

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 19, 1992.

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The meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, PIERCE, BILLA BURKE, WING, SOLIS, AYALA, VERA, THORNTON, LARSON, WOLFF. Absent: LABATT.

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92-12 Invocation - Reverend L. E. Bennett, Galilee Missionary Baptist Church.

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92-12 Pledge of Allegiance to the flag of the United States.

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92-12 Minutes of the February 13, 1992 Regular City Council Meeting were approved.

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92-12 RESOLUTION - SAN ANTONIO SUMMIT

Mayor Nelson W. Wolff recognized Councilwoman Yolanda Vera for her leadership in preparing our City for the San Antonio Summit in the short time-frame of just 3 1/2 weeks, stating he had received untold number of letters and phone calls with well-wishes and letters of appreciation from President Bush and many other high dignitaries, praising us for a job well done.

Mayor Wolff then read and presented to Yolanda Vera the following Resolution:

A RESOLUTION NO: 92-12-08

WHEREAS, COUNCILWOMAN YOLANDA VERA HAS BEEN THE CITY COUNCIL'S CHAIRPERSON FOR SUCH CRITICAL AREAS AS PLANS AND POLICY, LITERACY AND INTERNATIONAL RELATIONS; AND

WHEREAS, AS CHAIRPERSON OF THE INTERNATIONAL RELATIONS COMMITTEE OF THE CITY COUNCIL, SHE UNDERTOOK THE

DIFFICULT AND DEMANDING ROLE AS COORDINATOR FOR "THE SAN ANTONIO SUMMIT" MEETING OF THE PRESIDENTS AND/OR DELEGATIONS OF THE UNITED STATES AND SIX LATIN-AMERICAN NATIONS HELD ON FEBRUARY 26 - 27, 1992; AND

WHEREAS, LARGELY THROUGH HER PERSONAL EFFORTS, THE MYRIAD DUTIES AND RESPONSIBILITIES TO UNDERWRITE AND COORDINATE SUCH A MAMMOTH UNDERTAKING WERE ACCOMPLISHED AND THE SUMMIT SUCCESSFULLY HELD, BRINGING INTERNATIONAL ACCLAIM AND ATTENTION TO SAN ANTONIO; NOW, THEREFORE:

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

THAT COUNCILWOMAN YOLANDA VERA BE CONGRATULATED FOR HER LEADING ROLE IN THE SUCCESSFUL ACCOMPLISHMENT OF COORDINATING ACTIVITIES RELATING TO "THE SAN ANTONIO SUMMIT", AND APPRECIATION BE EXPRESSED BY THE MAYOR AND CITY COUNCIL ON BEHALF OF A GRATEFUL CITIZENRY FOR A JOB EXCEPTIONALLY WELL DONE.

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

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, Pierce, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Wing.

Ms. Vera thanked Mayor and Council for the Resolution and stated this was the most rewarding project she had ever worked on in the public or private sector and attributed that to having worked with wonderful, enthusiastic and talented people. She extended her personal appreciation to the City Manager and staff for their dedication and hard work, and stated that Assistant City Manager Rolando Bono's detailed work enabled the private sector to be a big part in the success of the Summit.

Mayor Wolff stated that many local companies and individuals came forward and volunteered many hours. He then welcomed those in the audience who were invited to be honored for their participation in the effort toward the Summit.

Mayor Wolff then read the following Citation which was presented individually to each person in attendance.

CITATION

IN GRATEFUL ACKNOWLEDGEMENT FOR YOUR VALUED SERVICES RENDERED DURING THE SAN ANTONIO SUMMIT ON FEBRUARY 26 - 27, 1992. YOUR GENEROUS SPIRIT OF VOLUNTEERISM CONTRIBUTED TO THE SUCCESS OF THE MEETINGS BETWEEN THE PRESIDENTS AND/OR DELEGATIONS FROM THE UNITED STATES, BOLIVIA, COLOMBIA, ECUADOR, MEXICO, PERU AND VENEZUELA. THIS CITATION IS HEREBY TENDERED WITH THE SINCERE APPRECIATION OF THE CITY COUNCIL ON BEHALF OF THE CITIZENS OF SAN ANTONIO.

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Members of the City Council also thanked those in attendance, stating that San Antonio is a place where meetings of this magnitude can take place because of its outstanding citizens.

Mayor Wolff said this was a truly historic event with seven presidents convening here in our City. He stated that this event established the City of San Antonio as an International City, and that a Fortune 500 CEO's Convention will take place here in October.

At this time, Ms. Vera gave special acknowledgement to two staff members unable to attend today's Summit recognition, Shirl Thomas and Jose Luis Garcia, stating they were vital to this operation.

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92-12

RECOGNITION OF MAYORS FROM EL SALVADOR

Mayor Wolff recognized twenty-one Salvadoran Mayors spending two weeks here studying the culture and governmental operations of the City.

A spokesman for the delegation spoke of the hospitality extended to them by the citizens of San Antonio.

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92-12

CONSENT AGENDA

Ms. Vera made a motion to approve Agenda Items 9 through 29, constituting the Consent Agenda. Mr. Larson seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, Pierce, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Wing, Solis, Labatt.

AN ORDINANCE 75,449

ACCEPTING THE PROPOSAL OF WORLD BOOK EDUCATIONAL PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH ENCYCLOPEDIAS FOR A TOTAL OF \$3,354.00.

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AN ORDINANCE 75,450

ACCEPTING THE LOW BID OF GLOBE TICKET AND LABEL COMPANY FOR PRINTING OF PARKING TICKETS FOR THE CITY OF SAN ANTONIO AVIATION DEPARTMENT FOR \$10,659.60.

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AN ORDINANCE 75,451

ACCEPTING THE LOW QUALIFIED BIDS OF BARRY'S CAMERA 7 VIDEO AND PHOTOGENESIS/RITZ CAMERA TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH CAMERA EQUIPMENT FOR A TOTAL OF \$7,941.90.

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AN ORDINANCE 75,452

ACCEPTING THE PROPOSAL OF MERCK SHARP & DOHME TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH HEPATITIS B VACCINE FOR A TOTAL OF \$9,064.00.

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AN ORDINANCE 75,453

ACCEPTING THE LOW QUALIFIED BID OF ENVIRONMENTAL RESOURCES ASSOCIATES, INC. TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH AN ANNUAL CONTRACT FOR QUALITY ASSURANCE SAMPLES FOR A TOTAL OF \$5,184.00.

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AN ORDINANCE 75,454

APPROVING FIELD ALTERATION NO. 13, IN THE DECREASED AMOUNT OF \$381,895.53, TO THE CONTRACT WITH H.B. ZACHRY COMPANY FOR THE RECONSTRUCTION OR RUNWAY 3-21 AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 75,455

ACCEPTING THE LOW QUALIFIED BID, IN THE AMOUNT OF \$214,156.00, FROM CCC GROUP, INC. TO PERFORM THE DEMOLITION OF LEASEHOLD IMPROVEMENTS AND HAZARDOUS WASTE DISPOSAL AT STINSON MUNICIPAL AIRPORT AND APPROVING A CONTRACT; AUTHORIZING \$21,415.00 FOR A DEMOLITION CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM FUGRO-MCCLELLAND (SOUTHWEST), INC TO PROVIDE ENVIRONMENTAL MANAGEMENT SERVICES FOR A FEE NOT TO EXCEED \$48,069.75; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 75,456

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$18,000.00, WITH GROVES & ASSOCIATES, INC. TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH RENOVATIONS TO CITY OWNED BUILDINGS ON THE NAYAK AVIATION AND BROWN FLYING SERVICE LEASEHOLDS ON SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$1,800.00 FOR AN ARCHITECTURAL CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,457

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF SANITARY SEWER IMPROVEMENTS ON POTRANCO ROAD FROM LOOP 1604 TO CULEBRA ROAD; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$273,877.66 FOR THE CITY'S PORTION OF INCURRED COSTS IN CONNECTION HERewith.

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AN ORDINANCE 75,458

AUTHORIZING AN ADDITIONAL \$57,821.78 FOR ENGINEERING FEES PAYABLE TO RONNFELDT ENGINEERING CONSULTANTS, INC., IN CONNECTION WITH THE LORD ROAD DRAINAGE #114C, PHASE I PROJECT.

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AN ORDINANCE 75,459

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH U.S. SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP IN CONNECTION WITH THE STOCKYARD/PRODUCE MARKET AREA PROJECT; APPROPRIATING \$50,082.00 FROM 1985 G.O. BOND FUNDS; AND PROVIDING FOR PAYMENT TO U.S. SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP IN CONNECTION HEREWITH.

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AN ORDINANCE 75,460

AUTHORIZING AN ADDITIONAL \$3,013.00 FOR ENGINEERING SERVICES PAYABLE TO FLORES & CO. CONSULTING ENGINEERS IN CONNECTION WITH THE RECONSTRUCTION OF LUBBOCK STREET FROM CORDERO TO S. FLORES PROJECT; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 75,461

ACCEPTING THE LOW, QUALIFIED BID OF JOHN COPELAND ENTERPRISES, INC. IN THE AMOUNT OF \$73,550.00 IN CONNECTION WITH THE FENCE CONTRACT - PHASE I PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$18,387.50 FOR CONSTRUCTION CONTINGENCIES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,462

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$18,011.50 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE SOUTH FLORES DRAINAGE PROJECT #70-70A; ACQUIRING TITLE TO TWO PARCELS AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA ROAD TO W. COMMERCE STREET; ACQUIRING TITLE TO ONE PARCEL AND ACQUIRING A TEMPORARY EASEMENT IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT #58H, I & J; AND ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE BRIGHTON PARK SUBDIVISION, UNIT NO. 1.

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AN ORDINANCE 75,463

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE JAMES M. DENARD, JR. DEFINED BENEFIT PENSION PLAN AND TRUST FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF A PORTION OF A BUILDING LOCATED AT 1354 BASSE ROAD; AUTHORIZING THE CITY MANAGER OR THE ASSISTANT CITY MANAGER TO EXECUTE SAID LEASE AGREEMENT IN CONNECTION WITH THE WOMEN, INFANTS & CHILDREN'S NUTRITION PROJECT; AND AUTHORIZING AND APPROVING FUNDS IN CONNECTION THEREWITH.

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AN ORDINANCE 75,464

AUTHORIZING THE EXECUTION OF A LEASE SPACE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO (LESSEE) AND THE MEXICAN AMERICAN UNITY COUNCIL, INC. (LESSOR) FOR THE LEASE OF 7,067 SQUARE FEET OF SPACE FOR THE BAZAN BRANCH PUBLIC LIBRARY AT A RATE OF \$0.67 PER SQUARE FOOT FOR A TERM OF 12 MONTHS BEGINNING OCTOBER 1, 1991.

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AN ORDINANCE 75,465

AMENDING CHAPTER 19 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRONIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING STOP SIGN LOCATIONS; YEILD-RIGHT-OF-WAY LOCATIONS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; PROHIBITING CERTAIN TURNS; ESTABLISHING CERTAIN SCHOOL ZONES; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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AN ORDINANCE 75,466

AUTHORIZING THE ACCEPTANCE OF A FEDERAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAM (FEMA) GRANT FROM THE DIVISION OF EMERGENCY MANAGEMENT OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$78,580.00.

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AN ORDINANCE 75,467

APPROPRIATING \$102,070.80 PAYABLE TO THE TEXAS WATER COMMISSION FOR THE 1992 WATER QUALITY ASSESSMENT FEES.

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AN ORDINANCE 75,468

APPOINTING LAUREEN CATE TO REPLACE DR. REYNOLDS CATE ON THE HIGHER EDUCATION AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1992.

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AN ORDINANCE 75,469

APPOINTING LTC. COLONEL JIMMY J. CASIANO TO THE SAN ANTONIO CENTRO 21 TASK FORCE FOR A TERM OF OFFICE TO EXPIRE DECEMBER 31, 1993.

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AN ORDINANCE 75,470

APPOINTING STEVE LUNDGREN AND DIC MCGOON TO SERVE ON THE TRANSPORTATION ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 26, 1993, AND JANUARY 26, 1994, RESPECTIVELY.

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AN ORDINANCE 75,471

CLOSING SHANNON LEE DRIVE, BETWEEN OBLATE AND MOUNTAIN TOP, ON SUNDAY, MAY 3, 1992, FROM 11:00 A.M. UNTIL 10:00 P.M. IN ORDER FOR THE BLESSED SACRAMENT CHURCH TO HOLD ITS ANNUAL FESTIVAL.

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92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,472

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$213,900.00, LANE & SMART, INC., TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE SOUND

INSULATION OF PUBLIC SCHOOLS NEAR SAN ANTONIO
INTERNATIONAL AIRPORT; AUTHORIZING \$21,390.00 FOR
THE ARCHITECTURAL CONTINGENCY ACCOUNT; AUTHORIZING
\$2,000.00 FOR AN ADMINISTRATIVE EXPENSES ACCOUNT;
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Mr. Pierce made a motion to approve the proposed Ordinance.
Mr. Larson seconded the motion.

Mr. Mike Kutchins, Director of Aviation, made a presentation
to clarify details of the Ordinance to muffle jet noise for schools.

Mr. Larson asked for a list of the nine schools being affected
by the Ordinance.

After consideration, the motion, carrying with it the passage
of the Ordinance, prevailed by the following vote: AYES: Perez,
Pierce, Billa Burke, Wing, Ayala, Vera, Larson, Wolff; NAYS: None;
ABSENT: Solis, Thornton, Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,473

AUTHORIZING THE ESTABLISHMENT OF A FORCE ACCOUNT IN
THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT IN
CONNECTION WITH THE DEMOLITION OF SIX (6) VACANT
STRUCTURES LOCATED ON THE CONSTRUCTION SITE OF THE
NEW BAZAN BRANCH LIBRARY; APPROPRIATING \$12,000.00
FROM THE 1989 G.O. LIBRARY BOND FUNDS; AND
PROVIDING FOR PAYMENT.

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

A staff presentation was made by Mr. Dennis Rice, Facilities
Manager of the Library.

After consideration, the motion, carrying with it the passage
of the Ordinance, prevailed by the following vote: AYES: Perez,
Pierce, Billa Burke, Wing, Ayala, Vera, Thornton, Larson, Wolff; NAYS:
None; ABSENT: Solis, Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,474

AUTHORIZING THE CITY OF SAN ANTONIO HOUSING TRUST TO CONFER, THROUGH ITS SAN ANTONIO HOUSING TRUST FOUNDATION, INC., AWARDS OF ASSISTANCE, FUNDING THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES IN THE AMOUNT OF \$175,000.00; THE TEXAS MUTUAL REINVESTMENT CORPORATION IN THE AMOUNT OF \$200,000.00; THE SAN ANTONIO HOUSING DEVELOPMENT CORPORATION IN THE AMOUNT OF \$250,000.00; AND THE SAN ANTONIO DEVELOPMENT AGENCY IN THE AMOUNT OF \$100,000.00; AUTHORIZING THE EXECUTION OF AGREEMENTS FOR SUCH AWARDS; AND AUTHORIZING THE TRANSFER FOR THE TOTAL AMOUNT OF \$725,000.00 TO THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC. AND THE APPROPRIATION OF \$175,000.00 THEREOF FOR THE AWARD TO THE DEPARTMENT OF COMMUNITY INITIATIVES.

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

Mr. Andrew Cameron, Director of Community Development Office, made a presentation on the Ordinance.

The following person appeared to speak:

Ms. Mary Piccione, COPS Co-Chair, spoke in support of the \$100,000 to the San Antonio Development Agency (SADA).

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Mr. Wing stated he supports the project and recognized COPS for their hard work.

Ms. Vera spoke to the need of special sensitivity to this issue and the need to be pro-active.

Mr. Cameron stated the Housing Task Force will be giving feedback to the City Council on the issue.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,475

AUTHORIZING THE CITY OF SAN ANTONIO HOUSING TRUST TO CONFER, THROUGH ITS SAN ANTONIO HOUSING TRUST FOUNDATION, INC., AWARDS OF ASSISTANCE, FUNDING THE EASTSIDE ECONOMIC DEVELOPMENT COUNCIL IN A TOTAL AMOUNT OF \$200,000.00; AND THE PETERSON-MAXWELL PARTNERSHIP IN THE AMOUNT OF \$95,000.00; AND AUTHORIZING THE EXECUTION OF AGREEMENTS FOR SUCH AWARDS.

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

A staff presentation was made by Mr. Andrew Cameron, Director of Community Development Office.

The following Citizens spoke:

Mr. Joseph Scott, Eastside San Antonio Economic Development Council, spoke in favor of the Ordinance, and thanked Frank Pierce and Lynda Billa Burke for their support.

Mr. Luis Vallejo, Community Development Officer for Bank One, spoke in support of the Ordinance.

Mr. Robert Jodon, Housing Trust Fund, explained the Ordinance.

(Mayor Wolff left the Council Chambers at this time and Councilman Perez presided in the absence of Mayor Pro Tem Billa-Burke.)

Mr. Pierce inquired to the number of units targeted for the project.

Mr. Jodon confirmed they were considering thirty (30) units over the next two years, but there was no formal market study being done at this time.

Ms. Ayala congratulated Bank One for their participation in this project and for taking the lead.

Mr. Jodan stated they were making use of the closed Hud homes.

Mr. Drew Cameron, Director of Community Development, spoke of a short term lease-purchase to help citizens to obtain housing.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Solis, Ayala, Vera, Thornton, Larson; NAYS: Wing;

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ABSENT: Labatt, Wolff.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,476

ACCEPTING A PROPOSAL FROM THE UNIVERSITY OF TEXAS AT SAN ANTONIO-CENTER FOR ARCHAEOLOGICAL RESEARCH (UTSA-CAR) TO CONDUCT PHASE V-FINAL INVESTIGATION FOR THE SAN ANTONIO ALAMODOME DEVELOPMENT PROJECT IN THE AMOUNT OF \$168,527.00; AND PROVIDING FOR PAYMENT FROM THE 1/2 PERCENT SALES TAX.

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

Mr. Roland Lozano, Director, Office of Dome Development, made a staff presentation and explained the options.

Dr. Dwight Henderson, UTSA Dean of Social and Behavioral Sciences, spoke to the progress and importance of the project.

(At this time, Mayor Pro Tem Billa Burke presided over the City Council meeting.)

Mr. Kenny Wright, the Project's Field Director, led the Council through a detailed slide show of the work.

Mr. Henderson stated that over 100,000 hours of professionals and students were given to this project.

In response to a question by Mr. Larson, Mr. Lozano explained the funding source of the \$77,000 in December, 1989.

Dr. Henderson explained what the research entails and the fact that the cost is generated by contracting out to researchers.

Mr. Larson expressed concern over the lack of controlling the costs.

Mr. Lozano stated they had looked into other similar costs.

(At this time, Mayor Wolff returned to the Chambers and presided over the Council meeting.)

(Mayor Wolff again found it necessary to leave the Chambers and Mayor Pro Tem Billa-Burke presided.)

Mr. Larson asked for direction from the Texas Legislature to

control these types of costs.

Dr. Henderson stated that artifacts belong to the State, at which point Mr. Larson stated that the State, then, should pay for the archaeological dig. His primary concern was accountability of the money spent.

In response to a question by Mr. Thornton, Dr. Henderson clarified that UTSA and the Texas Antiquities Committee met to develop alternatives for the completion of the archaeological requirements for the Alamodome project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Vera, Thornton, Wolff; NAYS: Larson; ABSENT: Solis, Ayala, Labatt.

92-12 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Pro Tem Billa Burke opened the Public Hearing.

No citizens were registered to speak on the matter.

Mr. Gene Camargo, Director of Building Inspections, explained the staff's recommendation on the exception to the moratorium.

Mayor Pro Tem Billa Burke declared the Public Hearing closed.

(Mayor Wolff returned and presided over the meeting.)

The City Clerk read the following Ordinance:

AN ORDINANCE 75,477

ALLOWING THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR A CHURCH TO BE LOCATED AT 535 S. PINE STREET WITHIN THE BOUNDARIES OF THE ALAMODOME IMPACT AREA; AND GRANTING AN EXCEPTION TO THE MORATORIUM ON THE ISSUANCE OF SUCH PERMITS, AS IMPOSED BY ORDINANCES NO. 74488 AND NO. 74531.

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Mr. Pierce 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, Pierce, Billa Burke, Wing, Vera, Thornton, Wolff; NAYS: None; ABSENT: Solis, Ayala, Labatt, Larson.

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92-12 The Regular City Council Meeting was recessed at this time in order to convene as The San Antonio Health Facilities Development Corporation.

The meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: Perez, Pierce, Billa Burke, Wing, Ayala, Vera, Thornton, Larson, Wolff; Absent: Solis, Wolff.

Minutes of August 29, 1991 were approved.

Mr. Clinton Bolden, Director of Economic Development, explained the intent of the Board, and gave a staff presentation.

The SAHFDC considered a resolution by the Board of Directors of the City of San Antonio Health Facilities to issue its City of San Antonio Health Facilities Development Corporation Hospital Revenue Bonds (Warm Springs Rehabilitation Foundation Project) Series 1992.

Mr. Thornton made a motion to approve the proposed Resolution. Mr. Wing seconded the motion.

A Representative of The Warm Springs Rehabilitation Foundation, Inc. (WSRF) explained details.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Solis, Labatt.

The SAHFDC adjourned and reconvened as City Council.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,478

AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE FOR \$1,200,000.00 IN FINANCIAL ASSISTANCE TO SUPPORT THE "WEED AND SEED" PROJECT FOR FY 91-92; AND DECLARING AN EMERGENCY.

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

A staff presentation was made.

Mr. Pierce stated he had spoken with Congressman Lamar Smith regarding the kind of programs needed.

Mr. Larson inquired into the kind of funding which will be needed.

Mayor Wolff expressed appreciation for support of the city's application for \$1.5 million to implement the "Operation Weed and Seed" program in San Antonio.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Wing, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Solis, Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,479

ACCEPTING THE LOW QUALIFIED BID OF SALAZAR CONSTRUCTION, INC. AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,864,000.00 WITH A CONSTRUCTION CONTINGENCY OF \$150,000.00 FOR THE ALAMODOME: PACKAGE 5A-FINISHES; AND PROVIDING FOR FUNDING FROM THE 1/2 PERCENT SALES TAX.

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

Mr. Roland Lozano, Director, Office of Dome Development, made a staff presentation.

Mr. Larson inquired about the cost involved.

Mr. Dave Majda, Project Consultant for Day & Zimmerman, explained details of the Ordinance.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Wing, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Solis, Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,480

APPROPRIATING AN AMOUNT NOT TO EXCEED \$135,354.00 FOR PAYMENT OF PROFESSIONAL SERVICES RELATED TO ENVIRONMENTAL ENGINEERING, CONSULTING WORK AND TESTING SERVICES ON THE ALAMODOME PROJECT SITE SOUTH OF MONTANA STREET, FUNDS TO BE TRANSFERRED WITHIN PROJECT BUDGETS AND PAYMENT MADE BY VIA METROPOLITAN TRANSIT TO MALCOLM PIRNIE; AND PROVIDING FOR PAYMENT FROM THE 1/2 PERCENT SALES TAX.

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

Mr. Roland Lozano, Director of Dome Development, made a staff presentation.

In response to an inquiry by Mr. Larson, Mr. Lozano assured Councilmembers the State will reimburse the City.

(Mayor Wolff left the Council Chambers and Councilman Perez presided.)

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Wing, Solis, Ayala, Thornton, Larson, Wolff; NAYS: None; ABSENT: Pierce, Billa Burke, Vera, Labatt.

(Mayor Wolff returned to the Chambers and presided.)

92-12 Item 37, being a proposed Resolution, as requested by Councilmember Thornton, requesting funding of independent studies to determine the feasibility of artificially augmenting the Comal Spring/Stream flow, was pulled earlier by City Manager Alexander Briseno.

It was informally agreed to bring this item before Council next week.

92-12 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Wolff opened the Public Hearing.

Dr. Fernando A. Guerra, Director of the Health Department, explained the background of the proposed Smoking Ordinance revisions.

(Mayor Wolff left the Chambers and Mayor Pro Tem Billa Burke presided.)

The following Citizens spoke in favor of the Ordinance:

Ms. Nora Brandon stated that due to bad health, she has worked against smoking in the work place for the last several years. She stated she is literally fighting for her life as a non-smoker battling heart disease, cancer, and other diseases.

Dr. Larry Pupa, American Heart Association, Brooke Army Hospital, supports the ordinance, and cited statistics stating that 3/4 of non-smokers have passive inhalation (secondary smoke) and equal 1/3 of all cardiovascular disease and ten times more deaths.

Mr. Robert Wilkes, 11626 Linda Rose, suffers allergies, headaches, throat-aches and eyes and stated passive smoking is dangerous.

Mr. Bill Lewis, 528 Rittiman, stated he has worked in a small office environment with thirteen employees, some of which smoke in the office, and that he is now in the early stages of Emphasema, even though he has worked there only four years.

Mr. Kenneth Lanarus, Tri-Agency, and American Cancer Society President, spoke to the dangers and travisty of secondary smoking and the importance of protecting our citizens.

Mr. Israel Martinez, 11610 Vance Jackson, asked that the Council prevent access of cigarettes to children, speaking of his own body abuse from secondary smoke.

Ms. Roberta Ralls, American Lung Association, and a previous smoker, herself, spoke of severe lung disease, bronchitus and emphysema suffered by many.

Mr. Bill Tracy, 6506 Penview, and an employee of USAA, stated that a USAA Wellness Committee designated smoking areas and that their offices had been smoke-free since June 1991.

Ms. Carol Blythe, 307 W. Mistletoe, American Lung Association, stated she wants to enjoy life without smoke.

Dr. Neal H. Gray, Bexar County Medical Society, President, stated it is a matter of health rather than rights and that we must concentrate more on youth and their possible addiction.

The following Citizens spoke against the Ordinance:

Mr. Hans Nadler, President, San Antonio Restaurant Association, spoke on behalf of the small restaurant owners who are too small to segregate smokers from non-smokers. He stated it should be up to these restaurant owners/managers to decide how to run their shop.

Mr. Bob Satterwhite, 2212 Pear Blossum, who has worked for Philip-Morris for 18 years, stated it had always been their policy to protect the youth and that they have spent millions to educate youth so none under the age of 18 will try to smoke. He stated it is their (Phillip Morris's) belief that this is an adult pasttime.

Mr. Robert Elmendorf, 619 Patricia, stated he had spent the last 46 years in the vending machine business, raising his family from the money he made from the vending machines. He emphasized that no vending machines were close to schools and that he feels it is outrageous to spend \$270,244 to monitor the vending machines.

Mr. Ward W. Elmendorf, 619 Patricia, son of Mr. Robert Elmendorf, stated he does not smoke and he does not feel vending machines affect youth that much, but that youth buy cigarettes because of adult direction.

Mr. Bill Lee, 16100 Henderson Pass, representative of LSA, Inc., stated that severe restrictions would be placed on all special events, which would curtail revenues and Corporate sponsorships.

Ms. Victoria Waddy, 112 E. Pecan Street, representative from the Greater San Antonio Chamber of Commerce, spoke of a random survey taken and that concensus of opinion was to preserve and protect free enterprise, and expressed concern for small businesses.

Mr. Jose H. Medellin, 300 Arbor, stated that proposed changes will place a heavy burden on small businesses, which will, in turn, strap the City with heavy restraints and loss of revenue and the "Mom and Pop Businesses". He stated we need to educate, not curtail.

Mr. Bob Mahan, 10406 Mt. Hope, favors complete banning of smoking, stating it is a poisonous deadly gas.

Mr. Russell Phillips, a worker from Brown & Williamson Tobacco Company, spoke against the Ordinance.

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Ms. Ayala spoke to the health problems suffered by many due to smoke, and stated she objects to vending machines. She stated that even though she would like to see the City smoke-free, she finds it difficult to tell businesses, especially small businesses, what to do.

Dr. Thornton expressed strong feelings against smoke-filled restaurants or lounges where you normally have to wait between air flights when traveling.

(Mayor Pro Tem Billa Burke left the Council Chambers and Councilman Perez presided.)

Dr. Thornton spoke to the fact that smoke is an aerosol and is

carcenogenic.

(Mayor Pro Tem Billa Burke returned and presided over the meeting.)

Ms. Vera recalled the Smoking Ordinance was first passed in 1986 and spoke of it saving lives and that now is the time to look at more options.

Mayor Pro Tem Billa Burke suggested the vending machines be set up to accept only tokens that can only be purchased at the counter where ages can be checked.

Ms. Vera made a motion to bring the proposed ordinance to the Council, including the five main points as stated in the backup material, in two weeks. Ms. Ayala seconded the motion.

Mr. Larson made an amendment to preclude cigarette vending machines within 1/2 mile of schools, and that cigarette sampling be restricted to age 21 and over. Mr. Solis seconded the motion.

Mr. Solis stated that the Mom and Pop businesses will be hurt and he doesn't want to change the existing ordinance.

Mrs. Ayala made a second amendment to ban smoking in working areas of City facilities (City of San Antonio facilities) and to leave only recommended sampling and vending machine provisions in proposed new ordinance. Ms. Billa Burke seconded the motion.

Dr. Guerra clarified details of the Smoking Ordinance as it now stands.

Ms. Vera stated that not smoking saves not only money, but also lives.

Ms. Vera stated that as a courtesy to the Tri-Agency, the City Council is obligated to bring it back to "A" Session for discussion.

Dr. Thornton stated that he was impressed with the number of people who have asked to bring this forward and feels it is appropriate to bring it back to the "A" Session for further discussion.

In response to a question by Mr. Perez, Ms. Vera stated that except for designated smoking area, USAA is a smoke-free environment due to the issue of health.

Mayor Wolff returned and presided over the meeting.

At this time, Mayor Wolff called forth a citizen that did not get to speak earlier.

Mr. John Etheridge, a citizen, stated that his business, Management Koncepts, Inc. was prepared to leave San Antonio, Texas if

the Ordinance is made stricter, and that his company employees 20 people.

Mayor Wolff asked for a vote on Amendment 2 to ban regulation of smoking in the City work areas.

Mr. Wing stated that he is against making the ordinance more restrictive.

Ms. Vera said the intent of the ordinance is destroyed by restricting it only to one group or entity (such as City employees).

After consideration, the second amendment to the motion, failed by the following vote: AYES: Ayala; NAYS: Perez, Pierce, Billa Burke, Wing, Solis, Vera, Thornton, Larson, Wolff; ABSENT: Labatt.

Mr. Larson clarified the intent of his amendment.

Ms. Vera stated her support for the amendment to protect youth from access to cigarettes.

Mr. Wing suggested Mr. Larson withdraw his first amendment.

The Maker of the Motion withdrew the first amendment.

After consideration, the main motion to come back in two weeks with a proposed ordinance including the five main points as stated in the backup material, failed by the following vote: NAYS: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Larson; AYES: Vera, Thornton, Wolff; ABSENT: Labatt.

A motion was then proposed by Mr. Larson to direct staff to come back to City Council in two weeks with a proposed ordinance amending the smoking ordinance to 1) preclude cigarette vending machines within 1/2 mile of any school; and 2) prohibit distribution of sample cigarettes to anyone under age 21. Mr. Solis seconded the motion.

After consideration, the motion, to come back in two weeks with a proposed ordinance amending the smoking ordinance to 1) preclude cigarette Vending Machines within 1/2 mile of any school; and 2) prohibit distribution of sample cigarettes to anyone under the age of 21, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

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92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,481

AUTHORIZING THE TRANSFER OF \$400.00 FROM THE DISTRICT 3 DISCRETIONARY ACCOUNT TO THE APPROPRIATE

ACCOUNT WITHIN THE PARKS AND RECREATION DEPARTMENT TO ASSIST WITH THE COST OF THE SHOWMOBILE WHICH WILL BE USED IN CONJUNCTION WITH A SPRING BREAK TRACK MEET AND YOUTH RALLY ON MARCH 21, 1992, AT SAM HOUSTON HIGH SCHOOL; AND DECLARING AN EMERGENCY.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,482

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO EFFECT THE SETTLEMENT OF CAUSE NO. 90-CI-04748, STYLED IRENE FLORES V. CITY OF SAN ANTONIO, FOR A TOTAL AMOUNT OF \$23,000.00.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,483

AUTHORIZING AND APPROVING A COMPROMISE SETTLEMENT AND JUDGMENT REGARDING CIVIL CAUSE NUMBER SA-90-CA-602 STYLED THE CITY OF SAN ANTONIO, TEXAS AND SAN ANTONIO DEVELOPMENT AGENCY V. COMMERCE SAVINGS ASSOCIATION, THE RESOLUTION TRUST CORPORATION, AS RECEIVER FOR COMMERCE SAVINGS ASSOCIATION, AND C. BENJAMIN MCCALED, REGARDING FIESTA PLAZA AND 9.5 ACRES IN THE VISTA VERDE SOUTH URBAN RENEWAL PROJECT; AUTHORIZING THE CITY MANAGER, ASSISTANT CITY MANAGER, OR ASSISTANT TO THE

CITY MANAGER TO EXECUTE SAID COMPROMISE SETTLEMENT AGREEMENT, AS WELL AS, ANY AND ALL OTHER DOCUMENTS RELATED TO SUCH SETTLEMENT, SUBJECT TO PRIOR REVIEW AND APPROVAL OF THE CITY ATTORNEY; AND AUTHORIZING AND APPROVING THE PAYMENT OF AN AMOUNT UP TO \$30,000.00 IN ATTORNEY FEES TO JEFFERS, BROOK, KREAGER & GRAGG, INC. AND AN AMOUNT UP TO \$5,000.00 IN CLOSING COSTS TO FIRST AMERICAN TITLE COMPANY OF SAN ANTONIO, IN CONNECTION THEREWITH.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,484

AUTHORIZING A SETTLEMENT AGREEMENT REGARDING TAX LAWSUIT CAUSE NO. 87-TA1-1344 PENDING IN THE 45TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS, STYLED STATE OF TEXAS, COUNTY OF BEXAR, ET AL. VS. IMMER VISTA VERDE, INC., ET AL., IN CONNECTION WITH THE FIESTA PLAZA PROJECT; AND ACCEPTING A SETTLEMENT AMOUNT OF \$74,363.58 WHICH REPRESENTS THE CITY OF SAN ANTONIO'S SHARE OF THE TOTAL SETTLEMENT OFFER OF \$305,266.93 FOR ALL TAX CLAIMS.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,485

AUTHORIZING PAYMENT OF OUTSTANDING FEES AND EXPENSES

IN THE AMOUNT OF \$9,237.77 TO MAEBIUS & DUNCAN, INC.
FOR MASTER IN CHANCERY DUTIES IN CONNECTION WITH THE
CASE STYLED NELDA WEATHERLY ET AL., V. CITY OF SAN
ANTONIO.

* * * *

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

After consideration, the motion, carrying with it the passage
of the Ordinance, prevailed by the following vote: AYES: Perez,
Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff;
NAYS: None; ABSENT: Labatt.

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92-12 The Clerk read the following Ordinance:

AN ORDINANCE 75,486

AUTHORIZING PAYMENT OF OUTSTANDING FEES AND EXPENSES
IN THE AMOUNT OF \$1,550.00 TO THE FIRM OF GROCE,
LOCKE & HEBDON IN CONNECTION WITH A CASE STYLED
SIERRA CLUB V. LUJAN, ET AL.

* * * *

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

After consideration, the motion, carrying with it the passage
of the Ordinance, prevailed by the following vote: AYES: Perez,
Pierce, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None;
ABSENT: Billa Burke, Labatt.

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92-12

CITY MANAGER'S REPORT

INTERIM COST OF THE SUMMIT

A report was submitted for the record on the interim cost of
the Summit. Many of the costs were absorbed by existing budgets. Our
cost was \$422,450.20.

Mayor Wolff commented that Houston spent \$3 million on a
similar conference.

FRANK GARCIA

Mr. Frank Garcia, Shaly Apartments, stated he met with Mr. Apolonio Flores two weeks ago on playground being approved by the Housing Authority. He said he needed help from the City on a backhoe or manpower to spread topsoil.

Mayor Wolff asked Travis Bishop to meet with Mr. Garcia on this issue.

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92-12 (The "A" Session was recessed at 6:23 p.m. and reconvened at 7:05 p.m.)
- - -

92-12 APPOINTMENTS TO THE SAN ANTONIO WATER SYSTEMS OF TRUSTEES

Mayor Wolff stated that in order to expedite the interview process for the candidates of the new Water Systems Board, the following procedures would be implemented:

(1) Any citizen wishing to be considered for the Board will be allowed to address the City Council for 3 minutes to make a presentation.

(2) The Mayor will then take nominations for each respective place (to be taken up one at a time). Nominations do not need a second. The places are as follows:

- Place One - Two-Year Term
- Place Two - Two-Year Term
- Place Three - Four-Year Term
- Place Four - Four-Year Term

ADVISORY MEMBERS:

- Place Five - Two-Year Term
- Place Six - Four-Year Term

(3) City Clerk will call the roll - the Council member will cast vote for one nominee.

(4) City Clerk will declare results of ballot.

(5) If one candidate has over six votes, he or she is elected.

(6) If no majority - Candidate (s) with the least votes will be dropped.

(7) Voting will resume on the two top names until one candidate receives six (6) votes.

Mayor Wolff then asked for any citizen who wished to speak on this issue.

The following citizen spoke:

Mr. Tom Culbertson, representative of Regional Clean Air & Water, spoke positively about candidates Ted Bonnet, Kay Turner and Phil Ross.

Mayor Wolff then asked that persons who signed up earlier wanting to be considered for appointment to the Board to come forward as their name was called and make their presentation.

The following candidates spoke:

Philip M. Ross, 9331 Cerro Verde Drive, spoke about purity of Artesian water and Edwards Aquifer dependability. He spoke of his qualifications, abilities and integrity.

Mr. Ted Bonnet, President, Regional Clean Air & Water, presented history and qualifications, expressing concern about spending.

Mr. David Levin, 2207 Kenilworth, began by clarifying he had no political affiliations, but, instead, expanded on his technical background and expertise.

Ms. Kay Turner, 7535 N. New Braunfels, emphasized water had divided the City for too long. She expressed concern for future generations, and citizens expenses, stating the Board needs a free thinker with an analytical mind to help save our life-source, water.

Mr. Sam Lopez, Chair, City Water Board, spoke of the need for stability in the City.

Mr. Phil Barshop, Board of Trustees, City Water Board, spoke of having worked with a good Board, establishing and upholding good policies in the last 12 years.

Mr. Clarence McGowan, a member of the present Water Board, stated he had helped to develop the Gardendale Water Supply off Foster Road.

Mr. Victor Miramontes, an executive of Cisneros Assets Management Company, spoke of the future of San Antonio, with water being critical, and spoke then of his background which qualifies him to be on the new Board.

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Ms. Diane Rath, 138 Sharon, City Water Board trustee and member of the Citizens Water Committee, spoke of perspective and continuity.

Ms. Christina Garcia, a real estate property manager and trustee of the San Antonio Housing Authority, spoke of her expertise such as experience with water rates, and accountability.

The following three submitted packets to Council, but did not appear:

Attorney Pablo Escamilla, a San Antonio Housing Authority Commissioner and former Edgewood School District trustee.

Mr. Curtis Neal, an engineer and former trustee of Alamo Water Reuse and Conservation District.

Mr. Cliff Morton, Homebuilder and former City Councilman.

Ms. Billa Burke questioned Ms. Christina Garcia on surface water for San Antonio.

Ms. Garcia stated she had studied the issues but had no set opinions at this time.

Mayor Wolff, in his opening statement, spoke of the difficult process of choosing, and that major steps were to be made on water entities, with this being one of the most important issues.

Mayor Wolff complimented the existing Board on having done a good job, but added that we must now move forward with a new vision and open minds.

Dr. Thornton stated that basically, the city is confronted with the value of continuity with Mr. Lopez, Mr. McGowen, and Mr. Barshop, recognizing the talent given, but must make a clean break and look at fresh new horizons.

Mayor Wolff asked for nominations to the San Antonio Water Systems Board.

Place One - Ms. Diane Rath was nominated by Ms. Billa Burke.

After roll call, Ms. Rath was elected to serve for a two-year term ending May 31, 1994, by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

Place Two - Mr. Curtis Neal was nominated by Mr. Pierce.

After consideration, Mr. Neal was elected to serve for a two-year term ending May 31, 1994 by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff;

NAYS: None; ABSENT: Labatt.

Place Three - Mr. Victor Miramontes was nominated by Mrs. Ayala. Mr. David Levine was nominated by Mr. Larson.

After consideration, Mr. Miramontes was elected to serve for a four-year term ending May 31, 1996 by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Wolff; ABSENT: Labatt.

After consideration, Mr. Levine failed to carry the necessary votes with the following vote: AYES: Larson. ABSENT: Labatt.

Place Four - Mr. Cliff Morton was nominated by Dr. Thornton.

After consideration, Mr. Morton was elected to serve for a four-year term ending May 31, 1996 by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; ABSENT: Labatt.

Place Five - The following were nominated to be Advisory Members.

Ms. Billa-Burke nominated Jay Guinn.

Ms. Vera nominated Ms. Christina Garcia.

At this time Ms. Vera made a motion to make Place 5 a Four-year term instead of a Two-year term; thereby, making Place 6 a Two-year term. Mr. Thornton seconded the motion.

After consideration, the motion, making Place 5 a Four-year term and Place 6 a Two-year term, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

After consideration, the motion to elect Mr. Jay Guin failed by the following vote: AYES: Billa Burke; ABSENT: Labatt.

After consideration, the motion to elect Christina Garcia to be an Advisory Member in Place Five for a Four-year term, ending May 31, 1996, prevailed by the following vote: AYES: Perez, Pierce, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; ABSENT: Labatt.

Place 6 - Mr. Pierce nominated Mr. Clarence McGowan.

Mr. Solis nominated Mr. Pablo Escamilla.

After consideration, the motion to elect Mr. Clarence McGowan failed by the following vote: Ayes: Pierce, Larson; ABSENT: Labatt;

After consideration, the motion to elect Mr. Pablo Escamilla to be an Advisory Member in Place Six for a Two-year term, ending May

31, 1994 prevailed by the following vote: AYES: Perez, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Wolff; ABSENT: Labatt.

Mayor Wolff declared the voting completed and expressed his hope for a good transition.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Labatt.

AN ORDINANCE 75,487

APPOINTING MEMBERS TO THE SAN ANTONIO WATER SYSTEMS BOARD.

* * * *

92-12 At 7:55 P.M. City Council recessed to go into Executive Session to discuss the following:

A) Briefing on the proposed settlement of Cause No. 90-CI-17648, styled Alma Dee Smith and Stewart S. Smith v. City of San Antonio.

B) Briefing on the proposed settlement of Cause No. 87-CI-15763, styled Javier Portillo, et al, v. Stanley Ferrell, et al.

C) Discussion of pending legal proceedings before the Texas Water Commission (TWC) in connection with the Texas Air Control Board (TACB) regarding the granting of a Class I hazardous and non-hazardous industrial solid waste storage and processing facility to Hydrocarbon Recyclers, Inc. d/b/a USPCI.

D) Discussion of legal matters regarding the application of Safety-Kleen Corporation for a commercial hazardous industrial solid waste storage and processing facility permit.

E) Briefing on the proposed settlement of a claim for damages brought by Michael L. Spain.

92-12 At 9:30 P.M. City Council reconvened in "A" Session and Mayor Wolff announced they had been briefed in Executive Session on the above stated issues.

SAN ANTONIO WATER SYSTEMS BOND ORDINANCE

A discussion took place concerning various aspects of the proposed San Antonio Water Systems Bond Ordinance, particularly the management section of the proposed ordinance, during which it was noted that City Council previously discussed certain of these topics at last week's meeting, giving City staff direction in preparation of that document.

After discussion, it was the concensus of the City Council members present to make several amendments to that staff direction, including:

- 1) Directing that new San Antonio Water Systems board members be from San Antonio or the system's service area.
- 2) Directing that the Mayor would be the person to appoint the board chairperson, with the concurrence of the City Council.
- 3) Directing that the Water Systems budget be submitted to the City Council annually for review and consultation at least 60 days prior to adoption of that budget by the board.

On motion of Mr. Thornton, seconded by Mr. Wing, the motion as outlined above was approved by the following vote: AYES: Billa Burke, Wing, Solis, Vera, Thornton, Wolff. NAYS: Perez, Pierce, Ayala, Larson. ABSENT: Labatt.

92-12 There being no further business to come before the Council, the meeting was adjourned at 9:45 P.M.

A P P R O V E D

W. Wolff
M A Y O R

Attest: *Norme J. Rodriguez*
C i t y C l e r k

