

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 10, 1992.

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

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92-50 Invocation - Reverend William Sandburg of St. Matthews United Methodist Church.

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92-50 Pledge of Allegiance to the flag of the United States.

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92-50 "PANCHO CLAUS WEEK"

Mayor Pro Tem Larson recognized Pancho Claus and members of the American GI Forum. He read and presented a Proclamation to Pancho Claus, designating "Pancho Clause Week" in San Antonio.

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92-50 "HEARTS IN VICTORY HIV/AIDS TELETHON DAY"

Mayor Pro Tem Larson recognized members of the Hearts In Victory HIV/AIDS Telethon Day Steering Committee and read and presented a proclamation to the group, proclaiming December 13, 1992 as HIV/AIDS Telethon Day.

A representative spoke to the number of persons testing positive HIV and the need for future education.

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92-50 HOLY CROSS KNIGHTS FOOTBALL TEAM

Mayor Pro Tem Larson recognized The Holy Cross Knights football team, who recently won their league's State AAA Championship.

Mr. Angel Cedillo, Coach of the team, thanked City Council for the recognition given the hard working young men, and stated he was proud to be a representative of our City.

On behalf of the Council, Councilwoman Ayala then read and presented a proclamation to Coach Cedillo, recognizing Holy Cross Knights.

Members of the City Council applauded the young men's attitudes and the fact that so many are in the National Honor Society.

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92-50 "AT YOUR SERVICE AWARD"-ORLANDO FERNANDEZ

City Manager Alexander Briseno introduced Mr. Orlando Fernandez, Market Square Maintenance Officer, as this month's recipient of the "At Your Service Award".

After watching a video showing why the cleanliness of Market Square is so important, as it is one of five top visitor tourist attractions, Mr. Briseno and Mayor Pro Tem Larson presented Mr. Fernandez a \$200.00 check, calling Mr. Fernandez "a champion".

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92-50 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 8 through 29, constituting the Consent Agenda, with Item 26 being pulled for individual consideration. Mr. Perez seconded the motion.

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

AN ORDINANCE 77,022

ACCEPTING THE PROPOSAL OF UNIVERSITY MICROFILM INTERNATIONAL FOR A SUBSCRIPTION RENEWAL FOR MICROFILM OF HISTORICAL NEWSPAPER FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$5,371.00.

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AN ORDINANCE 77,023

ACCEPTING THE PROPOSAL OF CONGRESSIONAL INFORMATION SERVICES, INC. FOR SUBSCRIPTION RENEWAL TO A MONTHLY INDEX OF CONGRESSIONAL PUBLICATIONS AND STATISTICAL INFORMATION FOR THE CITY OF SAN ANTONIO

PUBLIC LIBRARY FOR A TOTAL OF \$7,675.00.

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AN ORDINANCE 77,024

ACCEPTING THE LOW BID OF CUMMINS SOUTHERN PLAINS TO FURNISH THE CITY OF SAN ANTONIO WITH TWO DIESEL GENERATORS FOR A TOTAL OF \$12,454.50.

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AN ORDINANCE 77,025

ACCEPTING THE LOW QUALIFIED BID OF CLOSNER EQUIPMENT COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A TRAILER MOUNTED CRACK SEALER FOR A TOTAL OF \$24,390.00.

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AN ORDINANCE 77,026

ACCEPTING THE LOW QUALIFIED BID OF SAF-T-GREN TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES DEPARTMENT WITH A SELF PROPELLED SCISSOR LIFT FOR A TOTAL OF \$14,052.53.

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AN ORDINANCE 77,027

ACCEPTING THE BID OF WEHRING-GOSS EQUIPMENT CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A BOOM EXTENSION ATTACHMENT FOR A HYDRAULIC EXCAVATOR FOR A TOTAL OF \$5,387.00.

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AN ORDINANCE 77,028

ACCEPTING THE LOW BID OF CHEMCENTRAL SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO WITH NAPTHA ON AN ANNUAL CONTRACT BASIS FOR APPROXIMATELY \$9,000.00

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AN ORDINANCE 77,029

ACCEPTING THE LOW BID OF HEDRICK BEEHCRAFT SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO WITH JET-A-FUEL & AVIATION GAS SERVICE ON AN ANNUAL

CONTRACT BASIS FOR APPROXIMATELY \$16,000.00.

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AN ORDINANCE 77,030

ACCEPTING THE LOW BID OF RAM WHOLESALE CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH GASOLINE IN TRANSPORT LOADS FOR APPROXIMATELY \$2,750,000.00.

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AN ORDINANCE 77,031

ACCEPTING THE LOW BID OF DIAMOND SHAMROCK REFINING & MARKETING TO FURNISH THE CITY OF SAN ANTONIO WITH DIESEL FUEL OIL ON AN ANNUAL CONTRACT BASIS FOR APPROXIMATELY \$1,200,000.00.

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AN ORDINANCE 77,032

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$41,455.00 WITH PROFESSIONAL SERVICES INDUSTRIES, INC., FOR THE PROVISION OF A PRELIMINARY CONTAMINATION ASSESSMENT IN THE SOUTH FRIO STREET RIGHT-OF-WAY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 77,033

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$41,455.00 WITH PROFESSIONAL SERVICES INDUSTRIES, INC., FOR THE PROVISION OF A PRELIMINARY CONTAMINATION ASSESSMENT IN THE WEST CROCKETT STREET RIGHT-OF-WAY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 77,034

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$5,000.00 WITH BEICKER ENGINEERING, INC. FOR PROVISION OF ENGINEERING SERVICES IN CONNECTION WITH THE CENTER STREET BUILDING PROJECT; AUTHORIZING \$500.00 FOR ENGINEERING CONTINGENCIES AND \$250.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND

PROVIDING FOR PAYMENT.

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AN ORDINANCE 77,035

AUTHORIZING A BUDGET TRANSFER OF \$13,221.00 FROM THE SPECIAL REVENUE RESERVE FUND TO THE PADRE PARK RESTROOM RENOVATION PROJECT FOR ADDITIONAL CONSTRUCTION CONTINGENCY FUNDS TO BE PAID TO J.D.K. CONSTRUCTION, INC.; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AUTHORIZING PAYMENT; AND APPROVING FIELD ALTERATION NO. 2 FOR EMERGENCY STRUCTURAL WALL REPAIRS.

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AN ORDINANCE 77,036

AUTHORIZING A BUDGET TRANSFER OF \$5,200.00 FROM THE SPECIAL REVENUE RESERVE FUND TO THE OTHER CAPITAL PROJECTS FUND; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENTS FOR EXPENSES INCURRED WHILE IMPLEMENTING PROJECTS OF THE PARKS AND RECREATION FACILITIES IMPROVEMENT AND MAINTENANCE PROGRAM.

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AN ORDINANCE 77,037

DECLARING TWO TRACTS OF LAND BEING (A) A PORTION OF LOT 36, BLOCK 2, NCB 8312 AND (B) PORTIONS OF LOTS 15 AND 16, NCB 10353 BOTH IN SAN ANTONIO, BEXAR COUNTY, TEXAS, AS SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE CITY MANAGER, THE ASSISTANT CITY MANAGER OR THE ASSISTANT TO THE CITY MANAGER, TO EXECUTE QUITCLAIMS TO: (A) BEATRICE P. TREVINO FOR A CONSIDERATION OF \$200.00 AND HER CONVEYANCE TO THE CITY OF A 32.63 SQUARE FOOT DEDICATION OUT OF LOT 35, BLOCK 2, NCB 8312, AND (B) ELEAZAR CHAPA FOR A CONSIDERATION OF \$4,000.00 AND A \$10.00 RECORDING FEE FOR EACH TRANSACTION.

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AN ORDINANCE 77,038

CONSENTING TO THE ASSIGNMENT OF THE LEASE AGREEMENT FROM THE SUCCESSOR IN INTEREST TO THE EXPRESS-NEWS CORPORATION AKA EXPRESS PUBLISHING CO. TO THE HEARST CORPORATION FOR APPROXIMATELY 108.44 SQUARE FEET OF OFFICE SPACE KNOWN AS ROOM M-12 ON THE LOFT OF THE SECOND FLOOR OF THE SAN ANTONIO CITY HALL FOR

THE REMAINDER OF THE 1992 CALENDAR YEAR, IN CONNECTION WITH, AND SUBJECT TO THE APPROVAL OF THE SALE FROM THE EXPRESS-NEWS CORPORATION TO THE HEARST CORPORATION.

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AN ORDINANCE 77,039

APPROVING THE ASSIGNMENT OF THE INTEREST OF THE LESSEE UNDER A GROUND LEASE AGREEMENT TO BANK OF AMERICA TEXAS, N.A. FOR THE USE OF CITY RIGHT OF WAY, BEING A PORTION OF AN ISLAND AT THE INTERSECTION OF SAN PEDRO AND RIDGEWOOD COURT ADJACENT TO NEW CITY BLOCK 6554; AND AUTHORIZING AN AMENDMENT TO THE GROUND LEASE AGREEMENT TO ALLOW ALTERATION OF THE SIGNAGE.

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AN ORDINANCE 77,040

AUTHORIZING THE RELEASE OF SURPLUS LAND FROM THE SAN ANTONIO WATER SYSTEM CONSISTING OF .126 ACRES IN THE WOODLAWN HILLS SUBDIVISION.

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AN ORDINANCE 77,041

AUTHORIZING THE SUBMISSION OF THREE PROPOSALS TO THE TEXAS COMMISSION ON THE ARTS REQUESTING A TOTAL OF \$68,000.00 TO SUPPORT THE DEPARTMENT OF ARTS AND CULTURAL AFFAIRS PROJECTS INCLUDING THE ARTSTEACH PROGRAM AND OTHER EDUCATION AND MARKETING PROGRAMS.

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AN ORDINANCE 77,042

AUTHORIZING THE EXECUTION OF THE TELECOMMUNICATIONS PHASE OF THE FIRE ALARM DISPATCH OFFICE REMODELING PROJECT FOR APPROXIMATELY \$40,200.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

92-50 The Clerk read the following Ordinance:

AN ORDINANCE 77,043

ACCEPTING THE DEDICATION BY PLAT OF WURZBACH ROAD, EAST OF N.W. MILITARY DRIVE, AS A PUBLIC RIGHT-OF-WAY OF THE CITY OF SAN ANTONIO, SAVE AND EXCEPT FOR A 0.351 OF AN ACRE PORTION OF A CUL-DE-SAC AND 0.247 OF AN ACRE PORTION OF A DRAINAGE EASEMENT, ALL AS SHOWN BY A PLAT OF THE HACIENDA REAL SUBDIVISION, RECORDED IN VOLUME 9517, PAGES 53-54 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; AND AUTHORIZING A QUITCLAIM OF SUCH EXCEPTED AREAS TO MILITARY-WURZBACH, LTD., A TEXAS LIMITED PARTNERSHIP.

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

Mr. William Toudouze, Manager, Public Works Real Estate Division, explained details of the Ordinance.

Dr. Thornton spoke regarding watershed drainage and traffic mobility.

At this time, Mayor Pro Tem Larson recognized the City's new Public Works Director, Mr. John German.

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

92-50 The Clerk read the following Ordinance:

AN ORDINANCE 77,044

CLOSING PORTIONS OF GUADALUPE, NORTH FLORES, EUCLID AND SAN PEDRO STREETS ON SATURDAY, DECEMBER 12, 1992, FROM 7 A.M. UNTIL 9:30 A.M. FOR THE PURPOSE OF ALLOWING ST. JAMES CHURCH TO HOLD A PRAYER WALK; AND DECLARING AN EMERGENCY.

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

92-50 The Clerk read the following Ordinance:

AN ORDINANCE 77,045

CHANGING THE NAME OF THE FACILITY LOCATED AT 2800 MARTIN LUTHER KING DRIVE FROM THE SONNY MITCHELL VILLAGE TO THE DORIE MILLER CENTER.

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

Mr. Andrew Cameron, Executive Director, Community Development Block Grant, explained the requested name change.

One citizen came forward to speak:

Ms. Lillie Wilson Harris, President/Director, "People Against Corruption", spoke in favor of changing the facility's name.

Mr. Pierce spoke of Ms. Harris' involvement in other fights against crime such as "402 Ice House" and "Weed and Seed". He stated the need to develop a human capital triangle between community, government, and private business.

Mr. Wing recognized Mr. Perce for his efforts in curtailing crime in this area.

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

92-50 The Clerk read the following Ordinance:

AN ORDINANCE 77,046

ACCEPTING THE PROPOSAL OF HART'S FOOD SERVICES, INC. D/B/A DELTA FOOD SERVICE AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE BAGGAGE CART CONCESSION AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF A MINIMUM ANNUAL GUARANTEE OF \$7,500 OR A SPECIFIED

PERCENTAGE OF GROSS RECEIPTS.

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

Mr. Michael Kutchins, Director of Aviation, gave details surrounding the Ordinance.

The following citizen spoke:

Mr. Tyron Robinson asked the City Council to reconsider the awarding of the contract to Hart's Food Services, Inc., as his company, American Locker, could not participate.

Mr. Larry Macon, Attorney for Smart Cart, stated that there is a patent problem, and asked for postponement of a week.

In response to a question by Mr. Pierce, Mr. Kutchins spoke to the points raised by the opponents.

Mr. Lloyd Garza, City Attorney, stated that Mr. Macon advised the City they were looking into the patent. Mr. Garza also stated that any patent infringement is between individuals, not between the City, and informed that it is not the City's role to get between two people who have a legal dispute.

In response to a question by Mr. Pierce, Mr. Hart gave a history of his 14 year old company, Hart's Food Services, Inc. d/b/a Delta Food Service.

Mr. Pierce then stated he feels it imperative that the contract be awarded to Hart's Food Services, Inc.

In response to a question by Mayor Pro Tem Larson, Mr. Kutchins explained details of the competitive bids between Smart Cart and Hart's Food Services, explaining that money was not the issue, but rather, the fact of Delta's ability to perform. He explained Delta is 100% locally owned and operated and that their experiences are very positive with the City.

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

92-50 ZONING HEARINGS

4A. CASE 292162 - The City Clerk read a proposed ordinance to rezone a 4.78 acre tract of land out of NCB 12867, from "B-3"

Business District to "I-1" Light Industry District, property being located on the north side of St. Hedwig Road, 2,582.78 feet east of the intersection of St. Hedwig Road and N.E. Loop 410 Expressway, being 75 feet north of St. Hedwig Road, having a width of 407.54 feet and a depth of 573 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the proposed ordinance.

Mr. Pierce asked for a postponement as he has been contacted in the last 24 hours by applicants. He asked for a postponement to January 14, 1993.

Mr. Pierce made a motion to postpone consideration of the proposed ordinance until January 14, 1993. Ms. Billa Burke seconded the motion.

After consideration, the motion to postpone prevailed by the following vote: Pierce, Billa Burke, Wing, Ayala, Thornton, Labatt, Larson; NAYS: None; ABSENT: Perez, Solis, Vera, Wolff.

4B. CASE Z92164 - to rezone Lot 32, NCB 7650 from "B-3R" Restrictive Business District to "B-3" Business District, property being located east of the intersection of White Avenue and Riverside Drive, having 129.82 feet on White Avenue and 312.38 feet on Riverside Drive, 5101 South Presa.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Wing made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 77,047

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 32, NCB 7650, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT", PROPERTY LOCATED EAST OF THE INTERSECTION OF WHITE AVENUE AND RIVERSIDE DRIVE, HAVING 129.82

FEET ON WHITE AVENUE AND 312.38 FEET ON RIVERSIDE DRIVE, 5101 SOUTH PRESA. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z92167 - to rezone 3.22 acres out of NCB 11929, from "R-3" Multiple Family Residence District to "B-1" Business District, property located 340 feet northeast of the intersection of Treeline Park and W. Nottingham Road, having a width of 451.02 feet and a depth of 583.76 feet, Treeline Park.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission. Dr. Thornton seconded the motion.

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

AN ORDINANCE 77,048

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 3.22 ACRES OUT OF NCB 11929, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, LOCATED 340 FEET NORTHEAST OF THE INTERSECTION OF TREELINE PARK AND W. NOTTINGHAM ROAD, HAVING A WIDTH OF 451.02 FEET AND A DEPTH OF 583.76 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00." (FIELD NOTES DESCRIBING THE ABOVE MENTIONED TRACT ARE ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.)

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4D. CASE Z92168 - to rezone Lot 21, Block 50, NCB 2744 from "B-2NA" Non-Alcoholic Sales District to "B-3NA" Non-Alcoholic Sales District, located on the northeast side of Fredericksburg Road, 244.34 feet northwest of the intersection of Calaveras Street and Fredericksburg Road, having 50 feet on Fredericksburg Road, and a depth of 120 feet.

The Zoning Commission has recommended that this request of

change of zone be approved by the City Council.

Dr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Wing seconded the motion.

Dr. Thornton read a note from Councilwoman Vera (who is absent today) in favor of this change.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

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

AN ORDINANCE 77,049

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 21, BLOCK 50, NCB 2744, FROM "B-2NA" NON-ALCOHOLIC SALES DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT, PROPERTY LOCATED ON THE NORTHEAST SIDE OF FREDERICKSBURG ROAD, 244.34 FEET NORTHWEST OF THE INTERSECTION OF CALAVERAS STREET AND FREDERICKSBURG ROAD, HAVING 50 FEET ON FREDERICKSBURG ROAD, AND A DEPTH OF 120 FEET. (1626 FREDERICKSBURG ROAD). "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE Z92169 (CC) - to rezone 0.5538 acre of land out of NCB 17859 from "B-3" Business District to "B-3" CC Business District with special City Council approval for a communications tower, property located on the south side of Bitters Road, 395.26 feet west of the intersection of Blanco Road and Bitters Road, having 71.63 feet on Bitters Road and a depth of 178.08 feet, 1410 Bitters Road.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Dr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Labatt seconded the motion.

After consideration, the motion, carrying with it the passage

of the following Ordinance, prevailed by the following vote: AYES:
Perez, Billa Burke, Ayala, Thornton, Labatt, Larson; NAYS: None;
ABSENT: Pierce, Wing, Solis, Vera, Wolff.

AN ORDINANCE 77,050

AMENDING CHAPTER 35 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF
THE CITY OF SAN ANTONIO BY CHANGING THE
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS 0.5528 ACRE OF LAND OUT OF NCB
17859, FROM "B-3" BUSINESS DISTRICT TO "B-3" CC
BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL
FOR A COMMUNICATIONS TOWER, 1410 BITTERS ROAD. "THE
PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

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4F. CASE Z92172 (CC) - the City Clerk read a proposed ordinance to rezone Lot 13, Block 3, NCB 3081, from "G" Local Retail District to "B-3NA" CC Non-Alcoholic Sales District with special City Council approval for a communications transmitting tower, property located on the southeast side of Broadway, 355 feet northeast of the intersection of Broadway and Pershing, having 50 feet on Broadway and a depth of 150 feet. (3900 Broadway)

The Zoning Commission has recommended that this request of change of zone be denied by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the proposed ordinance.

Mr. Harry Jewett, 343 W. Woodlawn, explained the request for a communications transmitting 167 foot tower at this site. He explained the scale and spoke of 20 other such locations already in operation.

The following citizens spoke:

Ms. Marianna Jones, 107 King William, read a statement of the San Antonio Conservation Society in opposition to the tower, and asked to delay any further approval of Tower applications until the Scenic Corridor Study is completed.

Ms. Marcia Dahlman, 110 Wesley Place, stated that a 150 foot height is inappropriate for the particular area targeted on Broadway and not in keeping with revitalization of the neighborhood.

Mr. James Murdock, 3820 Broadway, expressed concern with the devaluation of property.

Mr. Larry DeMartino, 115 Armour Place, spoke against the Urban Corridor Ordinance. The solution lies between Southwestern Bell Mobile System and the neighborhood.

Ms. Carolyn Ricks, 326 Pershing, submitted a petition to the City Clerk.

Mr. Morgan Price, 227 Pershing, Mahncke Park Neighborhood Association, spoke of appropriate land use.

Ms. Francile Radman, 310 Elmhurst, presented letters from Alta Vista Neighborhood Association, Oak Park Northwood Neighborhood Association, Highland Hills Association, Tobin Hill Neighborhood Association and Vance Jackson Neighborhood, Inc.

Mr. Labatt asked for postponement until January 14, 1993, to find another site within the service area, stating the need for a reasonable approach by the Neighborhood Association.

It was agreed that Mr. Jewett, Councilman Labatt, and the Mahncke Park Neighborhood Association will meet on the issue.

In response to a question by Dr. Thornton, Mr. Jewett answered that eight more sites are needed.

Dr. Thornton encouraged Mr. Jewett to work with the neighborhoods before coming before City Council.

A discussion followed regarding timeliness in notification vs limited lead time.

Mayor Pro Tem Larson asked that Council not be put in a position of having to vote against neighborhoods, and offered to be the facilitator of exchange between Southwestern Bell and Neighborhood Associations.

Mr. Jewett assured Council that they had been able to work out approval for installation of 23 other sites in neighborhoods.

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission and postpone the zoning case. Mr. Pierce seconded the motion.

After consideration, the motion to postpone prevailed by the following vote: Perez, Pierce, Billa Burke, Wing, Ayala, Thornton, Labatt, Larson; NAYS: None; ABSENT: Solis, Vera, Wolff.

4G. CASE Z92170 - to rezone Lot 18, NCB 10949, from "B-1" Business District to "B-3R" Restrictive Business District, property located on the west side of Clark Avenue, 645.26 feet south of the intersection of Goliad Road and Clark Avenue, having 47.5 feet on Clark Avenue and a depth of 203 feet, 4223 Clark Avenue.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Ms. Billa Burke made a motion to approve the recommendation of the Zoning Commission. Mr. Pierce seconded the motion.

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

AN ORDINANCE 77,051

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 18, NCB 10949, FROM "B-1" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROPERTY LOCATED ON THE WEST SIDE OF CLARK AVENUE, 645.26 FEET SOUTH OF THE INTERSECTION OF GOLIAD ROAD AND CLARK AVENUE, HAVING 47.5 FEET ON CLARK AVENUE AND A DEPTH OF 203 FEET, 4223 CLARK AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE Z92171 - to rezone The southeast 282 feet of the southwest 110 feet of Lot 15, NCB 11557, from "A" Single Family Residence District to "B-2" Business District, property located on the northwest side of Hillcrest Drive, 195.48 feet northeast of the intersection of Hillcrest Drive and Bandera Road, having 110 feet on Hillcrest Drive and a depth of 282 feet, 1527 Hillcrest Drive.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained the details of the Ordinance.

Mr. Labatt explained use of two lots and explained why he feels this is a reasonable request, and presented a letter signed by Ms.

Anita G. Jiminez to the City Clerk.

Mr. Labatt then made a motion to approve the recommendation of the Zoning Commission. Mr. Pierce seconded the motion.

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

AN ORDINANCE 77,052

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTHEAST 282 FEET OF THE SOUTHWEST 110 FEET OF LOT 15, NCB 11557, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED ON THE NORTHWEST SIDE OF HILLCREST DRIVE, 195.48 FEET NORTHEAST OF THE INTERSECTION OF HILLCREST DRIVE AND BANDERA ROAD, HAVING 110 FEET ON HILLCREST DRIVE AND A DEPTH OF 282 FEET, 1527 HILLCREST DRIVE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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92-50 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE CLOSING ALLEY BETWEEN 4TH AND MCCULLOUGH.

Mayor Pro Tem Larson opened the Public Hearing.

No citizens were registered to speak on the matter.

The City Clerk read the following Ordinance:

AN ORDINANCE 77,053

CLOSING, VACATING, ABANDONING AND QUITCLAIMING A PORTION OF AN UNIMPROVED ALLEY LOCATED BETWEEN MCCULLOUGH AVENUE AND FOURTH STREET, SAN ANTONIO BEXAR COUNTY, TEXAS, AS REQUESTED BY THE FIRST BAPTIST CHURCH OF SAN ANTONIO, THE ADJACENT PROPERTY OWNER; AND AUTHORIZING THE EXECUTION OF A QUITCLAIM IN CONNECTION THEREWITH.

* * * *

Mr. William Toudouze, Real Estate Division, Public Works, explained details of the Ordinance.

Mayor Pro Tem Larson closed the Public Hearing

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

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

92-50 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
CLOSING PART OF FORMAT DRIVE

Mayor Wolff opened the Public Hearing.

The City Clerk read the following Ordinance:

AN ORDINANCE 77,054

CLOSING, VACATING, ABANDONING AND QUITCLAIMING IMPROVED FORMAT DRIVE, SAVE AND EXCEPT THE WEST 45 FEET PLUS OR MINUS FROM THE EAST RIGHT-OF-WAY LINE OF SILICON DRIVE LOCATED BETWEEN NETWORK BOULEVARD AND SILICON DRIVE, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY INSCO DISTRIBUTING, INC., THE ADJACENT PROPERTY OWNER, FOR A CONSIDERATION OF \$15,270.00; AND AUTHORIZING THE EXECUTION OF A QUITCLAIM IN CONNECTION THEREWITH.

* * * *

Mr. William Toudouze, Real Estate Division, Public Works, explained details of the Ordinance.

There were no citizens signed up to speak.

Mayor Pro Tem Larson closed the Public Hearing.

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

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

92-50 Mayor Pro Tem Larson explained the reason for postponement of Item 33, a resolution expressing strong support of the "Mayors United on Safety, Crime, and Law Enforcement" (MUSCLE) Statewide Anti-Crime Legislative Package. Mayor Pro Tem Larson explained this is a seven-state effort and that since Mayor Wolff is not present today, it would be temporarily postponed.

92-50 The Clerk read the following Ordinance:

AN ORDINANCE 77,055

AUTHORIZING THE PURCHASE OF HELICOPTER LIABILITY AND HULL DAMAGE INSURANCE AT A PREMIUM COST NOT TO EXCEED \$28,743.00 THROUGH A.J. GALLAGHER AS BROKER FOR U.S. FIRE/AVIATION OF AMERICA SUBJECT TO APPROVAL OF THE CITY MANAGER AND CITY ATTORNEY; AND PROVIDING FOR FUNDING IN CONNECTION THEREWITH.

* * * *

Ms. Nora Chavez, Finance Director, explained the Ordinance and asked to make a briefing on Items 34 through 38.

Mr. Alexander Briseno, City Manager, applauded Ms. Chavez for her extensive work and pleased with the work of the team.

Ms. Chavez presented overview and explained details of the Ordinance, stating there was a substantial savings of \$275,000.00 over last year's premiums.

Ms. Chavez then introduced Richard Jeter, representative from Marsh McLennan, Fred Ramos, Tax Collector, and Carmen Velez, representative of Visco, to explain technical details on insurance marketing, competitive process and negotiations.

Dr. Thornton commended Ms. Chavez on a great job.

Ms. Chavez recognized the team effort that brought about the end results, and thanked Mr. Briseno, City Manager for his support.

Ms. Carmen Velez explained the coverage provided by this liability insurance.

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

92-50

The Clerk read the following Ordinance:

AN ORDINANCE 77,056

AUTHORIZING THE PURCHASE OF AIRPORT LIABILITY INSURANCE FOR AVIATION ACTIVITIES AT THE SAN ANTONIO INTERNATIONAL AIRPORT, STINSON MUNICIPAL AIRPORT AND THE DEL RIO HELIPORT AT A PREMIUM COST NOT TO EXCEED \$63,800.00 THROUGH A. J. GALLAGHER AS BROKER FOR U.S. FIRE/AVIATION OF AMERICA SUBJECT TO APPROVAL OF THE CITY MANAGER AND CITY ATTORNEY; AND PROVIDING FOR FUNDING IN CONNECTION THEREWITH.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Pierce 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, Ayala, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Solis, Vera, Wolff.

92-50

The Clerk read the following Ordinance:

AN ORDINANCE 77,057

ACCEPTING THE PROPOSAL OF TRAVELERS INSURANCE GROUP AND AMERICAN RE-INSURANCE, AS INSURANCE CARRIERS, THROUGH MARSH AND MCLENNAN, AS AGENTS, AT A PREMIUM COST OF \$1,018,422.00 FOR AN INSURANCE PROGRAM FOR THE CITY WHICH INCLUDES PROPERTY, PROPERTY CLAIMS COVERAGE, COMMERCIAL GENERAL LIABILITY, COMPREHENSIVE AUTOMOBILE LIABILITY, PUBLIC OFFICIALS LIABILITY, INCIDENTAL MEDICAL MALPRACTICE, POLICE PROFESSIONAL LIABILITY COVERAGE, AND PRIOR ACTS COVERAGE FOR ALL LIABILITY EXPOSURES FOR THE PERIOD DECEMBER 31, 1992, THROUGH DECEMBER 31, 1993, SUBJECT TO FINAL APPROVAL BY THE CITY ATTORNEY AND CITY MANAGER; AND APPROPRIATING FUNDS IN CONNECTION THEREWITH.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Labatt 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, Ayala, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Solis, Vera, Wolff.

92-50 The Clerk read the following Ordinance:

AN ORDINANCE 77,058

ACCEPTING THE PROPOSAL SUBMITTED BY A.J. GALLAGHER, AS BROKER, AND KEMPER INSURANCE, AS INSURANCE CARRIER, FOR THE CITY'S BOILER & MACHINERY EQUIPMENT INSURANCE, WHICH PROVIDES COMPREHENSIVE COVERAGE FOR PHYSICAL DAMAGE TO BOILERS/PRESSURE VESSELS, ELECTRIC/MECHANICAL MACHINERY, AND EXTRA EXPENSE/BUSINESS INTERRUPTION, FOR THE PERIOD DECEMBER 31, 1992, THROUGH DECEMBER 31, 1993, FOR A PREMIUM COST OF \$26,125.00 SUBJECT TO APPROVAL OF THE CITY MANAGER AND CITY ATTORNEY; AND APPROPRIATING FUNDS IN CONNECTION THEREWITH.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Labatt 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, Ayala, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Solis, Vera, Wolff.

92-50 The Clerk read the following Ordinance:

AN ORDINANCE 77,059

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR THE EXCESS WORKERS' COMPENSATION COVERAGE, WHICH WOULD PROVIDE A LOSS CAP OF \$500,000.00 PER EACH WORKERS' COMPENSATION CLAIM OCCURRENCE, FOR THE PERIOD JANUARY 1, 1993, THROUGH DECEMBER 31, 1993.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Pierce 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, Ayala, Thornton, Labatt, Larson; NAYS: None;

ABSENT: Wing, Solis, Vera, Wolff.

In response to a question by Mayor Pro Tem Larson, Ms. Chavez stated they were reducing Workman's Comp and offered to present a report to Council.

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92-50 The City Council recessed at 3:44 p.m., reconvening at 5:00 p.m. for Citizens To Be Heard.

92-50

CITIZENS TO BE HEARD

DON WILKINS CASTILLO

Mr. Castillo spoke to his concern for the perceived lack of leadership at the San Antonio Police Department and blamed increased pay demands by police from the City government. He then spoke to several examples of what he perceived to be a lackadaisical attitude of some officers, even as crime statistics continue to rise in San Antonio.

Several City Council members spoke to the adverse impact of budget problems on all City departments.

- - -
92-50 The City Clerk read the following letter

December 10, 1992

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

The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council:

November 23, 1992 Petition submitted by Ms. Irma Contreras, 135 Andy Drive, San Antonio, Texas 78226, et al, on behalf of the Homeowners on Andy Drive requesting the City of San Antonio to allocate funds to reconstruct Andy Drive to include sidewalks and curbs.

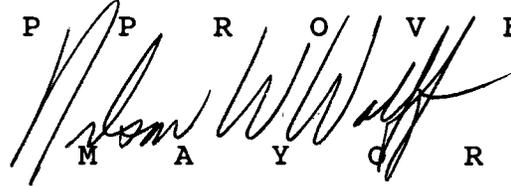
November 24, 1992 Petition submitted by Mrs. Patsy Monfrey, 407 Edgevale, San Antonio, Texas 78229, requesting the cleaning up of the alley by the adjacent property owners.

December 10, 1992
alh/nw

/s/ Norma S. Rodriguez
City Clerk

92-50 There being no further business to come before the Council, the meeting was adjourned at 5:07 P.M.

A P P R O V E D



M A Y O R

Attest: *Norma S. Rodriguez*
C i t y C l e r k

