

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, MUNICIPAL  
PLAZA BUILDING, THURSDAY OCTOBER 6,  
1994.

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94-48 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. ABSENT: NONE.

CITY COUNCIL MEETINGS - Memorandum from Ayala and Larson, proposing that a study and "B" Session be held concerning the possibility of holding City Council meetings every two weeks, instead of once each week. Set for November 3, 1994 "B" Session.

ALAMO PLAZA STUDY REPORT - Peak reported that report is now ready. City Council decided to hold a Public Hearing on the report at a time-certain on October 20, 1994.

ON-PREMISE SIGN COMMITTEE REPORT - Peak reported that report is now ready, and a Public Hearing will be held during November, 1994.

ZONING - Peak initiated discussion on City Council-initiated rezoning requests, and current policy in place regarding commercial property versus private property.

AFFIRMATIVE ACTION PLAN - Ayala noted that Affirmative Action Plan for the City is set for a November, 1994 "B" Session discussion.

CITY/COUNTY CONTRACTS - Ayala noted that discussion of City/County negotiations on contracts will be scheduled for "B" Session discussion on October 20, 1994.

DOMESTIC VIOLENCE PROGRAM - Larson stated that discussion on the Domestic Violence Program and a report from the Greater San Antonio Crime Commission will be set for "B" Session discussion during mid-December, 1994.

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94-48 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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94-48 Invocation - Father Larry Brummer, St. Leonard's Catholic Church.

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94-48 Pledge of Allegiance to the flag of the United States.

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94-48 Minutes of the August 18, 1994 Regular City Council Meeting were approved.

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94-48 BASEBALL ADVISORY COMMITTEE CITATIONS

Ms. Ayala, chairperson of the Baseball Advisory Committee, spoke to the committee's record in completing construction of the new Municipal Baseball Stadium in record time.

Mr. Solis spoke to the community-based nature of the committee.

Mayor Wolff spoke to the attendance records set by the San Antonio Missions baseball team at the new stadium.

Mayor Wolff, Mr. Solis and Ms. Ayala then presented special Citations to each committee member present and congratulated each on their contributions.

Mayor Wolff paid tribute to the late Mr. Rusty Lyons, member of the committee and longtime baseball supporter in San Antonio.

Mr. Thornton spoke to the contributions of committee member Mr. Archie Stewart, and recalled his leadership abilities displayed during military service in World War I.

Mr. Solis thanked members of the City staff, involved in the baseball stadium project.

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

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"RUN FOR HOME" 5K WALK-RUN

Mayor Pro Tem Avila stated that the San Antonio Alliance for the Mentally-Ill will sponsor a 5,000-meter Walk-Run on Saturday, October 8, 1994 at Brackenridge Park. He noted that proceeds of the event will benefit the Alliance's "Home For The Homeless Fund". Mayor Pro Tem Avila also noted that more than 34,000 persons in Bexar County have a serious mental illness; most are poorly-housed; and some 2,210 are homeless. He then introduced Mr. Lorenzo Nastasi of the Alliance.

Mr. Nastasi addressed details of the walk-run event, and the need for more services for the mentally-ill. He then introduced Mr. John Pernell, the run's director, and four of the runners who will take part in the event.

The group then presented the Mayor and City Council members with "Run For Home" T-shirts and flyers advertising the event.

Ms. Billa Burke noted that this is an important event for San Antonio, pointing up the issue of mental illness and the need to address it.

SETON HOME

Mayor Pro Tem Avila stated that San Antonio 2000 and its "Find The Good and Praise It" program today are recognizing Seton Home for its work with pregnant adolescents who are parenting, and find themselves in crisis situations. He then introduced Ms. Brenda Tatro, Executive Director of Seton Home, and Ms. Jane Amerson, its Social Services Director, to explain more about the program.

Ms. Tatro spoke to highlights of the home's programs, and introduced staff members present.

A former resident of Seton Home spoke to how the home assisted her.

Ms. Sharon Harrell, director of the Home's board, spoke to the need for public support of the home and its mission.

Mr. Solis and Ms. McClendon lauded Seton Home for its work.

Mayor Pro Tem Avila then read a Certification of Recognition for Seton Home and presented it to the group.

"AT YOUR SERVICE" - MR. DONALD COPPLE, PUBLIC WORKS

Mr. Alex Briseno, City Manager, spoke to the work done by Mr. Donald Copple, driver/collector, Solid Waste Division, Department of

Public Works.

A brief videotaped presentation outlined Mr. Copple's work for the City's recycling program.

Mr. Briseno presented a special Citation and a check for \$200.00 to Mr. Copple in recognition for his service.

Mr. Copple then spoke to the growth of the City's recycling program, and projections for the future, with more recycling equipment soon to arrive.

Mr. Peak thanked Mr. Copple for his work, and addressed the importance of recycling.

94-48      CONSENT AGENDA

Mr. Larson made a motion to approve Agenda Items 8 through 28c, constituting the Consent Agenda, with Item 22 have been earlier removed from consideration by the City Manager, and Item 14 pulled for individual consideration. Mr. Perez seconded the motion.

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

AN ORDINANCE 80,879

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1994-95 FISCAL YEAR FOR TOTAL OF APPROXIMATELY \$150,000.00.

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AN ORDINANCE 80,880

RATIFYING CITY STAFF'S ACTIONS IN ACCEPTING A PROPOSAL IN THE APPROXIMATE AMOUNT OF \$10,000.00 OF GARCES WELDING AND METAL SPECIALTY, INC. TO INSTALL TWENTY-TWO GAME TABLES IN MILAM PARK; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,881

ACCEPTING THE LOW, QUALIFIED BID OF CENTRAL ELECTRIC ENTERPRISES AND CO. IN THE AMOUNT OF \$17,924.00 IN

October 06, 1994

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CONNECTION WITH THE NAVARRO PARK LIGHTING COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING  
A CONTRACT; REVISING THE PROJECT BUDGET;  
AUTHORIZING \$1,994.64 FOR CONSTRUCTION  
CONTINGENCIES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,882

ACCEPTING THE LOW, QUALIFIED BASE BID OF KESSLER  
BROS. CONSTRUCTION CO., INC. IN THE AMOUNT OF  
\$216,961.00 IN CONNECTION WITH THE CUELLAR PARK  
BASEBALL DIAMOND AND RESTROOM/CONCESSION BUILDING  
COMMUNITY, DEVELOPMENT BLOCK GRANT (CDBG) PROJECT;  
AUTHORIZING A CONTRACT; REVISING THE PROJECT  
BUDGET; AUTHORIZING \$32,237.98 FOR CONSTRUCTION  
CONTINGENCIES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,883

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES  
CONTRACT, IN THE AMOUNT OF \$131,955.59, WITH CIVIL  
DESIGN SERVICES, INC./C. W. PFENNING, INC. JOINT  
VENTURE TO PROVIDE ENGINEERING SERVICES IN  
CONNECTION WITH THE PROPOSED EAST AIR CARGO APRON  
EXPANSION PROJECT AT SAN ANTONIO INTERNATIONAL  
AIRPORT; AUTHORIZING \$13,195.41 FOR AN ENGINEERING  
CONTINGENCY ACCOUNT; AUTHORIZING \$2,000.00 FOR AN  
ADMINISTRATIVE EXPENSES ACCOUNT; APPROPRIATING  
FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,884

ACCEPTING THE LOW BID OF E.E. ROBERTS COMPANY IN  
THE AMOUNT OF \$613,700.00 IN CONNECTION WITH THE  
ADDITION TO THE OAKWELL BRANCH LIBRARY; AUTHORIZING  
A CONTRACT; AUTHORIZING \$19,947.60 FOR  
MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES;  
PROVIDING FOR PAYMENT; AND APPROVING FIELD  
ALTERATION NO. 1 IN THE DECREASED AMOUNT OF  
\$33,362.00.

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AN ORDINANCE 80,885

AUTHORIZING THE EXECUTION OF LEASE AGREEMENT WITH  
THE UNITED STATES OF AMERICA, DEPARTMENT OF

TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION (FAA) FOR LEASE OF GROUND SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF NAVIGATION AIDS FOR RUNWAYS 30L AND 12R.

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AN ORDINANCE 80,886

AMENDING A LEASE WITH UNITED PARCEL SERVICE, INC. AT SAN ANTONIO INTERNATIONAL AIRPORT BY INCREASING THE RAMP SPACE UNDER LEASE FROM 128,250 TO 186,150 SQUARE FEET AND THE ANNUAL RENTAL PAYABLE THEREFORE FROM \$95,418.00 TO \$138,495.60.

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AN ORDINANCE 80,887

AUTHORIZING AN AGREEMENT WHICH AMENDS A LEASE WITH UNITED PARCEL SERVICE, INC. AT SAN ANTONIO INTERNATIONAL AIRPORT BY ADDING 1920 SQUARE FEET OF SPACE TO PREMISES LEASED IN THE WEST AIR CARGO BUILDING AT AN ADDITIONAL RENTAL OF \$968.00 PER MONTH.

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AN ORDINANCE 80,888

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$700.00 WITH HARVEY S. TAMON FOR THE PROVISION OF CERTAIN REAL ESTATE APPRAISAL SERVICES RELATED TO THE COLONIA SANTA CRUZ STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, PHASE I; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,889

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$25,555.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE OCTAVIA PLACE DRAINAGE PROJECT #63; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE SAN PEDRO AVENUE & ASHBY STREET INTERSECTION IMPROVEMENTS PROJECT; AND ACCEPTING THE DEDICATION OF A TEMPORARY EASEMENT IN

CONNECTION WITH KOCH STORAGE FACILITY AREA  
EVACUATION ROUTE PROJECT.

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AN ORDINANCE 80,890

APPROVING THE ASSIGNMENT OF THE FARMER'S MARKET  
PLAZA LEASE AGREEMENT CURRENTLY HELD BY LONGINO T.  
BARRIENTES, D/B/A/ BARRIENTES PRODUCE STORE TO  
LONGINO T. BARRIENTES, JR.

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AN ORDINANCE 80,891

APPROVING THE ASSIGNMENT OF THE FARMER'S MARKET  
PLAZA LEASE CURRENTLY HELD BY ROSEMARY PEREZ GREEN  
AND S.R GREEN, D/B/A/ R & R WESTERN EMPORIUM TO  
RIVER'A ENTERPRISES - ANDY AND MARY LOU RIVERA WITH  
AN EFFECTIVE DATE OF OCTOBER 23, 1994.

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AN ORDINANCE 80,892

REVISING THE BUDGET FOR THE STORM WATER POLLUTION  
PREVENTION PLAN PROJECT TO REFLECT THE CONTRIBUTION,  
IN THE AMOUNT OF \$75,000.00, FROM A FEDERAL AVIATION  
ADMINISTRATION GRANT AND A DECREASE IN THE  
CONTRIBUTION FOR THE AIRPORT SYSTEM CONTINGENCY AND  
IMPROVEMENT FUND OF A LIKE AMOUNT.

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AN ORDINANCE 80,893

ACCEPTING A GRANT IN THE AMOUNT OF \$151,441.00 FROM  
THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE  
ASSISTANCE (BJA) FOR IMPLEMENTATION OF THE GANG  
RESISTANCE EDUCATION AND TRAINING (GREAT) PROGRAM IN  
THE WEED AND SEED TARGET AREA.

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AN ORDINANCE 80,894

ACCEPTING A SPECIAL ALLOCATION OF \$250,000.00 FROM  
THE U.S. DEPARTMENT OF JUSTICE (DOJ) TO CONDUCT  
JOINT CRIMINAL INVESTIGATIONS.

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AN ORDINANCE 80,895

ACCEPTING \$19,986.00 FROM THE UNITED STATES FIRE ADMINISTRATION IN FINANCIAL ASSISTANCE THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR USE BY THE SAN ANTONIO FIRE DEPARTMENT TO PILOT TEST THE NEW NATIONAL FIRE INCIDENT REPORTING SYSTEM (NFIRS 5.0).

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AN ORDINANCE 80,896

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF HEALTH (TDH) ENABLING THE CITY, THROUGH THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT, TO BILL MEDICAID FOR MEDICAID RELATED ADMINISTRATIVE AND SUPPORT SERVICES.

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AN ORDINANCE 80,897

AUTHORIZING THE TEMPORARY CLOSURE OF TERRY COURT, BETWEEN N. ST. MARY'S AND TERRY COURT'S DEAD END, FROM NOON ON FRIDAY, OCTOBER 14, 1994, TO 7:00 P.M. ON SUNDAY, OCTOBER 16, 1994, SO THAT THE SAINT SOPHIA GREEK ORTHODOX CHURCH CAN HOLD THE SAINT SOPHIA GREEK ORTHODOX CHURCH CAN HOLD THE SAINT SOPHIA'S FUNCTIONAL; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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AN ORDINANCE 80,898

AUTHORIZING THE TEMPORARY CLOSURE OF W. ASHBY, BETWEEN FREDERICKSBURG AND ST. ANN'S SCHOOL MAY HOLD ITS SCHOOL FESTIVAL.

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AN ORDINANCE 80,899

AUTHORIZING THE TEMPORARY CLOSURE OF SAN SABA STREET, BETWEEN W. COMMERCE AND DOLOROSA, FROM 10:00 A.M. TO MIDNIGHT ON SATURDAY, OCTOBER 8, 1994, AND FROM 10:00 A.M. TO MIDNIGHT ON SUNDAY, OCTOBER 9, 1994, IN ORDER THAT LOS TRES MERCADOS MAY HOLD THE FERIA DE LAS AMERICAS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

\* \* \* \*

94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,900

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT, WITH K.M. NG & ASSOCIATES, INC. IN THE AMOUNT OF \$56,687.75 IN CONNECTION WITH THE PREPARATION OF A BIDDING PACKAGE FOR THE CONSTRUCTION OF SCIENCE PARK DRAINAGE NO. 58H, I, & J, PHASE IV; AND PROVIDING FOR PAYMENT.

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

Mr. Ross asked to abstain from the vote on this matter.

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

94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,901

ACCEPTING THE LOW QUALIFIED BID OF YANTIS CORPORATION, IN THE AMOUNT OF \$2,089,963.55, TO CONSTRUCT THE TAXIWAYS RECONSTRUCTION PROJECT AT STINSON MUNICIPAL AIRPORT; AUTHORIZING AN ADDITIONAL \$208,996.65 FOR A CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM POZNECKI-CAMARILLO & ASSOCIATES, INC. TO PROVIDE RESIDENT INSPECTION SERVICES FOR A FEE NOT TO EXCEED \$82,266.80; ACCEPTING A PROPOSAL FROM HUNTINGDON-SOUTHWESTERN LABORATORIES, INC. TO PROVIDE CONSTRUCTION AND MATERIALS TESTING SERVICES FOR A FEE NOT TO EXCEED \$24,780.00; REVISING THE BUDGET FOR PROJECT; AND PROVIDING FOR PAYMENT.

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

Mr. Mike Kutchins, Director of Aviation, spoke to details of this major reconstruction project for Stinson Municipal Airport, noting that some 90 per cent of its funding will come from the Federal Aviation

Administration.

In response to a question by Ms. Billa Burke, Mr. Kutchins stated his belief that this is a good sign, for future FAA project approvals.

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

94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,902

ACCEPTING THE LOW QUALIFIED BID OF YANTIS CORPORATION, IN THE AMOUNT OF \$1,424,227.10, TO CONSTRUCT THE GENERAL AVIATION APRON AND TAXIWAYS RECONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING AN ADDITIONAL \$154,933.70 FOR A CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM SIA ENGINEERING, INC. TO PROVIDE RESIDENT INSPECTION SERVICES FOR A FEE NOT TO EXCEED \$74,681.20; ACCEPTING A PROPOSAL FROM DRASH-FOCHT CONSULTING ENGINEERS, INC. TO PROVIDE CONSTRUCTION AND MATERIALS TESTING SERVICES FOR A FEE NOT TO EXCEED \$35,890.00; REVISING THE BUDGET FOR THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Mike Kutchins, Director of Aviation, spoke to details of this project for International Airport.

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

94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,903

ACCEPTING THE LOW BID OF E.E. HOOD & SONS, INC. IN THE AMOUNT OF \$1,424,030.54 IN CONNECTION WITH THE

RECONSTRUCTION OF WETMORE ROAD FROM THOUSAND OAKS TO THE CITY LIMITS; AUTHORIZING THE EXECUTION OF A STANDARD-FORM CONSTRUCTION CONTRACT; AUTHORIZING \$71,201.53 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, \$2,407.26 FOR ADDITIONAL ENGINEERING EXPENSES, AND \$350.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, addressed the importance of this project for the improvement of Wetmore Road, a 1987 bond project.

Discussion ensued concerning the parameters of the project.

Mr. Larson noted that these improvements to Wetmore Road will answer some of the concerns raised by residents of a nearby suburb, scheduled to be annexed by year's end.

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

94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,904

ACCEPTING THE LOW BID OF R.L. JONES COMPANY, INC. IN THE AMOUNT OF \$1,050,114.05 IN CONNECTION WITH THE CONSTRUCTION OF THE LORD DRAINAGE NO. 114C, PHASE I PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$52,505.70 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, \$2,263.76 FOR ADDITIONAL ENGINEERING EXPENSES AND \$507.94 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, spoke to details of this 1985 bond project, which he estimated would take some six months to complete.

Ms. McClendon noted that this is an important east side project, especially to those involved with the Koch Refinery evacuation routes.

In response to a question by Mr. Solis, Mr. German briefly updated the status of the Driftwood Project as to its timeline, involving 1987 bond funds. He then spoke to certain other bond projects, funded by 1987 bonds, but still unfinished.

(At this point, Mayor Pro Tem Avila was obliged to leave the meeting. Ms. Billa Burke presided.)

A discussion then took place concerning an upcoming neighborhood meeting on the Lord Road Project.

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

94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,905

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,997,014.76 WITH YANTIS CORPORATION IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE II; AUTHORIZING \$99,850.74 IN MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDE FOR PAYMENT.

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

Mr. John German, Director of Public Works, spoke to details of this 1985 bond program project now being constructed, noting that its inception was delayed by other needed construction work in the area.

In response to a question by Mr. Ross, Mr. German noted that staff is coordinating this project with construction of the U.S. 281/Airport Interchange state project.

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

The Clerk read the following Ordinance:

AN ORDINANCE 80,906

AUTHORIZING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$2,438,472.50 WITH MICA CORPORATION IN CONNECTION WITH THE INSTALLATION OF A HIGH WATER DETECTION AND WARNING SYSTEM FOR 17 LOW WATER CROSSING; AUTHORIZING \$82,478.63 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, \$600.00 FOR ADVERTISING EXPENSES; AUTHORIZING PAYMENT; AND APPROVING FIELD ALTERATION NO. 1 IN THE DECREASED AMOUNT OF \$788,900.00.

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

Mr. John German, Director of Public Works, briefly explained the project to install high-water detection and warning systems at some 17 of the city's low-water crossings, and the use of 1987 bond funds for the project. He noted that Field Alteration No. 1 would reduce the program cost by some \$788,000.00, by eliminating erection of cross-arm gates at each crossing. He stated that evaluation of the proposal with the City Attorney's Office indicates that this can be done, since warning signs, lights, depth gauges and downstream arresting cables are being planned for installation at each crossing. He spoke to the locations of the 17 crossings across the city, noting that they are at problem-area low-water crossings.

In response to a question by Mr. Peak, Mr. German addressed the procedures involving float-sensors, designed to sense rising floodwaters at each low-water crossing. He noted that when the sensors detect a level of rising floodwater, warning lights then will begin flashing and warning signs will be activated.

Mr. Roy Aguillon, Public Works Department, described the sonar devices to be erected above each low-water crossing, and the backup float-sensors for redundancy. He noted that activation of these devices at a particular low-water crossing will also trigger a warning signal at the nearest City service center.

In response to a question by Mr. Peak, Mr. German noted that, if approved, this will leave some monies unspent, which then can be used on other projects.

Mr. Larson spoke to the legal ramifications of motorists driving into low-water crossings during flooding.

Mr. Lloyd Garza, City Attorney, stated his belief that the proposed actions will give the City legal footing for a good defense

against certain lawsuits.

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

In response to a question by Mr. Ross, Mr. Garza spoke to possible future modifications to the crossing at Hollyhock and Huebner Road, as well as to others.

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

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

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94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,907

AUTHORIZING THE EXPENDITURE OF \$5,000.00 FROM DISTRICTS 5 & 8 DISCRETIONARY FUNDS ACCOUNTS FOR A TOTAL OF \$10,000.00 TO THE SIDNEY LANIER JUNIOR VOKS YOUTH ORGANIZATIONAL FOR FOOTBALL UNIFORMS AND EQUIPMENT, AS REQUESTED BY COUNCILMEMBERS JUAN F. SOLIS, III, AND WILLIAM E. THORNTON.

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

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

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94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,908

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 4 DISCRETIONARY FUNDS ACCOUNT TO COUNCILMAN HENRY AVILA IN THE AMOUNT OF \$455.00 PER MONTH FROM OCTOBER 1, 1994, TO MAY 31, 1995, FOR A TOTAL OF \$3,640.00 FOR AN ADMINISTRATIVE SERVICE CONTRACT, AND PROVIDING FOR IMMEDIATE EFFECT UPON ADOPTION BY

October 06, 1994

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bg

EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN  
HENRY AVILA.

\* \* \* \*

Mr. Solis 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,  
McClendon, Avila, Solis, Ayala, Thornton, Peak, Wolff; NAYS: None;  
ABSENT: Billa Burke, Ross, Larson.

94-48 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to GUADALAJARA AND MONTERREY,  
MEXICO, on October 9, 1994 to October 12, 1994 to attend a meeting of  
the National Council for Urban Economic Development.

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94-48 POINT OF CLARIFICATION

Mr. Solis asked that it be clearly understood by the City  
Council that Agenda Item 35, just enacted, was an emergency item, and  
that the required eight affirmative votes in favor of the Ordinance were  
so cast by the City Council.

Mr. Lloyd Garza, City Attorney, stated that the point is  
taken, and that Agenda Item 35 was to be so noted in the official  
records as having attained the required eight affirmative votes of City  
Council members present, so as to be an Emergency Item, effective  
immediately.

94-48 "BOOM BOX" DISCUSSION

The Clerk read a proposed ordinance, specifying the playing of  
an amplified sound system or other noise-producing instrument or device  
in a vehicle on public right-of-way with a volume that disturbs the  
peace of persons of reasonable sensibilities who are at a distance of  
fifty feet or more, to be a misdemeanor crime; specifically assigning  
enforcement responsibility to the San Antonio Police Department, Airport  
Police, and Park Rangers in addition to the Abatement Officers;  
providing for penalty of not more than \$2,000.00 upon conviction; and  
amending City Code Section 21-52 "Noise Nuisance Enumeration", and  
Section 21-56 "Enforcement", to reflect said changes, was considered at  
this time.

Mr. Avila made a motion to approve the proposed ordinance. Mr. Larson seconded the motion.

Mr. Lloyd Garza, City Attorney, explained the proposed ordinance dealing with the playing of amplified sound systems, including in a vehicle. He noted that the Police Department feels that playing such amplified sound systems can be a traffic hazard to other motorists, and explained the rationale. He also addressed who may enforce the proposed ordinance.

The following persons then appeared to speak:

Mr. Ray Hamilton, Chairman, Neighborhood Task Force, Crime Prevention Committee, stated that the ordinance would allow all peace officers in San Antonio the authority to enforce the ordinance, and he spoke to its need.

Ms. Lila Landez, 118 Burke, asked that the amplified sounds of some motorized ice cream vendors also be halted, and she spoke to certain confrontations that have taken place in various neighborhoods over this matter. She also thanked Fire Chief Robert Ojeda for halting the testing of Fire Department vehicle sirens at the Zarzamora Service Center after a certain hour of the night.

Ms. Ayala made an amended motion to add ice cream vendor trucks to the provisions of the proposed ordinance. Mr. Solis seconded the amending motion.

In response to a question by Mayor Wolff, Mr. Garza noted that any vehicle equipped with amplified sound would fall under the provisions of the proposed ordinance. He stated that the Council might consider amending the Mobile Food Vendor regulations, instead of this proposed ordinance, in matters involving the mobile ice cream vendors, to accomplish the Council's wishes. He noted that doing so would help keep consolidated regulations dealing with these Mobile Food Vendors in one place, in the City Code.

After discussion, the maker and seconder of the amendment agreed to withdraw their proposed amendment.

Ms. Ayala stated that, nevertheless, she wants this matter investigated.

Mr. Larson spoke to the reasons for proposing this ordinance in question, and stated his belief that existing regulations can help the Police Department cope with mobile ice cream vendors in neighborhoods, and their use of amplified sounds on their trucks.

Mr. Solis differentiated between the two separate problems, and stated his belief that the City might want to perhaps look at another avenue of enforcement concerning the motorized ice cream vendors and their amplified sound systems. He stated his belief that consideration should be given to perhaps halting the amplified sounds

from mobile ice cream vendors when their vehicles are halted for sales.

In response to a question by Mr. Avila, Mr. Garza spoke to enforcement and penalty provisions of the proposed ordinance in Municipal Court, and how indigent offenders would be treated.

Mr. Avila stated his belief that there should be times when such amplified sounds are allowed, and times when it should be banned. He stated his belief that it is not fair to penalize all youths in San Antonio.

In response to a question by Mr. Ross, Mr. Garza spoke to the legal definition of "reasonable level of sensibility", and discussed enforcement criteria.

Mr. Perez stated his belief that most mobile ice cream vendors shut off their amplified sound when stopped, and spoke to his concern for possible harassment complaints.

Ms. Helen Berridge, Municipal Court Prosecutor, and Mr. Garza both spoke to how such 'amplified sound' cases could be prosecuted in Municipal Court.

Ms. Ayala stated her contention that the proposed ordinance is subjective.

In response to a question by Ms. Ayala, Mr. Garza spoke to the enforcement provisions of the proposed ordinance and the matter of a police officer's discretion in such enforcement.

In response to a question by Mr. Thornton, Deputy Chief Phillipus noted that being deaf does not keep someone from being a licensed driver in Texas, and addressed the need for reasonableness in the enforcement of the proposed ordinance.

Mr. Thornton stated his belief that enforcement of the proposed ordinance is totally subjective.

The motion then failed to carry by the following vote: AYE: Billa Burke, Peak, Larson, Wolff. NAYS: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton.

94-48 The Clerk read the following Ordinance:

AN ORDINANCE 80,909

REVISING THE SAN ANTONIO MUNICIPAL BASEBALL STADIUM PROJECT BUDGET TO REFLECT A NET REDUCTION OF \$111,680.99; AUTHORIZING THE PAYMENT OF \$2,096.73 TO FORD, POWELL, CARSON, INC. FOR ARCHITECTURAL SERVICES; AUTHORIZING THE PAYMENT OF \$17,095.38 TO

COX & SMITH FOR LEGAL SERVICES; AND AUTHORIZING  
\$699.62 TO WENDEL, CRITTON & PARKS FOR LEGAL  
SERVICES.

\* \* \* \*

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

Mr. Ron Darner, Director of Parks & Recreation, explained the  
proposed amendment to the budget for the Municipal Baseball Stadium.

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

- - -  
94-48 PUBLIC HEARING ON AMENDMENTS TO UNIFIED DEVELOPMENT CODE.

Mayor Wolff declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The Clerk read the following Ordinance.

AN ORDINANCE 80,910

PROVIDING FOR AMENDMENTS TO THE UNIFIED DEVELOPMENT  
CODE RELATED TO HISTORIC PRESERVATION, THE RIVER  
WALK, AND CITY PROPERTY.

\* \* \* \*

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

Ms. Imogen Cooper, Planning Department, briefly explained the  
proposed consolidation of several City Code provisions by amendment of  
the Unified Development Code - Chapter 35, in areas such as historic  
preservation laws, provisions of the RiverWalk Manual, and use of City  
property. She noted that this proposed consolidation was occasioned by  
the consolidation of several City boards and commissions into the  
Historic and Design Review Commission. She then outlined the various  
divisions concerned, include one new provision dealing with a  
"Certificate of Appropriateness".

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

A discussion ensued concerning the effects of the proposed changes on existing City Codes, including the 'historic' designation.

Mr. Ross offered an amendment that notification to property owners of a 'historic landmark' designation action be accomplished by Certified Mail - Return Receipt Requested. Mr. Solis seconded the motion.

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

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

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94-48 SECOND PUBLIC HEARING - ANNEXATION OF GREEN SPRINGS VALLEY, RAIN TREE, SUNRISE, QUINTANA ROAD, ADAMS HILL, AND TIMBER RIDGE

Mr. David Pasley, Director of Planning, briefly explained the proposed annexation of some six areas and described the individual areas for proposed annexation, and spoke to timelines for the annexation process.

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

Mr. Pasley addressed the impact of annexation on increased services to be provided to the newly-annexed areas, estimating that service cost to be about \$2.3 million annually. He then spoke to the some 6,500 notices sent out to residences in those areas to be annexed.

Mayor Wolff spoke to the Service Plans concern of Mr. Raymond Beebe, addressed in a letter, a copy of which is made a part of the papers of this meeting. He asked City staff to continue to meet with neighborhood representatives of Timber Ridge area, as well as others involved.

Ms. Ayala stated that a meeting with these area residents is scheduled for next week.

The following persons appeared to speak:

Ms. Elinor Froemsdorf, representing the Northeast Volunteer Fire Department, spoke to the loss of both revenues and volunteers due to the partial annexation of their service area. She then spoke to the services provided by the volunteer fire department to the affected territory, and asked for a delay in annexation of that area until the entire service area can be annexed together.

Mr. Tony R. Garza, 5854 Sun Bay, in the Sunrise Subdivision, stated his contention that the proposed annexation action is an abuse of powers, and read from a petition signed by Sunrise area residents which he feels makes any annexation action by the City of San Antonio null and void. He also stated his belief that the annexation public hearings are being held too late in the year, and spoke to the good services provided to his subdivision by the City of Kirby.

Ms. Carole Swart, 8422 Shallow Creek, Timber Ridge Subdivision, asked for a delay in annexing her area; but, should annexation take place, she would like to have the subdivision's recreation center kept open as a City facility, with financial help from the City of San Antonio.

Mr. Mike Davison, 1623 Leander, Tara Subdivision, stated his belief that the City needs to establish better communication with the area, and made several suggestions, including the impact of annexation on the proposed Service Plan; delay of one year in annexation; and earlier communication of plans with representatives of the area. He then spoke to needed roadway and lighting improvements in the area.

Mayor Wolff agreed that better and earlier communication of plans is needed by City staff.

Mr. Russ Livingston, representing the Timber Ridge Homeowners Association, stated his belief that annexation of his area would overtax the City's area fire and police services, and asked that annexation of Timber Ridge be delayed until 1996 in order to allow time for the association to work with City staff on a Service Plan for the area.

Mr. Ricky Gonzalez, 2018 Ellison Drive, Heritage Park, stated that he was not notified that his area was to be annexed, and asked that the proposed annexation lines be redrawn to include only Adams Hill Subdivision.

In response to a question by Mr. Thornton, Mr. Pasley stated that the City's Annexation Committee needs to discuss this idea, as well as the topic of earlier notification and annexation plans for the Sunrise area.

Mr. Don Perez, 8730 Timber Cloud, President of the Homeowners Association, presented petitions asking for a delay in annexation of his area for one year to allow time to work with City staff on Service Plans. He also spoke to the need for better communication.

Ms. Donna Gebing, 2718 Rim Rock, Timber Ridge, asked for a one-year delay in annexation of her area in order to develop better Service Plans.

Ms. Coralee Fenner, Metro Alliance, introduced several young children, each of whom spoke against annexation of the Sunrise area, assisted by parents Elizabeth Marin and Nicole Urdialez.

Ms. Dianna Marin, Sunrise, stated her fear for the loss of First Responder EMS service, if annexed into the City of San Antonio.

Ms. Deborah Urdialez, Sunrise, spoke to the alleged 39-minute wait for a San Antonio EMS unit when her daughter was injured in a traffic accident. She stated that she has some 348 petition signatures from Sunrise residents favoring annexation by the City of Kirby, and only 22 favoring annexation by San Antonio.

Ms. Fenner spoke against annexation of Sunrise until an EMS unit can be located in the subdivision.

Mayor Wolff discussed the possible release of the Sunrise subdivision, currently in the City of San Antonio's extra-territorial jurisdiction (ETJ), to the City of Kirby for their possible annexation of that area, and spoke to his desire that the Annexation Committee look into this possibility, in conjunction with City staff.

Ms. Karen Bennington, 8423 Ridge Stone Drive, in Timber Ridge, submitted petitions asking for a one-year delay in annexation of Timber Ridge.

Mr. Ron Brown, 1900 S. Ellison Drive, stated that he is a resident of the Adams Hill area, but lives in the Heritage Park subdivision. He spoke to his fears that annexation will cause a split neighborhood, and asked that his portion of Heritage Park be omitted from this annexation until the entire Heritage Park subdivision is annexed.

Mr. Richard Bennett, 14310 Toepperwein Road, stated that he owns a small ranch, and asked that annexation be postponed until the area is fully developed.

Mr. Randall House, P.O. Box 700250, stated that he owns property in the Green Springs Valley area which is undeveloped and in agricultural usage. He asked that its annexation be postponed until the building moratorium issue is finally decided.

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

Mr. Alfred Beinenberger, 2303 O'Riley, spoke to his concern with rising taxes because of annexation, and stated that, if annexed, he wants immediate services from the City. He further stated his preference for a one-year delay in the annexation.

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

In response to a question by Mr. Solis, Mr. Pasley noted that the City will provide certain City services to the newly-annexed areas immediately, as a matter of City Council policy.

Mr. Robert Hubert, 7719 Pipers Lane, Bexar County Volunteer Fire Department, noted that there is a First Responder EMS location next to the Timber Ridge subdivision, and stated his belief that he can respond to an emergency call faster than the closest San Antonio EMS unit. He then spoke to two examples of his service's rapid response to emergency calls, and asked that the Timber Ridge annexation be postponed until 1996.

A discussion then took place concerning the EMT training given to First Responder employees.

In response to a question by Mr. Thornton, Mr. Patrick Hoeffner, First Responder, stated that First Responder has a contract with the Bexar County Fire Marshal at \$800.00 per month at the 7719 Pipers Lane location. He stated that First Responder still will receive its monthly monies, even if its coverage area is diminished by San Antonio's proposed annexation. He noted that the Bexar County Volunteer Fire Department at this location responds to both fire and EMS calls, and also addressed other concerns with San Antonio's Fire Department response and coverage in this area. He stated that, if Timber Ridge is annexed, he will lose some 75 per cent of his subscription area.

Mr. Frank Persyn, 1355 Reed Road, stated that he farms an area on Reed Road, one of the Belgian truck-farmers, and he spoke against annexation of his area.

Ms. Loretta Persyn, a resident of Timber Ridge, asked that the Timber Ridge area not be annexed by the City, stating her belief that it would harm the area's development.

Ms. Lupe Bigngy voiced her concern with police response into the Adams Hill area, if annexed.

Ms. Ernestine Owens stated that there was no advance notice of the proposed annexation, and stated her belief that she already receives adequate services.

There being no further citizens signed to speak to this matter, Mayor Wolff declared the Second Public Hearing to be closed, and announced the proposed annexation scheduled.

- - -  
94-48 The Clerk read the following Resolution:

A RESOLUTION NO: 94-48-48 .

.  
ADOPTING A GENERAL FRAMEWORK FOR SAN ANTONIO WATER  
PLANNING.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Resolution Mr. Solis seconded the motion.

Mayor Wolff spoke to the major points of the proposed General Framework for San Antonio Water Planning, and stated that each speaker would be allowed three minutes for his or her comments.

The following persons appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, a concerned citizen, stated his belief that people are tired of 'the system', and he urged selection of competent board members for San Antonio Water System, and spoke to several possible nominees.

Mr. Alan E. Thorn Bacon, also a concerned citizen and a SAWS board applicant, spoke to his concern that San Antonio does not have a firm handle on water planning, and expressed his belief that the federal government will take over our underground water if San Antonio doesn't plan well.

Mr. Joe G. Moore, Jr., Richardson TX, the court-appointed Monitor appointed by Federal Judge Lucius Bunton in the Edwards Aquifer litigation in federal court, spoke to his experience in these matters. He expressed his belief that regional negotiation is the best solution to the current litigation; lacking that, a legislative solution; then a legal solution; with no solution at all being the last option, in that order. He further expressed his belief that San Antonio should be the lead applicant for a 'take permit' for Edwards Aquifer water, and expressed his belief that such would require a regional water supply plan in order to do so. He then addressed 'take' and 'jeopardy' levels at Comal Springs, as set by the U.S. Fish & Wildlife Service.

Mr. Moore then expressed his opinion that reduction of the Ramshorn Snail in Comal Springs would raise the 'jeopardy' level of those springs. He stated that San Antonio must have an enforceable water plan, and noted that Mayor Wolff of San Antonio, and the Edwards Underground Water District, the Medina Underground Water District, and others, including San Antonio River Authority, have agreed to pursue creation of a panel to seek a 'take permit' for Edwards Aquifer water. He stated that future withdrawal of water from the Edwards Aquifer will be regulated, and endangered species in San Marcos and Comal Springs will be protected. He stated that the panel's deliberations will focus upon withdrawal of water from the Edwards Aquifer during periods of reduced water availability. He stated further that water conservation is a "must", including agricultural uses, and that re-use water is important, noting that San Antonio controls the discharge of its wastewater. He expressed his belief that San Antonio should attempt to re-use up to 100 per cent of its discharge, if possible.

As to "recharge structures", Mr. Moore stated that they have no value in times of drought, and that recharge water is very costly; whereas, groundwater from the Guadalupe River is cheaper. He stated his belief that San Antonio needs to sell its downstream water to irrigators

and buy out that irrigation water in dry years. He noted that the U.S. Fish & Wildlife Service has filed some 15 typewritten pages of objections to an augmentation study commissioned by the Edwards Underground Water District, and further noted that both San Marcos and New Braunfels oppose augmentation of their springs. He stated his own belief that this alternative is not yet real. He stated that further augmentation studies may be needed, but he sees little chance of that doing any good. He stated that San Antonio Water System should negotiate with the Guadalupe-Blanco River Authority for some 75,000 acre-feet of water, and stated that the panel needs to look into this, early on. He stated that all projects selected by the panel must be cost-effective, environmentally-acceptable, and "do-able".

Mr. Moore stated that he would be acting as Chair of the panel, and if it cannot reach a concensus, he will recommend a particular action to the federal court. He stated that discussions and meetings will be open to the public, and the panel will last for 60 days. He expressed his belief that it will be next spring before a take permit can be submitted to the U.S. Fish & Wildlife Service, and he noted that he will be reporting progress of this panel to the court. He then expressed his belief that it is irrelevant and unlikely that the Edwards Aquifer can be drawn down below the 'jeopardy level', and he spoke to certain problems that occurred in Houston, such as land-subsidence, when pumping of water wells there went below a certain level.

Mr. Moore expressed his belief that the State Legislature will move on the matter of an Edwards Aquifer Authority during this coming legislative session, and holds out little hope that the Endangered Species Act will be weakened by Congress. He then distributed copies of three federal court orders dealing with the activities of the court-appointed monitor.

Mayor Wolff asked that Mr. Moore's remarks be reduced to writing. (A copy of his remarks is made a part of the papers of this meeting.)

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

Mr. Lee Peterson, CCSF, representing the Abbey of St. Francis, 1951 North Panam Expressway, spoke to what he perceives to be "arrogance of power", and stated his belief that Mr. Kirk Patterson should be appointed to the San Antonio Water System board, as a result of the outcome of the August 13, 1994 referendum election.

Mr. Scott Fletcher, representing the Community of the Companions of St. Francis, spoke in favor of Mr. Kirk Patterson being appointed to the San Antonio Water System board, and he spoke to Mr. Patterson's qualifications.

Ms. Kay Turner, 7535 North New Braunfels Avenue, stated her belief that San Antonio has invited takeover by the federal government,

and Fenner expressed her opinion that Mr. Moore has taken the side of the 2050 Water Plan. She spoke to the need to tell the federal government to be reasonable, and she spoke to Mr. Moore's background as a supporter of surface water. She stated her belief that no more water should be taken from the Edwards Aquifer than has been put into it, and spoke in support for some reasonable regulations that can be "sunsetting". Finally, she stated her opinion that the actions of local, state and federal governments in this matter have not been taken in good faith.

Mr. Ray Hamilton, Northside Neighborhoods For Organized Development, spoke to the need for re-use water and interbasin water transfers for San Antonio. He expressed his belief that our access to the Edwards Aquifer will be controlled by the federal government, and addressed the need for a regional solution, including more recharge dams. He stated his belief that the highest priority in this matter is protection of the Edwards Aquifer, including control of the development over it. He spoke in favor of having an elected Edwards Aquifer Authority board, and also spoke in support of Ms. Danielle Milam for the SAWS board.

Ms. Virginia Ramirez, representing Communities Organized For Public Service (COPS) and Ms. Coralee Fenner, representing Metro Alliance, spoke to the need for a good Water Plan that protects the Edwards Aquifer. Both spoke in support of conservation of water and the need to seek an alternative source of water for San Antonio. They also spoke to the need for restrictions on the taking of water from the Edwards Aquifer.

Ms. Fenner also warned against any "quick fix" to the problem, and in favor of a sound Water Plan.

Mr. Ruben Espronceda, P.O.Box 14373, spoke in support for the appointment of Mr. Kirk Patterson for the SAWS board, and expressed his belief that the barrier between government and the people needs to come down.

Ms. Margaret Kemp, 2314 Town Gate, also spoke in support of Kirk Patterson for the SAWS board, and in support for the Edwards Underground Water District as the agency to govern Edwards Aquifer water. She spoke to the need to have an elected body in charge.

Mr. Tom Culbertson, 511 Westwood, stated his disappointment with statements of the court-appointed monitor, and commended San Antonio for making progress in water conservation. He spoke in support for the appointment of qualified persons to the SAWS board, and addressed several recommendations.

\* \* \* \*

Mayor Wolff, who had returned to the meeting to preside, stated his belief that San Antonio has a good framework for a Water Plan, and he addressed certain specifics. He also stated his belief that

participation in the panel mentioned by Mr. Moore is necessary, and he addressed other specifics of Mr. Moore's recommendations. He then addressed possible legislation and the current status of litigation in this matter, expressing his belief that mediation is the best route to follow.

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

Mr. Peak spoke in support for the framework presented today, and addressed specifics. He stated his belief that the recommended timetable is reasonable, and he spoke in support of a strengthening of development regulations over the aquifer. He noted that the City should get the final report on those development regulations before deciding on the fate of any augmentation.

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

Mr. Peak stated that he would await the report from Mr. Moore's panel, then seek appointment of a technical advisory committee on the Water Plan.

Ms. Ayala spoke in support for a regional solution on the use of the Edwards Aquifer.

In response to a question by Mr. Ross, Mr. Joe Aceves, President/Chief Executive Officer, San Antonio Water System, addressed conservation measures under the Water Plan.

Mr. Ross expressed his concern that the City Council has no means of monitoring this Water Plan, for itself. He addressed the need for a committee involving all sides of this matter to look at Senate Bill 1477, and a task force to look at water for our military bases. He expressed his opinion that San Antonio needs its own panel, like Mr. Moore's, answerable to the City Council. He spoke in support for the Resolution.

Mr. Thornton expressed the belief that all San Antonio wants a regional solution to the water issue.

Mr. Larson spoke to Mr. Moore's listing of priorities in water planning.

In response to a question by Mr. Larson, Mr. Moore noted that any recommended solution must be accepted by all parties to the federal court lawsuit, in order to have the litigation withdrawn. He spoke to the need for more substance, before settlement can take place, although settlement is being discussed.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: McClendon,

Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff;  
NAYS: None; ABSENT: Perez

94-48 CANDIDATE INTERVIEWS - SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES

Mayor Wolff spoke to the importance of the Board of Trustees of San Antonio Water System, and noted that City Council will be selecting three members for appointment to that board.

The following individuals then came forward to speak in support for their appointment to the SAWS Board of Trustees:

Mr. Alan E. Thorn Bacon, P.O. Box 12396.

Mr. J.J. Amaro, 4019 Meeks.

Mr. James S. Midgett, 845 South Loop 1604 West.

Ms. Danielle Milam, 213 Harriett.

Mr. Kirk Patterson, 410 Larkwood.

Mr. Lou Miller, 400 North Loop 1604 East, Station 335.

\* \* \* \*

For the position currently occupied by Mr. Pablo Escamilla, Ms. Ayala nominated Mr. J.J. Amaro. Ms. Billa Burke seconded the nomination.

After discussion, it was the unanimous concensus of all City Council members, all being present at this time, to name Mr. J.J. Amaro to this position by acclamation.

For the position currently occupied by Mr. Curtis Neal, Ms. McClendon nominated Ms. Nancy S. Bohman. Mr. Perez seconded the nomination.

Mr. Larson nominated Mr. Lou Miller.

On roll call vote, eight Council members voting for Ms. Bohman, three voting for Mr. Miller, Ms. Bohman was selected for appointment to this position.

\* \* \* \*

For the position currently occupied by Ms. Diane Rath, from whom a letter has been received expressing her desire to decline consideration for reappointment, Mr. Peak nominated Ms. Danielle Milam. Mayor Wolff seconded the motion.

Mr. Ross nominated Mr. Kirk Patterson. Mr. Larson seconded the nomination.

On roll call vote, seven Council members voting for Ms. Milam, four voting for Mr. Patterson, Ms. Milam was selected for appointment to this position.

By consensus of City Council, appointment of the three persons selected for appointment to the Board of Trustees of San Antonio Water System was advanced to "A" Session for formal approval.

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94-48

CITIZENS TO BE HEARD

No citizen registered to speak during Citizens to be Heard was present at this time to speak to the City Council.

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City Council recessed its regular meeting at 7:05 P.M. for dinner, reconvening at 7:44 P.M., at which time the Council recessed the regular meeting in order to convene in Executive Session for:

A. Update on contract negotiations of the San Antonio Firefighters.

B. Briefing on litigation styled Lyda, Inc. vs. City of San Antonio, Cause No. 93-CI-06509.

C. Briefing on status of contract negotiations with San Antonio Police Officers Association.

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City Council recessed its Executive Session and reconvened in regular session at 8:26 P.M., at which time Mayor Wolff announced that City Council had met in Executive Session, and had taken no official action.

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94-48 There being no further business to come before the Council, the meeting was adjourned at 8:27 P.M.

A P P R O V E D



M A Y O R

Attest:



C I T Y C L E R K

October 6, 1994

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

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

September.19,.1994

Petition submitted by Ms. Colleen E. Walheim et al, 814 Oakwood Drive, San Antonio, Texas 78228 requesting the expeditious completion of the pilot channel project, (Science Park Drainage Project).

/s/ Norma S. Rodriguez  
City Clerk