

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, JULY 20,
1995.

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95-32 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor William E. Thornton, with the following members present: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

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95-32 Invocation - Reverend Ron Hill, Trinity Baptist Church.

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95-32 Pledge of Allegiance to the flag of the United States.

95-32 ALAMO WORKFORCE DEVELOPMENT COUNCIL

On a Point of Personal Privilege, Mr. Ross made a motion to direct staff to place on the Council "A" Session next week, July 27, 1995, an Ordinance reappointing the current City appointees on the Alamo Workforce Development Council to December 31, 1995. This will insure that the City is in compliance with the JTPA guidelines until such time that the workforce development plan has been resolved. Ms. McClendon seconded the motion.

After consideration, the direction to City staff cited above prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

95-32 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 6 through 22, constituting the Consent Agenda. Mr. Flores seconded the motion.

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

Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

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AN ORDINANCE 82,504

ACCEPTING THE LOW BID OF GENERAL NEON SIGN COMPANY TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH INFORMATION SIGNAGE AT THE INTERNATIONAL AIRPORT FOR A TOTAL CONTRACT COST OF \$23,044.00.

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AN ORDINANCE 82,505

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 1995-96 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,115,000.00. (COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT OF THE CITY OF SAN ANTONIO.)

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AN ORDINANCE 82,506

ACCEPTING THE LOW, QUALIFIED BID OF BRUSH COUNTRY BUILDERS, INC. IN THE AMOUNT OF \$249,971.52 IN CONNECTION WITH THE 22ND STREET - POPULAR TO CULEBRA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$8,004.08 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$400.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,507

AUTHORIZING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$42,310.00 PAYABLE TO V.K. KNOWLTON PAVING CONTRACTOR, INC. IN CONNECTION WITH THE 34TH STREET - COMMERCE TO MAYBERRY, PHASE I AND THE FORTUNA STREET - LA GLORIA TO PARK SIDE, PHASE I COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,508

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$408,095.20 IN CONNECTION WITH THE BAYLOR STREET - SOUTH FLORES TO I.H. 35 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$27,406.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$1,200.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,509

ACCEPTING THE LOW QUALIFIED BID OF KEGLEY, INC., IN THE AMOUNT OF \$114,599.00 TO CONSTRUCT THE ADA MODIFICATIONS TO TERMINAL 2 AT SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF A CONTRACT; AUTHORIZING AN ADDITIONAL \$11,460.00 FOR A CONTINGENCY ACCOUNT; AMENDING ORDINANCE NO. 81266, DECEMBER 8, 1994 TO TRANSFER PREVIOUS APPROPRIATIONS, IN THE AMOUNT OF \$38,814.00, IN CONNECTION WITH THIS PROJECT FROM THE AIRPORT CAPITAL IMPROVEMENT FUND TO THE AIRPORT CONSTRUCTION BOND FUND; APPROPRIATING ADDITIONAL FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,510

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 3, IN THE AMOUNT OF \$34,055.00, TO THE CONTRACT WITH YANTIS CORPORATION FOR THE TAXIWAYS B,C & D RECONSTRUCTION PROJECT AT STINSON MUNICIPAL AIRPORT; REVISING THE BUDGET FOR SAID PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,511

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$40,000 TO PURCHASE A PAREL OF REAL PROPERTY KNOWN AS THE EAST 14 FEET OF LOT 17 AND THE WEST TWENTY-FIVE FEET OF LOT 18, BLOCK 3, NCB 1863, BEXAR COUNTY, TEXAS, TO BE USED FOR THE EXPANSION OF FIRE STATION NO. 6 AT 503 W. RUSSELL PLACE.

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AN ORDINANCE 82,512

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$2,000.00 WITH S.R. DOOLEY & ASSOCIATES, FOR PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS RELATED TO THE LOOP 1604 PROJECT - S.H. 16 (BANDERA ROAD) TO U.S. HIGHWAY 90, PHASE I.

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AN ORDINANCE 82,513

ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT NO. 80 IN THE AMOUNT OF \$81.00; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE SOUTH FLORES STREET DRAINAGE PROJECT NO. 70-70A, PHASE II IN THE AMOUNT OF \$375.00; ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE CASTROVILLE ROAD RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD IN THE AMOUNT OF \$2,275.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,514

AUTHORIZING THE EXECUTION OF A ONE (1) YEAR LICENSE AGREEMENT WITH THE WESTWOOD TERRACE LITTLE LEAGUE, INC. FOR THE USE OF APPROXIMATELY 6.153 ACRES IN LACKLAND TERRACE PARK FOR LITTLE LEAGUE BASEBALL AND RECREATIONAL PURPOSES IN CONNECTION FOR THEIR YEAR ROUND MAINTENANCE OF SAID AREA.

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AN ORDINANCE 82,515

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF SINGLE FAMILY RESIDENTIAL LOTS LOCATED AT 118 BERLIN STREET, 2302 RIVAS STREET, AND 211 VARGAS STREET IN CONNECTION WITH COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS FOR A TOTAL AMOUNT OF \$54,809.00.

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AN ORDINANCE 82,516

SELECTING JOHNSON CONTROLS, INC., TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH MANDATORY PREVENTIVE MAINTENANCE REQUIRED TO PROTECT THE

MANUFACTURES WARRANTIES ON EQUIPMENT AT THE CENTRAL LIBRARY; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$66,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,517

AUTHORIZING PAYMENT TO AT&T COMPANY, IN THE AMOUNT OF \$198,634.20 FROM THE 1989 LIBRARY IMPROVEMENTS BOND PROJECT FOR THE INSTALLATION OF NECESSARY TELECOMMUNICATIONS EQUIPMENT AND FIBER OPTIC CABLING IN THE NEW CENTRAL LIBRARY.

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AN ORDINANCE 82,518

AUTHORIZING PAYMENT TO FBS COMMUNICATIONS, INC. IN THE AMOUNT OF \$44,411.50 FROM THE 1989 LIBRARY IMPROVEMENTS BOND PROJECT FOR THE WIRING REQUIRED FOR UTILIZATION OF TELECOMMUNICATIONS EQUIPMENT IN THE NEW CENTRAL LIBRARY.

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AN ORDINANCE 82,519

APPOINTING RACHEL ZEPEDA TO THE ANIMAL CONTROL ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 1997.

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AN ORDINANCE 82,520

APPOINTING MARLENE MARTIN TO THE ETHICS REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 1997.

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AN ORDINANCE 82,521

APPOINTING RUTH JONES MCCLENDON TO SERVE ON THE FORT SAM HOUSTON GATEWAY COMMERCIAL DISTRICT ADVISORY BOARD FOR A TERM OF OFFICE TO RUN CONCURRENT WITH THE CITY COUNCIL'S TERM.

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AN ORDINANCE 82,522

AUTHORIZING THE TEMPORARY CLOSURE OF COCA-COLA DRIVE BETWEEN HOUSTON STREET AND THE RAILROAD TRACKS FROM 6:00 P.M. UNTIL 8:30 P.M., FEBRUARY 3, 1996 IN CONNECTION WITH THE 47TH ANNUAL, 1996 SAN ANTONIO STOCK SHOW AND RODEO "KICK OFF" FIREWORKS DISPLAY.

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95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,523

RESCHEDULING CERTAIN CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON THE FOLLOWING DATES: FROM OCTOBER 26, 1995 TO NOVEMBER 2, 1995; FROM NOVEMBER 23, 1995 TO NOVEMBER 21, 1995; FROM NOVEMBER 30, 1995 TO DECEMBER 7, 1995; FROM DECEMBER 7, 1995; FROM DECEMBER 28, 1995 TO JANUARY 4, 1996

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The City Clerk explained the proposed Ordinance.

Mr. Avila 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: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: None.

95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,524

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,278,955.11 IN CONNECTION WITH THE BUSTILLOS - KELLY TO ROOSEVELT AND KELLY DRIVE - MISSION ROAD TO PADRE DRIVE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$89,631.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$17,500.00 FOR ADDITIONAL ENGINEERING FEES AND \$1,200.00 FOR ADVERTISING EXPENSES; AND

PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, stated that this is the low bid on this major project.

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

95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,525

AUTHORIZING \$1,443,987.00 IN SAN ANTONIO WATER SYSTEM (SAWS) FUNDS FOR ENGINEERING DESIGN SERVICES BY CONSULTANTS WHO ARE UNDER CONTRACT WITH THE CITY OF SAN ANTONIO IN CONNECTION WITH VARIOUS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, briefly explained the proposed ordinance.

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

95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,526

ACCEPTING THE LOW, QUALIFIED BID OF BOYER, INC. IN THE AMOUNT OF \$1,466,789.95 IN CONNECTION WITH THE QUINTARD STREET - BRISTOL TO BELDEN AND SAYERS TO HARLEN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$33,275.00 FOR

MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$1,200.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, addressed the size of this project.

In response to a question by Mr. Avila, Mr. German spoke to the extent of the project.

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

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95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,527

AUTHORIZING PAYMENT OF THE JUDGEMENT IN THE AMOUNT OF \$50,008.91 IN SETTLEMENT OF GUILLERMO GUERRERO VS. CITY OF SAN ANTONIO, CAUSE NO. 93-CI-15197.

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

Mr. Lloyd Garza, City Attorney, briefly explained the settlement judgment and its cost.

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

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95-32 KELLY AIR FORCE BASE

Mayor Thornton spoke to a summary of the actions recommended by the Base Realignment & Closure Commission (BRAC), and the fate of the Air Logistics Center at Kelly Air Force Base, as a result of those recommendations. He also stated that President Clinton is expected to approve those recommendations, and stated his belief that there is little chance that the BRAC closure and realignment list will be

overturned when it goes before the U.S. Congress.

Mayor Thornton stated that the City Council has responded promptly by forming the Initial Base Adjustment Strategy Committee (IBASC) and has made plans to help retain Kelly Air Force Base's military missions. He then reviewed his several recent trips to Washington, D.C. and the series of meetings that have been held on this matter. He summarized the commitment of the Department of Defense to retain Kelly's military missions in place for five years, and addressed the move toward privatization of many of those missions, and plans to attract new jobs, as well.

He then spoke to the planned phases in the ongoing Air Force downsizing that affects Kelly Air Force Base, noting that after the year 2001, many of the base's jobs will be privatized. He addressed the Department of Defense's plans to have a liaison staff assist this effort, including the possible dual usage of the Kelly runways and job training actions.

Mayor Thornton spoke to the San Antonio delegation's meeting with White House Chief of Staff Leon Panetta and top DOD officials, during which Mr. Panetta stressed President Clinton's personal involvement in this issue, his subsequent joining in that meeting, and his opposition to some of the BRAC recommendations. He stressed that it is apparent that San Antonio has friends at high government levels, and spoke to the later meeting in Austin of himself and Mr. Solis with Governor Bush, and the securing of his support.

He then spoke to the need to move rapidly on this issue, building a community group to lead this effort, and asked that the City Council give favorable consideration to the two ordinances on today's agenda, dealing with this issue.

The Clerk then read the following Ordinance:

AN ORDINANCE 82,528

ESTABLISHING THE INITIAL BASE ADJUSTMENT STRATEGY COMMITTEE (IBASC) WHOSE MISSION SHALL BE TO DEVELOP AN ADJUSTMENT STRATEGY FOR THE PROPOSED CLOSURE OF THE SAN ANTONIO AIR LOGISTICS CENTER AT KELLY AIR FORCE BASE AND AUTHORIZING THE MAYOR TO APPOINT ITS MEMBERSHIP.

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

Mayor Thornton lauded the efforts of Mr. Rolando Bono, Assistant City Manager, in this entire effort.

Mr. Bono spoke briefly to the establishment of the proposed

Initial Base Adjustment Strategy Committee (IBASC), its purposes and plans.

Mr. Peak noted that this is the next step in this entire process.

Ms. McClendon thanked Mayor Thornton and his team for their efforts in the entire matter surrounding the recommendations of the Base Realignment & Closure Commission (BRAC), and President Clinton for his concerns for Kelly Air Force Base and San Antonio's citizens. She asked that the City Council and the citizens of San Antonio send a 'thank you' letter to the President.

Mayor Thornton stated that he would sign a letter to that effect.

Mr. Solis noted that this is a difficult issue, but he looks forward to working with the IBASC members in this issue.

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

After consideration, the motion prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

Mayor Thornton spoke to the comprehensive list of proposed IBASC members, a copy of which was handed out to City Council members and made a part of the papers of this meeting. He spoke to the committee's functions, noting that the list can be added to, as needed.

Mr. Ross then made a motion to accept the list of proposed committee members as presented. Mr. Peak seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

Ms. McClendon asked that one of the listed committee members, Ms. Beverly Watts-Davis, be made a member of the Executive Committee. Mr. Solis seconded the motion. After discussion, Mayor Thornton accepted the request, noting that a formal amendment would not be necessary in this case.

Mayor Thornton asked that members of the IBASC, present in the audience, stand and be recognized. Each came forward to identify themselves and spoke to their individual areas of expertise.

95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,529

ESTABLISHING AN OFFICE OF DEFENSE TRANSITION WITHIN THE CITY ORGANIZATION; APPROPRIATING A BUDGET FOR THE REMAINDER OF FY 1995; AUTHORIZING A PERSONNEL COMPLEMENT; AND AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF DEFENSE, OFFICE OF ECONOMIC ADJUSTMENT TO FUND COSTS ASSOCIATED WITH OFFICE OPERATIONS AND STAFFING OF THE INITIAL BASE ADJUSTMENT STRATEGY COMMITTEE (IBASC).

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

Mr. Rolando Bono, Assistant City Manager, stated that the new Office of Defense Transition would have a staff of three, and will be supplemented, as necessary. He stressed the need to begin quickly in order to effectively support the Initial Base Adjustment Strategy Committee (IBASC). He then explained the funding available from the City's General Fund and from a proposed grant from the Department of Defense.

Ms. McClendon lauded City staff for its farsightedness.

Ms. Billa Burke spoke to the efforts of Mr. Bono and other members of City staff.

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

Mayor Thornton spoke to the hard work of the tri-chairpersons of the IBASC in this entire effort. He also thanked the Alamo Community College District for its plans to help re-train Kelly Air Force Base workers at the district's Southwest Campus. He then read several letters in support of the entire Kelly effort, including the ACCD. Hew also read the stated plans of Frost Bank to assist Kelly Air Force Base workers who have home loans with the bank.

95-32 The Clerk read the following Resolution:

A RESOLUTION NO: 95-32-43

APPROVING A RESPONSE ON BEHALF OF THE CITY OF SAN

ANTONIO TO THE ENVIRONMENTAL PROTECTION AGENCY (EPA)
PROPOSED NATIONAL POLLUTION DISCHARGE ELIMINATION
SYSTEMS (NPDES) MUNICIPAL STORMWATER PERMIT.

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

Mr. John German, Director of Public Works, explained plans to improve stormwater discharge, and narrated a video presentation. He noted that City Council was briefed on this program last week, and he spoke to the actions being requested by City Council.

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

95-32 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton travel to Washington, D. C. from July 17, 1995 to July 18, 1995, to visit with key government officials regarding Kelly AFB.

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95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,530

AUTHORIZING REIMBURSEMENT OF \$1,550.00 FROM THE DISTRICT 5 DISCRETIONARY FUNDS ACCOUNT TO COUNCILMAN JUAN F. SOLIS, III FOR AN ADMINISTRATION SERVICES CONTRACT FROM JULY 1, 1995, TO JULY 31, 1995, AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

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Ms. McClendon 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: McClendon, Billa Burke, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, Avila, Solis.

95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,531

AUTHORIZING THE EXPENDITURE OF \$1,300.00 FROM THE DISTRICT 6 DISCRETIONARY FUNDS ACCOUNT TO ASSIST THE EDGEWOOD PONY BASEBALL LEAGUE YOUTH SPORTS ORGANIZATION WITH TRAVEL, MEALS AND LODGING EXPENSES FOR BOYS 9 AND 10 YEARS OF AGE WHO WILL BE COMPETING IN THE STATE CHAMPIONSHIP TOURNAMENT ON WEDNESDAY, AUGUST 2, 1995 IN HOUSTON, TEXAS, AS REQUESTED BY COUNCILMAN ROBERT A. HERRERA; AND DECLARING AN EMERGENCY.

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

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

95-32 The Clerk read the following Ordinance:

AN ORDINANCE 82,532

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$372,910.78 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL AND PAYING FOR TITLE CHARGES FOR SAME IN CONNECTION WITH THE WURZBACH PARKWAY P.A.S.S. PROJECT.

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

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

Mr. John German, Director of Public Works, provided details of the necessity for condemnation proceedings on this property for the Wurzbach Parkway.

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

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95-32 City Council recessed its regular session at 2:25 P.M. in order to convene in Executive Session for consultation concerning attorney-client matters, reconvening at 3:24 P.M. with Mayor Pro Tem Marbut presiding. He announced that the Council had met in Executive Session on the above-stated matter but had taken no official action, only gave direction to City staff.

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95-32 SAN ANTONIO WATER SYSTEM STATUS REPORT ON WATER-RELATED ISSUES AND ADOPTING AMENDMENTS TO THE DROUGHT MANAGEMENT PLAN

The Clerk read the following Ordinance:

AN ORDINANCE 82,533

ADOPTING CHANGES TO THE SAN ANTONIO AQUIFER MANAGEMENT PLAN TO INCORPORATE CHANGES TO THE DESIGNATION OF DROUGHT STAGE CONDITIONS AS REFLECTED BY CERTAIN WELLS PURSUANT TO IMPLEMENTATION OF A FEDERAL COURT ORDER DATED JUNE 14, 1995, AND ADOPTING AMENDMENTS TO CHAPTER 34, CITY CODE, FOR THE PERIOD JULY 20, 1995 TO AND INCLUDING DECEMBER 31, 1995, PROVIDING FOR THE IMMEDIATE EFFECT OF THE AMENDMENTS AND DIRECTING PUBLICATION.

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

Ms. Rebecca Q. Cedillo, Vice President, Planning, San Antonio Water System, spoke to the federal court order to upgrade the City's aquifer ordinances to reflect the new "trigger levels" in the Aquifer Management Plan. She asked for approval of the proposed interim Ordinance, which will cover the timespan until December 31, 1995.

The following persons appeared to speak:

Mr. Kirk Patterson, 410 Larkwood, spoke to the need for SAWS to be more aggressive in defending the City's rights in this matter, and spoke to the June federal court ruling. He asked City Council to go slow on enacting recommended changes to the Aquifer Management Plan. He addressed the need for a second look at current legislation regarding aquifer water, and questioned several segments of the document in question today, including "incidental take permits". He also stated his opinion that someone who opposed the Applewhite Reservoir project needs to be appointed to the SAWS board of directors, and questioned the legal standing of the federal court monitor.

Mr. Tom Culbertson, 511 Westwood, addressed his belief that corrections need to be made in provisions of several pieces of legislation dealing with Edwards Aquifer water, including SB 1477 and HB 3189. He also recommended that Mr. Kirk Patterson be appointed to the San Antonio Water System board of directors.

Ms. Carol Patterson, 410 Larkwood, and board member of the Edwards Underground Water District, spoke to the effects of legislation on Edwards Aquifer water, including the power of the veto by downstream water interests to any plans to take water from the aquifer. She stated her belief that, until HB 3189 was enacted, San Antonio's water supply was not subject to those downstream interests. She also expressed her opinion that the federal court issue amounts to giving away our water rights, and noted that the water supply is vulnerable under U.S. Fish & Wildlife guidelines. She questioned the alleged intent to give away the water rights, and also urged caution in recommended actions as proposed today. She also questioned the "incidental take permit" and its impact, and voiced her concern with possible new bond issues and a water rate increase, if this matter passes.

Mr. Jack Finger urged Council to look carefully at the Drought Management Plan, and stated his feeling that Federal District Judge Lucius Bunton has been stripped of his control over the Edwards Aquifer by the appeals court. He expressed his belief that drought management plans don't work, and spoke to the need to fight this issue. He also questioned the costs involved.

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

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95-32 NATIONAL AUTONOMOUS UNIVERSITY OF MEXICO-MEXICO CITY STUDENTS

Mayor Pro Tem Marbut recognized the presence in the audience of a group of UNAM students from Mexico City, visiting San Antonio, and welcomed them to the City and to the Council chambers.

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95-32 DROUGHT MANAGEMENT PLAN AMENDMENTS (continued)

Mr. Joe Aceves, President and Chief Operating Officer, San Antonio Water System, addressed a brief summary of the status report on water-related issues, to be followed by a one-year change in the Drought Management Plan. He then presented an overview of the presentation, including information on SAWS, its organization, financial status, and accomplishments. He then touched on Water Issues, including the dynamics involved, background on the Endangered Species lawsuit, the federal court ruling, legislation enacted by the Texas legislature that affected the aquifer, spoke to the federal court monitor, and water

resource management.

In summary, Mr. Aceves spoke to what is needed to meet the requirements of the federal court, and addressed future key issues that will face SAWS and City Council, including (1) water resource development decisions which will be presented within the next year, (2) bond issues for water resource projects and system improvements, (3) rate increases required to support water and wastewater-related programs, (4) San Antonio Water System budgets, and (5) major contract approvals for project and plan implementation.

He then briefly summarized the arguments by both sides in the aquifer issue and noted that City Council needs full details before making a decision.

Mr. Peak stated his belief that the City is on the right track, and he spoke of water as a regional resource.

In response to a question by Mr. Peak, Mr. Aceves noted that SAWS will come back to City Council in November on alternate water sources. He stated that 'inter-basin water transfers' are one example of SAWS action in securing alternate water sources, and expressed his opinion that water conservation programs also are working. He spoke to voluntary conservation efforts of other users of Edwards Aquifer water, and expressed his opinion that SAWS will oppose the proposed start-up of the catfish farm south of San Antonio in order to mitigate large water usage. He then addressed the status of water and re-use water availability for San Antonio's military bases, and the downstream requirements for the coastal bays and estuaries.

Mr. Peak made a motion to direct staff to prepare a letter for the mayor's signature, directed to the Texas Natural Resources Conservation Commission (TNRCC), asking them to move with the City recommendations on changes to the Edwards Aquifer Order. Mr. Solis seconded the motion.

After discussion, the motion to so direct City staff prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: Ross.

Mr. Flores asked that SAWS continue to oppose reopening of the catfish farm and its use of Edwards Aquifer water.

In response to a question by Mr. Flores, Mr. Aceves discussed the status of the augmentation issue, noting that it is very costly. He then spoke to 'model runs' made during the recent legislative session, and the need to have established parameters and 'given' conditions.

Mr. Webster spoke to the need for a well-thought-out plan.

Ms. Billa Burke spoke to the catfish farm's usage of 'sulphur water', not pure Edwards Aquifer water, noting that the catfish farm is

located on the so-called 'bad water line'.

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

Mr. Aceves stated that the catfish farm is interconnected to the Edwards Aquifer, although it is near the 'bad water line'. He expressed his concern that the catfish farm might transfer its water rights to another party, and spoke to the increase in the levels of the J-17 well when the water flowing into the catfish farm was plugged.

After consideration, the main motion to approve the Ordinance prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: Ross.

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95-32

DISCUSSION: AACOG'S STUDY OF CAMP BULLIS

Mr. Peak spoke to the study of Camp Bullis conducted by the Alamo Area Council of Governments (AACOG) and the fact that the north Bexar County military facility is the main training facility for Ft. Sam Houston, primarily for medical personnel. He stated his belief that the loss of Camp Bullis, for whatever reason, could jeopardize the future of Ft. Sam Houston itself.

He stated his opinion that the City Council needs to protect Camp Bullis, given the fact that residential growth now surrounds the military installation or is planned for construction. He noted that the training activity at Camp Bullis, as well as the residential growth around the facility, both continue to grow.

Mr. Peak then spoke in support for four recommendations made in the AACOG study, those being: (1) the Fort Sam Houston Public Affairs Office will provide noise complaint/community relations service; (2) an Installation Compatible Use Zone (ICUZ) study to be conducted by Fort Sam Houston; (3) adhere to the review process by AACOG as outlined through its Memorandum of Understanding with the military installations; and (4) develop a permanent regional intergovernmental and joint civilian-military process to provide continued dialogue between the community and the military installations.

Mayor Thornton congratulated AACOG for conducting this important study.

Mr. Marbut spoke to the need to protect Camp Stanley and Camp Bullis, installations that are side-by-side, noting that both are vital to the military medical training mission of Ft. Sam Houston.

CITIZENS TO BE HEARD

MS. PATSY CHEYNEY

Ms. Cheyney, representing the Alliance for the Mentally Ill, spoke to formation of a plan for mental health grants, and the alleged lack of input into the formation of that plan by Mentalhealth/mental Retardation. She also spoke to federal funds for the National Institute for Health.

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R.O.S.E.

A group of citizens appeared to speak to the City Council from the R.O.S.E. organization (Residents Organized for a Safe Environment) regarding their concerns about the dome dirt.

MR. DAVID AREVALO

Mr. Arevalo presented a prepared written statement of his concerns as well as a paper entitled, "Cooke-Joyce Mistakes", a copy of both papers are on file with the papers of this meeting.

In response to Mayor Thornton's questions, Mr. Arevalo acknowledged that neither EPA nor TNRCC has denied the city permission to remove the landfill.

Mayor Thornton spoke to the Council's decision to move the landfill and the testing of the dirt will be part of the entire process.

A discussion took place on the characterization of the soil.

In response to Mrs. McClendon, Mr. German stated that TNRCC does not intend to come in and reclassify the soil. The City is looking at three to six months to complete the moving of the landfill.

He also spoke to the disposition of the two percent Class I material in an approved TNRCC disposition site.

Mr. Arevalo disputed the statement made by Mr. German and stated that their main concern in that the landfill material be disposed of properly.

MR. ABEL P. TORRES

Mr. Torres expressed concerns that the City is not properly training the proper personnel to handle the removal of the landfill.

MR. PETER SANTILLANO

Mr. Peter Santillano expressed concerns that the dirt is not properly characterized.

* * * *

Mr. Avila expressed concerns if any of these allegations as set out by the R.O.S.E. group are validated.

Mayor Thornton spoke to the Council's confidence in the work and the expertise of the City's Public Works Director and his department, and the strides made to assure that all precautions have been taken to properly remove the landfill from its present site. The main concern of the Council is the welfare of the area residents.

Mr. Solis took issue with the allegations made by this organization and their repeated accusations against city staff and other contractors.

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(Mayor Thornton left the meeting and Councilman Marbut presided)

MR. KARL WURZ

Mr. Karl Wurz read a prepared statement to the Council on the subject, "Flawed Thinking Produced Bad 2050 Water Plan with Major Flaws". He also asked that the Council not appoint a "Rubber Stamp" person to fill the vacancy at the San Antonio Water System.

MRS. MARIA DOMINGUEZ

Mrs. Dominguez stated that all apartment complexes should be required to hire their own private security guards. This would eliminate so many calls made to police. She also asked that the Police Academy be named after former Chief of Police Emil Peters.

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MR. DON WILKINS CASTILLO

Mr. Castillo spoke to the need for more police patrols in the west side of San Antonio.

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95-32 City Council recessed its regular meeting at 5:58 P.M. for the purpose of convening in Executive Session for the purpose of consultation concerning attorney-client matters, reconvening in regular session at 6:25P.M., at which time the Mayor announced that Council had been briefed on the above-named subject, but had taken no official action, only gave direction to City staff.

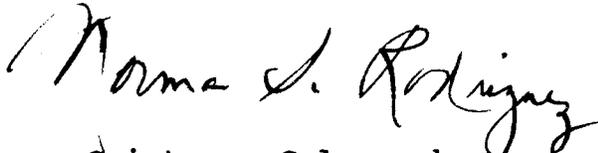
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95-32 There being no further business to come before the Council, the meeting was adjourned at 6:26 P.M.

A P P R O V E D


M A Y O R

Attest:


c i t y c l e r k