

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AN ORDINANCE 91734

RE-APPOINTING DIANE INFANTE (DISTRICT 7) TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 2002.

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AN ORDINANCE 91735

APPOINTING DAVID M. FROST (MAYOR) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2002.

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AN ORDINANCE 91736

RE-APPOINTING MARGO ERETH (DISTRICT 8) TO THE KEEP SAN ANTONIO BEAUTIFUL, INC. FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 22, 2001.

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AN ORDINANCE 91737

RE-APPOINTING GREG TRIMBLE (MAYOR) AS A DIRECTOR OF THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2001.

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2000-18 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN COMMENTS

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to several proposed Ordinances, specifically Individual Items 26, 27, 34 and 35.

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2000-18 ITEMS FOR INDIVIDUAL CONSIDERATION

Mayor Peak informed City Council that at this time, they would proceed with Item 34.

Mr. John German, Director of Public Works, gave a brief explanation of the purpose of the Ordinance. He then introduced Mr. Greg Ellis, General Manager of the Edwards Aquifer Authority.

Mr. Ellis at this time introduced Ms. Becky Cedillo, Vice-President of San Antonio Water System (SAWS), and Mr. Russ Johnson, Attorney for SAWS. He spoke to the joint efforts by City of San Antonio, Edwards Aquifer Authority (EAA) and SAWS. He informed Council that they support the proposal brought forward by the City of San Antonio and SAWS.

Mr. Ellis' presentation outlined Historical Perspectives of the Aquifer Management Plan; Endangered Species Act; Year Round Activities; and the Emergency Drought Activity Plan. A copy of his presentation is made a part of the papers of this meeting.

Mr. Ellis informed the City Council of the predictions of water levels for 2000 and explained the contingency plan for the summer of 2000, a copy of which is attached to the papers of this meeting.

Ms. Cedillo then narrated a power point presentation, a copy of which is included with the papers of this meeting. She explained to the City Council that steps are being taken to ensure that there is enough water in the aquifer during drought stages. She noted that this is a new procedure, as we have never considered rationing, but rather only act in emergency situations.

Mr. German concluded the presentation.

The following citizen(s) appeared to speak:

Mr. Thomas Trahtner, Texas Nursery and Landscape Association, Aldridge Nursery, P.O. Box 1299, Von Ormy, Texas 78073 spoke regarding the restrictions being extremely harsh on his business. He stated he was against restrictions in Stage 3 and was an advocate for the working poor.

Mr. Frank Suarez, Texas Nursery and Landscape Association, informed the City Council that he supports water conservation; however, he felt some of the stages in this plan are too extreme. He distributed to the Council a copy of a letter from Thomas Trahtner for the record, a copy of which is included in the papers of this meeting.

Mr. Faris Hodge, Jr., 140 Dora, spoke against Item 34 and took issue with EAA allowing San Antonio to water only once a week. He also encouraged citizens to e-mail the Edwards Aquifer to inform them that they disagree with such restrictions.

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to the Ordinance and stated that he felt there should be no water restrictions.

Ms. Kelly Hall, Green Industry Alliance, took exception to Item 34 and felt that San Antonio should be promoting responsible landscape development. She stated that if current regulations stand, there would be an interruption and damage to the environment.

In response to a question posed by Mr. Bannwolf, Ms. Hall stated that they would support a requirement for non-residential businesses to implement rain sensors.

Ms. Jan Ramert, Wolfe Nursery, 1507 Ruiz St., San Antonio, Texas 78207 informed Council she was concerned that citizens are being frightened rather than being educated about water conservation. She stated that she was concerned particularly with Stage 3 and made reference to the rebate available and also pamphlets put out by SAWS. She stated that Wolfe Nursery is currently distributing user-friendly information via meetings and pamphlets.

Mr. Keith Zars, National Pool and Spas Institute, stated that he does not agree with the restrictions placed on the citizens of San Antonio. He feels that citizens are well informed on water conservation and act reasonably.

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The Mayor then thanked the EAA board and SAWS, and stated that as a result of the exchange, he is more apt to agree with the proposed Ordinance today. Mayor Peak spoke to the need to continue educating citizens about conservation and lauded citizen's efforts in this regard. He also stated that additional conservation measures should be found and that the City needs to continue working with various groups and/or organizations to better

conserve. He stated that he strongly supports Stage 1 and 2, and would like to see Council adopt them and defer Stage 3 for 45 days.

Mr. Bannwolf spoke about the need for rain sensors on commercial sprinklers in order to prevent the unnecessary watering of lawns. He encouraged SAWS to establish a rebate incentive program to get more residential users utilizing the rain sensors. Councilman Bannwolf also asked SAWS' staff and City staff to review the types of grass being planted. He also suggested a threshold or incentive also be implemented, exempting persons from watering restrictions if they are using a certain type of grass or landscaping.

In response to a question posed by Mr. Garza, Ms. Cedillo stated that Stages I and II are identical to the preserving Stages I and II of last year. Mr. Garza stated he feels that the community is acting in a positive manner by conserving and stated there is a need to continue to conserve water. He also commended the different water entities in working together in addressing the issues.

Mr. Prado also spoke about the need to continue education of conservation. In response to Mr. Prado, Mr. Michael Thuss, President/CEO of SAWS, spoke about SAWS' enforcement measure and their efforts to educate as a first alternative and subsequently citations being issued as a result of violations. Mr. Prado questioned citations being issued to customers who are not subject to non-Edwards Aquifer restrictions. Mr. Thuss stated that Bexar Metropolitan Water District is distributing Medina water, and they have agreed this surface water needs to be conserved just like Edwards water, and stated that Mr. Tom Moreno will implement the same process for all customers. Mr. Prado stated that this is indeed a regional issue and should apply across the board. In response to Mr. Prado, Mr. Russ Johnson, Attorney for SAWS, stated that legally EAA has enforcement only for Edwards water, and there can be difficulty differentiating if a customer of Bexar Metropolitan is getting Medina water or Edwards water. Only Mr. Moreno of Bexar Metropolitan can respond to this question. Mr. Prado stated that in lieu of this situation, it should be made clear to all enforcement agencies that customers who are not recipients of Edwards water cannot be cited.

Mayor Peak explained that the enforcement aspect of the ordinance is not going to be activated by this Ordinance.

Ms. Conner stated that SAWS has done a great job of educating the general public and the calls coming in to her office have all been supportive of the conservation efforts.

Ms. Conner spoke of the need to continue working with the Green Alliance in addressing the concerns they have raised.

In response to Mayor Peak, Ms. Cedillo spoke about establishing variances for new landscaping persuaded for in Stage I and II.

In response to a question posed by Ms. Conner, Greg Ellis stated that all counties and municipalities were held to the same rules.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Prado seconded the motion.

Councilman Bannwolf then asked for a requirement to be included that during the 45 days, SAWS and EAA work together to make a requirement for sensors to be mandatory for businesses with sprinkler systems.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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The Clerk read the following Ordinance:

AN ORDINANCE 91738

AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAN ANTONIO, CHAPTER 34, ARTICLE IV, WATER CONSERVATION AND REUSE AND AQUIFER MANAGEMENT PLAN, SECS. 34-287 THROUGH 34-350, TO REFLECT THE EDWARDS AQUIFER AUTHORITY'S EMERGENCY CRITICAL PERIOD 2000 PLAN; MAKING ADDITIONAL PROVISIONS SUBJECT TO CIVIL AND CRIMINAL PENALTIES; PROVIDING SEVERABILITY; AND DIRECTING PUBLICATION.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91739

APPOINTING PRESIDING AND ALTERNATE ELECTION JUDGES FOR THE JOINT AND SPECIAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2000, AND PROVIDING FOR MINIMUM TRAINING STANDARDS AND

COMPENSATION FOR THESE JUDGES, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91740

APPROVING A CONTRACT FOR ELECTION SERVICES WITH BEXAR COUNTY THROUGH THE BEXAR COUNTY CLERK, SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF BEXAR COUNTY THROUGH THE BEXAR COUNTY CLERK IN CONNECTION WITH THE MAY 6, 2000 JOINT & SPECIAL ELECTION; AND AUTHORIZING PAYMENT FOR THESE SERVICES; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91741

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,012,905.75 FROM MPO MATCHING FUNDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IN CONNECTION WITH THE METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECT ON LOCKHILL SELMA FROM GEORGE ROAD TO WHISPER PATH, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING \$272,175.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director, Public Works, narrated a power point presentation on the proposed payment to the Texas Department of Transportation in connection with the Metropolitan Planning Organization (MPO) Project on Lockhill Selma from George Road to Whisper Path, located in Council District 8, a copy of which presentation is made a part of the papers of this meeting.

Ms. Conner thanked Mr. German and his staff for all their work and spoke in favor of the Ordinance, as it is a great benefit for the area.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91742

AUTHORIZING THE TEMPORARY CLOSURE OF LOCKHILL SELMA ROAD, BETWEEN GEORGE ROAD AND WURZBACH ROAD, FOR A PERIOD OF SIX (6) MONTHS FOR THE PURPOSE OF FACILITATING THE CONSTRUCTION OF TRANSPORTATION AND DRAINAGE IMPROVEMENTS ON LOCKHILL SELMA ROAD ESTIMATED TO BEGIN IN MAY, 2000.

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

Mr. John German, Director, Public Works, narrated a power point presentation on the authorization for the temporary closure of Lockhill Selma Road, between George Road and Wurzbach Road, for a period of six (6) months for the purpose of facilitation the construction of transportation and drainage improvements on Lockhill, a copy of this presentation is attached and made part of the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91743

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$4,258,560.52 IN CONNECTION WITH THE S. FLORES DRAINAGE #70-70A, PH. II, PART 3 PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$230,606.84 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$36,207.67 IN ADDITIONAL ENGINEERING EXPENSES PAYABLE TO MACINA, BOSE, COPELAND & ASSOCIATES (MBE); AUTHORIZING \$3,620.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$602.50 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director, Public Works, narrated a power point presentation on acceptance of the low, qualified bid of San Antonio Constructors, Inc. in connection with the S. Flores Drainage project located in District 4, a copy of which presentation is made a part of the papers of this meeting.

Councilman Prado spoke in support of the project and thanked Mr. German and his staff for their efforts.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garza.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91744

APPROPRIATING THE SUM OF \$1,171,016.00 FOR FEE SIMPLE TITLE AND \$923.00 FOR COURT COSTS INCURRED IN THE ACQUISITION OF LAND FROM THE FROST NATIONAL BANK, TRUSTEE OF THE BIRDIE L. NIX TRUST, ET. AL. FOR THE DEVELOPMENT OF A PUBLIC PARKING FACILITY TO BE OWNED AND OPERATED BY THE CITY OF SAN ANTONIO.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garcia, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Barrera, Garza.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91745

AUTHORIZING PAYMENT OF \$420,000.00 TO DOG TEAM TOO, LTD. ET AL, FOR A RIGHT OF ENTRY AGREEMENT FOR THE PROPERTY AT 205 E. TRAVIS STREET, AND AS A DEPOSIT AGAINST THE ULTIMATE PURCHASE PRICE FOR THE PROPERTY AND UP TO \$4,000.00 IN COURT COSTS FOR THE PENDING EMINENT DOMAIN ACTION AS PART OF THE DEVELOPMENT OF A

PUBLIC PARKING FACILITY TO BE OWNED AND OPERATED BY THE CITY OF SAN ANTONIO.

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

Mr. John German, Director of Public Works, made a power point presentation regarding the authorization of payment to Dog Team Too, Ltd. et al for a right of entry agreement for the property at 205 E. Travis Street, for deposit, and for up to \$4,000.00 in court costs for the pending eminent domain action as part of the development of a public parking facility to be owned and operated by the City of San Antonio. A copy of this presentation is attached to the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Barrera, Garza.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91746

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE DISTRICT 4 CONTINGENCY BUDGET ACCOUNT AND FUNDS FROM VARIOUS COUNCIL CONTINGENCY ACCOUNTS PAYABLE TO THE HARLANDALE INDEPENDENT SCHOOL DISTRICT PTA COUNCIL TO HELP DEFRAY THE COST OF THEIR ANNUAL CULTURAL ARTS FAIR TO BE HELD ON MAY 13, 2000; AS REQUESTED BY COUNCILMAN RAUL PRADO.

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Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Prado seconded the motion.

Ms. Guerrero made an amendment to add \$200 from her contingency budget to the Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion to approve the amendment, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

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2000-18 The Clerk read the following Ordinance:

AN ORDINANCE 91747

AUTHORIZING BONNIE J. CONNER, IN HER CAPACITY AS A CITY COUNCILMEMBER, DISTRICT 8, TO EXECUTE A NEW LEASE AGREEMENT WITH 1200 NORTH MANSFIELD, LTD., FOR THE CONTINUED LEASE OF 390 SQUARE FEET OF OFFICE SPACE, INCLUDING COMMON AREA, FOR THE DISTRICT AT THE FAIRWAYS EXECUTIVE CENTER, 4204 GARDENDALE, SUITE #207, AT A MONTHLY RENTAL OF \$500.00 FOR A PERIOD OF TWELVE (12) MONTHS COMMENCING JUNE 1, 2000 AND ENDING MAY 31, 2001, SUBJECT TO ANNUAL APPROPRIATION OF FUNDS AND CONTINUED SERVICE IN OFFICE, AS REQUESTED BY COUNCILWOMAN BONNIE J. CONNER.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza, Bannwolf.

2000-18 CITY MANAGER'S REPORT

Mr. Alexander Briseño, City Manager explained to the Council that Mr. Florencio Peña was recently hired as the new Assistant Director of Building Inspections. He further explained the new reorganization of assistant directorships of that office and asked Mr. Gene Camargo, Director, Building Inspections, to introduce Mr. Peña.

Mr. Camargo explained Mr. Peña's past experience and formally introduced him to the City Council.

Mr. Peña informed the Council that he was very pleased to be a part of the management team here in San Antonio and is looking forward to working with Building Inspections and the City of San Antonio.

The Mayor and members of the City Council welcomed Mr. Peña and explained that they were glad to have him as part of City Staff.

2000-18 CITIZENS TO BE HEARD

MR. FARIS HODGE

Mr. Faris Hodge, Jr., 140 Dora, spoke to the City Council about his conversation with Mr. Gerry Rickhoff, Bexar County Clerk regarding the need to augment the election judges' salaries. He expressed his belief that the Bexar County Commissioners Court will be supporting the change of the existing law and in addition to providing for a lunch or dinner voucher.

He also addressed his concern about the graffiti problem in the City and about off-duty police officers enforcing the water conservation measures.

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MR. NAZARITE R. F. PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke about a newspaper article regarding the Republic of China and his perception of human rights violations by this country. He also spoke about articles in the paper regarding Ozone Action Days.

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MR. MIGUEL JUAREZ

Mr. Miguel Juarez spoke to the City Council about his opposition to the filling station being built on the corner of Zarzamora and Hutchins Street. He stated that the neighbors, State Representatives and representatives for school boards are opposed to it. He spoke to the negative impact of having the filling station located there. He asked that the filling station be moved to another location.

Mayor Peak stated that State law limits the City Council and stated that the City Attorney had listened to citizens speaking on this very issue a few weeks ago.

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2000-18 City Council recessed its Regular Session at 4:30 p.m., and convened in Executive Session for the purpose of discussing Attorney/Client consultation regarding the lawsuit between Yanaguana Cruises, Inc. and the City of San Antonio, Case No. 2000-CI-04845. The City Council adjourned the Executive Session at 5:00 P.M. and reconvened in regular session, at which time Mayor Peak announced that the City Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

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2000-18 There being no further business to come before the City Council, the meeting was adjourned at 5:18 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk