



MAYOR

An Inside View of San Antonio
Politics, 1981-1995

by Nelson W. Wolff
foreword by Henry Cisneros

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On the cover — Left photo: Mayor Henry Cisneros campaigns for
re-election in 1987. (Joe Barrera Jr., Express-News)
Right photo: Nelson and Tracy Wolff raise their arms in victory the
night Nelson was elected mayor in May 1991. (Doug Sehres, Express-News)

Growing with Grace

What to do with our garbage?

City Council in the late 1980s began to face an environmental crisis that didn't involve water. Our landfill, Nelson Gardens, was fast approaching capacity, and the city had been unable to reach a decision on another landfill.

As a councilman, I realized one program that could give us some breathing room was curbside recycling. It's the only effective means of getting widespread citizen participation in reducing waste.

I was able to convince the City Council in December 1989 to enter into a recycling contract with Garbage Gobbler. This became the city's first curbside recycling project.

By the summer of 1993, all of north central San Antonio was receiving curbside recycling service. City Council approved the purchase of 50 new trucks with state-of-the-art collection capability in early 1995. We now could offer the service to all 258,000 homes in San Antonio, and by year's end San Antonio had implemented the largest curbside recycling program in the country, collecting some 160 tons of recyclables each day and saving the city \$2,000 a day in landfill costs.

But while the recycling made a dent in the garbage that was hauled to the landfill, it did not preclude the need to develop a new waste disposal site. Nelson Gardens was quickly reaching its limit, and council struggled to find a solution.

As Nelson Gardens approached capacity and the landfill time bomb continued to tick, the council remained deadlocked. Our problem was complicated by the fact that there are few areas in Bexar County geologically suitable for a landfill. Unfortunately, these areas are in a band across the southern part of the county, in predominately lower-income and Hispanic communities. This gives the issue overtones of environmental racism.

Every effort to locate a new landfill or expand our existing landfill in Bexar County was fought by the people who lived nearby, usually with the support of their council member or legislative representative.

After I became mayor, we began to develop a plan to extend the life of Nelson Gardens. The city had purchased the landfill in 1982 from Garbage Gobbler, a local company. As part of the agreement, Garbage Gobbler continued dumping all the garbage that it collected from its customers at a low cost.

The city should have seen what was going to happen. Garbage Gobbler sold to Waste Management Inc., a national company that

operates landfills across the country. With the Nelson Gardens agreement, Waste Management then had a competitive advantage over other garbage haulers. It soon substantially increased the volume of garbage brought to Nelson Gardens for disposal, even bringing trash from other towns and industries. This cut the landfill's life by one-third, to only 10 years.

In order to extend the life of Nelson Gardens, we asked the Texas Water Commission to allow us to raise the landfill by 200 feet. This would give us five more years of capacity – still only a short-term relief.

But the Texas Water Commission raised objection after objection to our permit application. By the summer of 1992 we still did not have a permit for expansion and Nelson Gardens would be filled by December. As we worked for the extended permit, we began negotiations with Waste Management to sell Nelson Gardens back to that company and to contract with it to take our garbage. The company also owned land next to Nelson Gardens that was in the process of being permitted for a landfill.

As our time was running out at Nelson Gardens, Waste Management continued to load up Nelson Gardens with its garbage. Company officials became very demanding in pressing for terms for the proposed contract. They changed their proposals and raised the disposal price of garbage.

In my first meeting with Waste Management's top officials, they adopted a tough attitude. I felt as if I were meeting with movie-type tough-guys.

After the meeting I knew that we would be stuck with outrageous prices unless we got our state permit and unless we got other private sector landfills involved in competing for our business.

Two other major companies came forward: Browning-Ferris Industries, which owned a landfill in southeastern Bexar County, and Texas Disposal System, which owned a landfill in Buda, 60 miles northeast of San Antonio. We were already hauling part of our garbage to the BFI landfill, from collection routes where reduced travel time made it competitive with our own disposal facility.

On September 23, 1992, the week we were to decide on which private sector company to use, the Texas Water Commission gave us nine more months of life by allowing us to go 10 feet higher. Our permit to go 200 feet higher was still pending with the commission. The extra 10 feet wasn't much, but it gave us a little breathing room.

The next day I appointed a committee of four council members headed by Frank Wing to get public input and make recommendations on solving our landfill problem.

The committee recommended that our long-term solution should be to develop a landfill of 2,000 acres or more that would include a Regional Environmental Enterprise Zone (REEZ) and an industrial park for recycling and research facilities.

In January 1993, I appointed former Councilman Weir Labatt to head up a committee to plan for the regional landfill. At the same time we began to negotiate with three private companies for a five-year contract. They were BFI, Waste Management and Texas Disposal Systems.

In July, the City Council once again took up the issue of which private company to contract with. Waste Management made a major effort to get a long-term contract to take all the city's garbage.

In the end their hardball tactics did not work. Instead we awarded a \$1 million contract to BFI for disposal of approximately one-third of our garbage. This relieved the pressure on Nelson Gardens as we sought to extend the permit.

Members of the Texas Water Commission assured us they would work with us in extending our permit. But they also continued to put roadblocks in our way.

On August 20, 1993, we found out they were lying to us. The Express-News got hold of an internal memo that recommended the denial of the extension of our permit. They were not supposed to rule on the permit until March 1995.

I was convinced that Waste Management was using all its power in Austin to stop approval of our permit expansion. Senator Madla had told me that he had good information on the lobbying efforts of Waste Management to do just that.

Public Works Director John German, Alex Briseño and I arranged for a meeting with TWC Executive Director Jesus Garza and Ron Bond, head of the landfill permit section. After a long, fruitless discussion I blew up and accused the commission staff of sabotaging our permit by succumbing to political pressure. I threatened legal action if I could gather enough evidence to prove inappropriate action on the part of state staff. Ron Bond sat like a stone and said nothing.

I was never able to come up with any proof to support my suspicion, but a year later another case showed that I might have been on the mark. An independent examiner for the Texas Water Commission, Linda Sorrells, said her supervisors repeatedly badgered her and suggested she would lose her job if she didn't change her findings in a case involving Waste Management's request to expand a landfill near Ferris. The FBI began an investigation.

After the meeting with the Texas Water Commission, I knew the game was over. On September 9, City Council ordered Nelson Gardens to be closed as soon as possible. It was important to close it before new EPA regulations went into effect that would have substantially raised the cost of disposing of garbage.

A week later, after an intense lobbying effort by all three firms, we awarded five-year contracts to BFI and Texas Disposal, leaving Waste Management out in the cold. The intense competition among the three firms helped bring the prices down.

On January 20, 1994, after six months of work, the Labatt committee recommended a 5,000-acre regional landfill near Moore, in Frio County, 43 miles southwest of San Antonio.

The master-plan goal of an environmental industrial park, with recycling, composting, tire-shredding and research facilities, could be developed at this site, with room left over for a buffer zone with a golf course and baseball and soccer fields.

Some 35 public officials and community leaders from Frio, Atascosa and Medina counties attended the meeting in support of the proposal. Their garbage was already going into San Antonio's two major landfills, and the new EPA regulations gave them no realistic alternative.

It sounded too good to be true. And it was. It did not take long for the private disposal companies to start bad-mouthing the deal. They hired local lawyers and community activists to kill it.

In July 1994, Councilman Henry Avila switched sides. Nelson Gardens was located in his district. Originally, he had opposed our permit expansion and said he would oppose any other landfill in his district. Now, he came out in opposition to the Frio County site, and said he wanted to give a contract to Waste Management.

Waste Management had gotten smart and backed off its hardball tactics. At the opening of its Covell Gardens landfill, adjacent to Nelson Gardens, in 1993, the company had presented a \$5,000 check to Avila, to be used for youth and educational programs of his choice. They also gave funds to several other groups, including the Southwest School District that had previously opposed the landfill. This form of friendly persuasion was paying dividends.

Finally, the opposition to the Moore site proved too strong, and the financial and management demands by the Frio-Atascosa-Medina Solid Waste Agency became unreasonable. The deal fell apart.

Back home, Waste Management not only won the support of Councilman Avila, it also gained widespread community support. Even though I did not like Waste Management's tactics, I had to admit they had overcome a problem that had plagued council for years: the opposition of the council member in whose district a landfill would be located.

On April 14, 1995, Waste Management won unanimous approval from City Council of the zoning to expand Covell Gardens landfill from 215 acres to 700 acres. This would give them enough land for 75 years of big-dollar garbage dumping.

At that council meeting, Councilman Juan Solis, who once faulted Waste Management for "bullying, Northeastern-type of tactics," now praised them for changing leadership and adopting new policies. He went on to say, "While the city was not successful with the Texas Natural Resource Conservation Commission (the successor to the Texas Water Commission), Waste Management was very successful."

On May 30, 1995, at my last council meeting, we finally solved our long-term landfill problem. We approved 30-year contracts with Waste Management, BFI and Texas Disposal Systems for disposal of city garbage. This brought Waste Management back into the picture and gave the city three landfills to choose from, one in the

southwest part of the city, another in the southeast, and a third in the north.

We also instructed the staff to continue negotiations with the three companies over proposals to develop a Regional Environmental Enterprise Zone. One year later the City Council designated Waste Management's Covel Gardens as the REEZ, with support from community groups and neighbors.

Today, San Antonio enjoys low disposal costs and competitive waste disposal operations for both the public and private sector. Our disposal cost in 1996 averages \$13 per ton compared to \$23 statewide.

A happy ending for trash.