

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 17, 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, LABATT, LARSON, WOLFF. Absent: NONE.

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92-51 Invocation - Reverend Bobby Allen, Alamo Heights United Methodist Church.

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92-51 Pledge of Allegiance to the flag of the United States.

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92-51 Minutes of the November 19, 1992 Regular City Council Meeting were approved.

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92-51 RESOLUTION OF RESPECT-POLICE OFFICER RONDALL SISCO

Mayor Wolff spoke of the public service of Police Officer Rondall Sisco and his untimely death this past September. He noted that the late officer's family is present in the audience today to accept a Resolution of Respect.

The Mayor then read the following Resolution of Respect:

A RESOLUTION NO: 92-51-41

WHEREAS, LIFE CAME TO A CLOSE FOR RONDALL SISCO ON SEPTEMBER 22, 1992, WHILE IN THE PERFORMANCE OF HIS DUTIES AS A POLICE OFFICER; AND

WHEREAS, OFFICER SISCO JOINED THE SAN ANTONIO POLICE DEPARTMENT ON DECEMBER 8, 1970 AFTER HAVING HONORABLY SERVED AS A MEMBER OF THE ARMED FORCES FOR FIVE YEARS; AND

WHEREAS, HIS YEARS OF SERVICE AS A POLICE OFFICER HAD BEEN MARKED BY EXEMPLARY DEDICATION TO SERVING HIS FELLOW CITIZENS IN MAINTAINING THE SAFETY AND WELFARE OF OUR CITY; AND

WHEREAS, HE JUSTLY EARNED THE RESPECT AND ADMIRATION OF HIS FELLOW OFFICERS WITH HIS OUTSTANDING RECORD IN LAW ENFORCEMENT; NOW, THEREFORE:

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

SECTION 1. THAT WITH THE DEATH OF OFFICER SISCO, THE CITY OF SAN ANTONIO HAS LOST A VALUABLE AND DEDICATED EMPLOYEE.

SECTION 2. THAT THE CITY COUNCIL JOINS WITH HIS FAMILY AND FRIENDS IN THEIR SORROW OVER HIS DEATH, AND EXTENDS ITS SINCEREST SYMPATHY AND PRAYERS OF COMFORT TO THOSE WHO WERE NEAR HIM.

SECTION 3. AND IT IS HEREBY DIRECTED THAT A COPY OF THIS RESOLUTION BE SPREAD UPON THE MINUTES OF THIS MEETING AND A COPY BE PRESENTED TO HIS FAMILY AS A TOKEN OF OUR DEEPEST SYMPATHY.

Mr. Labatt made a motion to approve the proposed Resolution. Mr. Pierce seconded the motion.

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.

Mayor Wolff then presented the Resolution of Respect to Officer Sisco's widow, Sandra Sisco, and accompanying police officers.

Police Chief William Gibson spoke to the excellent example set by Officer Sisco, and of the great loss left by his death in the line of duty. He thanked the Mayor and City Council members for honoring Officer Sisco in this manner.

Several Council Members spoke to the dangers of a police officer's everyday life.

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92-51

CITATION-DR. BESS HIERONYMUS

Mayor Wolff noted that Dr. Bess Hieronymus, Professor of Music at the University of Texas at San Antonio, recently was invited to join the Russian Music Society, making her only the third non-Russian to be inducted into this prestigious organization.

Mayor Wolff then read and presented a Citation to Dr. Hieronymus honoring her for this special moment in her life.

Dr. Hieronymus thanked the Mayor and Council for this honor and spoke to the privilege of being invited to play in Russia and inducted into the Russian Music Society, honored for her music.

Several Council members spoke to Dr. Hieronymus' background in music and congratulated her on her many accomplishments, including this signal honor from Russia.

92-51 CONSENT AGENDA

Mr. Solis made a motion to approve agenda items 11 through 29b, constituting the Consent Agenda. 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, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None. ABSENT: Pierce, Billa Burke.

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AN ORDINANCE 77,060

ACCEPTING THE PROPOSAL OF IBM CORPORATION FOR A LICENSE RENEWAL FOR HOST COMPUTER OPERATING SYSTEM SOFTWARE FOR THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT FOR A TOTAL OF \$313,392.00 ANNUALLY.

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AN ORDINANCE 77,061

ACCEPTING LOW BID OF COMFORT AIR ENGINEERING, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH AIR HANDLER REPAIRS FOR A TOTAL OF \$14,148.00.

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AN ORDINANCE 77,062

ACCEPTING LOW BID OF JOHNSON CONTROLS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A CENTRIFUGAL CHILLER TUBE REPLACEMENT FOR A TOTAL OF \$15,241.00.

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AN ORDINANCE 77,063

ACCEPTING THE LOW QUALIFIED BID OF T.C.Q. CONSTRUCTION TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH BUILDING ADDITIONS AND ALTERATIONS AT THE AIRPORT MAINTENANCE FACILITY FOR A TOTAL OF \$18,529.00.

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AN ORDINANCE 77,064

ACCEPTING THE LOW QUALIFIED BID OF TURF INDUSTRIES, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH GROUND COVERING MATERIAL FOR MUNICIPAL GOLF COURSES FOR A TOTAL OF \$15,450.75.

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AN ORDINANCE 77,065

ACCEPTING THE LOW BID OF RELIABLE BATTERY CO. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH GOLF CART BATTERIES ON AN ANNUAL CONTRACT BASIS FOR APPROXIMATELY \$65,000.00.

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AN ORDINANCE 77,066

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 5 TO THE CONTRACT WITH CYS COMPANY, INC. IN THE DECREASED AMOUNT OF \$36,378.71 AS RELATED TO THE SINGLE COURSE BITUMINOUS SLURRY SEAL, 1992 PROJECT.

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AN ORDINANCE 77,067

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 5 TO THE CONTRACT WITH SHANNON-MONK, INC. IN THE AMOUNT OF \$265,148.52 AS RELATED TO THE GOLIAD ROAD, FROM S.E. MILITARY TO IH410 RECONSTRUCTION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 77,068

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 2 TO THE CONTRACT WITH R.E.L. CONSTRUCTION CO. INC., IN THE AMOUNT OF \$17,000.00 AS RELATED TO THE BASE AND PAVEMENT FAILURE REPAIRS PROJECT-HOEFGEN STREET; AUTHORIZING \$21,000.00 FOR MATERIALS; ACCEPTING A CITY PUBLIC SERVICE CONTRIBUTION IN THE AMOUNT OF \$38,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 77,069

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$16,707.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80; AND ACCEPTING THE DEDICATION OF AN EASEMENT IN CONNECTION WITH THE CABLE ELEMENTARY DRAINAGE PROJECT.

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AN ORDINANCE 77,070

AUTHORIZING PAYMENT IN THE AMOUNT OF \$128.42 FOR PROCESSING FEES IN THE SOUTH FLORES DRAINAGE PROJECT #70-70A, PHASE II; AND APPROPRIATING FUNDS.

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AN ORDINANCE 77,071

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF A CERTAIN PARCEL OF LAND LOCATED WITHIN THE FORT SAM HOUSTON SHTA RESIDENTIAL COMMUNITY DEVELOPMENT PROJECT FOR A SALE AMOUNT OF \$3,850.00 TO FRANK SALINAS, JR.

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AN ORDINANCE 77,072

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF A CERTAIN PARCEL OF LAND LOCATED WITHIN THE COLONIA AMISTAD COMMUNITY DEVELOPMENT PROJECT FOR A SALE AMOUNT OF \$3,050.00 TO HERMINIA BRITTIAN.

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AN ORDINANCE 77,073

GRANTING A PENETRATION, ELEVATOR, VENT, CONDENSING UNITS, AND ACCESS EASEMENT IN THE MID-CITY GARAGE IN CONNECTION WITH CONSTRUCTION OF THE MAJESTIC CLUB, FOR A MONTHLY CONSIDERATION BASED ON THE PARKING EVENT RATE AS APPROVED IN SAID GARAGE; SUBJECT TO SECURING AN ACCESS EASEMENT FOR THE CITY OF SAN ANTONIO TO THE TUNNEL EASEMENT IN THE MAJESTIC BUILDING.

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AN ORDINANCE 77,074

APPROVING AN ADDENDUM TO BASEMENT LEVEL GENERATOR EASEMENT WITH THE MAJESTIC DEVELOPMENT COMPANY AND THE FOUNDATION FOR CULTURAL ARTS IN SAN ANTONIO IN CONNECTION WITH THE CONSTRUCTION OF THE TOWERS AT THE MAJESTIC, SUCH EASEMENT AREA BEING IN THE MID-CITY PARKING GARAGE.

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AN ORDINANCE 77,075

AMENDING CHAPTER 19 (TRAFFIC REGULATIONS) OF THE CITY CODE FOR OFFICIAL TRAFFIC-CONTROL DEVICES OF THE CITY OF SAN ANTONIO SETTING FORTH LOCATIONS AT WHICH ELECTRONIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING STOP SIGN LOCATIONS; YIELD-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 77,076

AUTHORIZING THE ACCEPTANCE OF \$221,539.00 FOR THE CAREGIVER TRAINING PROJECT AND \$165,867.00 FOR THE QUALITY IMPROVEMENT ASSISTANCE PROJECT IN CHILD CARE DEVELOPMENT BLOCK GRANT FUNDS FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES (TDHS); AUTHORIZING THE EXECUTION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$276,676.00 WITH THE TEXAS AGRICULTURAL EXTENSION SERVICE FOR THE PROVISION OF EDUCATIONAL TRAINING SERVICES FOR THE CHILD CARE PROVIDERS CONDUCTING THE QUALITY IMPROVEMENT ASSISTANCE PROJECT; AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LEASE AGREEMENT WITH SPACE CENTER SAN ANTONIO TO INCLUDE SPACE FOR THE TEXAS AGRICULTURAL EXTENSION SERVICE NOT TO EXCEED 1308 SQUARE FEET.

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AN ORDINANCE 77,077

AMENDING ORDINANCE NO. 76553, PASSED AND APPROVED SEPTEMBER 24, 1992, TO REFLECT THE ACTUAL AMOUNT OF CHILD CARE DEVELOPMENT BLOCK GRANT FUNDS RECEIVED, \$411,476.00, FROM THE TEXAS DEPARTMENT OF HUMAN SERVICE (TDHS) FOR USE IN CONNECTION WITH THE COMPREHENSIVE EARLY CHILDHOOD DEVELOPMENT (CECD) PROJECT B; AND REVISING THE CONTRACT WITH DEPENDENT CARE MANAGEMENT GROUP, INC. (DCMG) IN A DECREASED AMOUNT NOT TO EXCEED \$21,962.00 FOR THE PROVISION OF VENDOR MANAGEMENT SERVICES.

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AN ORDINANCE 77,078

APPOINTING FRANCISCO MATEO TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR A TERM OF OFFICE TO EXPIRE JULY 31, 1994.

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AN ORDINANCE 77,079

REAPPOINTING ROBERT BENAVIDES TO THE KEEP SAN ANTONIO/BEXAR COUNTY BEAUTIFUL COMMITTEE FOR A TERM OF OFFICE TO EXPIRE DECEMBER 22, 1994.

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92-51

POINT OF PERSONAL PRIVILEGE

On a Point of Personal Privilege, Mr. Thornton took note of one item on the Consent Agenda that dealt with purchasing protective covers for the greens on the Cedar Creek Golf Course. He further noted the recent increase in golf course user fees by the City and the need to protect those golf courses to the maximum extent possible.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,080

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO ENTER INTO AN INVESTMENT AGREEMENT RELATING TO THE ESCROW FUND ESTABLISHED WITH PROCEEDS OF THE CITY OF SAN ANTONIO, TEXAS WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 1992; AND DECLARING AN EMERGENCY

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

Mr. Ralph Huber, Senior Vice-President, San Antonio Water System, spoke to plans to restructure the SAWS Escrow Fund in order to produce higher yield on its bonds, in accord with present Internal Revenue Service tax laws and the terms of the recently-sold Refunding Bonds involved. He stated his belief that this restructuring will produce a savings of some \$1 million for the system.

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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,081

AUTHORIZING THE ACCEPTANCE OF \$1,687,289.00 IN TITLE IV-A AT RISK FUNDS FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES (TDHS); AUTHORIZING THE AMENDMENT OF A CONTRACT WITH DEPENDENT CARE MANAGEMENT GROUP (DCMG) FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$55,267.00, FOR THE PROVISION OF VENDOR MANAGEMENT SERVICES; AUTHORIZING A PERSONNEL COMPLEMENT; AND AMENDING THE CHILD CARE MANAGEMENT SERVICES (CCMS) BUDGET.

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

Ms. Diane Quaglia, Community Initiatives Department, explained the significance of San Antonio receiving 'at-risk' child care funds.

In response to a question by Mayor Wolff, Ms. Quaglia addressed the loss of funding for the education of teenaged mothers, a loss that will prohibit the serving of any new clients.

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, Labatt, Larson, Wolff; NAYS: None; ABSENT: Billa Burke.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,082

ACCEPTING THE LOW QUALIFIED BIDS OF TED'S TREES, PEERLESS FARMS, INC., ALDRIDGE NURSERY, INC, PEACH CREEK TREE FARM, MORTELLAROS NURSERY, INC., HOFFMAN GRASS FARM & NURSERY, INC., ROBERT MARSHALL ENTERPRISES, CROCKETT'S WHOLESALE NURSERY, AND LAKEVIEW NURSERY IN THE SUM OF \$466,823.78 TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH PLANT MATERIAL FOR THE ALAMODOME PROJECT; AND PROVIDING FOR FUNDING FROM THE 1/2 PERCENT SALES TAX.

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

Mr. Ron Darner, Director of Parks & Recreation, explained the savings to be achieved over earlier estimates of costs for plant materials for the Alamodome. He then briefly discussed the plans for implementation of this work at the Alamodome.

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, Labatt, Larson, Wolff; NAYS: None; ABSENT: Billa Burke.

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

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,083

RATIFYING FIELD ALTERATION NO. 26 IN THE AMOUNT OF \$16,136.00 FOR THE CONSTRUCTION CONTRACT WITH LYDA, INC. FOR WORK ON THE ALAMODOME: PACKAGE 3C-STRUCTURAL AND MISCELLANEOUS METALS; AND PROVIDING FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND THE 1/2 PERCENT SALES TAX.

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

Mr. Gabriel Perez, Dome Development Office, explained the need for the Field Alteration in question, involving the large catwalk serving the Alamodome's lighting system.

In response to a question by Ms. Ayala, Mr. Roland Lozano, Director of Dome Development, discussed the number of Field Alterations involved in the Alamodome work to date and the costs involved, as well as the funding sources, including Field Alterations that might be needed in the future. He noted that the Alamodome project now is about 83 per cent complete and on-time for a projected May 15, 1993 opening, if weather permits.

Mr. Larson commended the Dome Development staff for saving some \$135,000 recently on Alamodome work.

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

Pierce, Billa Burke, Solis, Vera, Thornton, Labatt, Larson, NAYS:
Ayala; ABSENT: Wing, Wolff.

(Mayor Wolff returned to the meeting to preside.)

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,084

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$31,153.00 FOR THE CONSTRUCTION CONTRACT WITH JJP CONSTRUCTION, INC. FOR WORK ON THE ALAMODOME: PACKAGE 4-ROFFING/SIDING; AND PROVIDING FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND THE 1/2 PERCENT SALES TAX.

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

Mr. Gabriel Perez, Dome Development Office, noted that the particular Field Alteration in question provides protection to the Alamodome from lightning strikes.

Ms. Ayala asked that data concerning the original price for the Alamodome project, and the costs for Field Alterations, be included in future materials to come before the City Council.

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

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,085

RATIFYING FIELD ALTERATION NO. 9 IN THE AMOUNT OF \$56,618.00 FOR THE CONSTRUCTION CONTRACT WITH SALAZAR CONSTRUCTION; INC. FOR WORK ON THE ALAMODOME: PACKAGE 5A-FINISHES; AND PROVIDING FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND THE 1/2 PERCENT SALES TAX.

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

Mr. Gabriel Perez, Dome Development Office, explained the need for this Field Alteration, concerning supports for blowing fans in the Alamodome.

Mr. Wing spoke to the City Council's Alamodome minority subcontracting goals.

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

92-51 ZONING HEARINGS

5A. CASE Z92161 - to rezone Lot 2, Block 1, NCB 11037, from "B-2NA" Non-Alcoholic Sales District to "R-1" Single Family Residence District, property located northwest of the intersection of W. Thompson Place and Andy Drive, having 56.96 feet on W. Thompson Place and 140 feet on Andy Drive, 1635 W. Thompson Place.

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

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

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

AN ORDINANCE 77,086

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 2, BLOCK 1, NCB 11037, FROM "B-2" BUSINESS DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT, 1635 W. THOMPSON PLACE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,087

AUTHORIZING PAYMENT OF OUTSTANDING FEES AND EXPENSES IN THE AMOUNT OF \$94,272.26 TO THE FIRM OF LLOYD, GOSSELINK, FOWLER, BLEVINS & MATHEWS, P.C. FOR THE CASE STYLED SIERRA CLUB V. LUJAN, ET AL, AND RELATED ACTIVITIES.

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

Mr. Lloyd Garza, City Attorney, explained the bills for September's expenses in the Sierra Club litigation, noting that this will be the final bill to be paid solely by the City of San Antonio, since San Antonio Water System now absorbs legal costs in this area. He then briefly discussed the expectation that a judgement will be rendered in this case before the first of the year.

In response to a question by Mr. Larson, Mr. Garza stated that the City of San Antonio has spent some \$1.9 million since 1989 on the five lawsuits involving this issue. He further noted that SAWS also has spent a like amount, and he spoke to estimates of how much the Guadalupe-Blanco River Authority has spent on this matter.

In response to a question by Ms. Ayala, Mr. Garza noted that funds to finance the City's costs in this lawsuit have come from the General Fund, and could well have been spent elsewhere, if not for this cost.

A discussion then took place concerning Guadalupe-Blanco River Authority actions and expenditures on this and similar legal areas.

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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE PERMITTING AN EXCEPTION TO THE ALAMODOME MORATORIUM AS RELATED TO PROPOSED DEVELOPMENT OF 529 E. CROCKETT

Mayor Wolff declared the Public Hearing to be open.

Mr. Gene Camargo, Director of Building Inspections, explained the request for an exception to the moratorium and noted that City staff recommends approval.

No citizen appeared to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 77,088

GRANTING AN EXCEPTION TO THE MORATORIUM ON THE ISSUANCE OF SIGN PERMITS, CERTIFICATES OF OCCUPANCY, AND ZONING CHANGES IN THE ALAMODOME IMPACT AREA IN ORDER TO ALLOW MS. MARIA G. HERNANDEZ TO APPLY FOR DEVELOPMENT RELATED PERMITS NEEDED TO OPEN A LOUNGE LOCATED AT 529 EAST CROCKETT.

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

92-51 PUBLIC HEARING & CONSIDERATION OF AN ORDINANCE PERMITTING AN EXCEPTION TO THE ALAMODOME MORATORIUM AS RELATED TO PROPOSED DEVELOPMENT OF 108 SOUTH OLIVE

Mayor Wolff declared the Public Hearing to be open.

Mr. Gene Camargo, Director of Building Inspections. explained the request for exception to the moratorium and stated that City staff recommends approval of that request.

No citizen appeared to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 77,089

GRANTING AN EXCEPTION TO THE SIX-MONTH MORATORIUM ON THE ISSUANCE OF SIGN PERMITS, CERTIFICATES OF OCCUPANCY, AND ZONING CHANGES IN THE PROJECT AREA IN ORDER TO ALLOW MR. HAROLD C. MOORE TO APPLY FOR DEVELOPMENT-RELATED PERMITS NEEDED TO CONSTRUCT A FLORAL GARDEN CENTER AT 108 SOUTH OLIVE.

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

Mr. Pierce spoke to this example of economic development for the city's east side and the Alamodome area, and introduced Mr. Harold Moore, the proponent of the request.

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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 PUBLIC HEARING & CONSIDERATION OF AN ORDINANCE PERMITTING AN EXCEPTION TO THE FREDERICKSBURG ROAD MORATORIUM AS RELATED TO THE PROPOSED DEVELOPMENT OF 2002 FREDERICKSBURG ROAD

Mayor Wolff declared the Public Hearing to be open.

No citizen appeared to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 77,090

GRANTING AN EXCEPTION TO THE SIX-MONTH MORATORIUM ON THE ISSUANCE OF SIGN PERMITS, CERTIFICATES OF OCCUPANCY, AND ZONING CHANGES IN THE FREDERICKSBURG ROAD PROJECT AREA IN ORDER TO ALLOW LOUIS D. BRATTON TO APPLY FOR ON-PREMISE SIGN PERMITS FOR PROPERTY LOCATED AT 2002 FREDERICKSBURG ROAD.

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

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92-51 PUBLIC HEARING & CONSIDERATION OF AN ORDINANCE PERMITTING AN EXCEPTION TO THE FREDERICKSBURG ROAD MORATORIUM AS RELATED TO PROPOSED DEVELOPMENT OF 1800 FREDERICKSBURG ROAD

Mayor Wolff declared the Public Hearing to be open.

Mr. L.E. Travis, Jr., owner of the shopping center involved, spoke of his leasing plans.

Mr. Gene Camargo, Director of Public Inspections, spoke to the matter of outside signs on the property involved, and noted that City staff plans to remove certain signs in this area, in conformance with City Council direction.

Mr. Travis addressed the need for certain signs on his property.

Mayor Wolff closed the Public Hearing.

At this time, Mayor Wolff asked for a brief temporary recess in the City Council proceedings in order to the Council, staff and audience to be able to view the appointment of former Mayor Henry Cisneros as the new Director of the Department of Housing and Urban Development.

(City Council recessed its proceedings at 2:42 P.M.)

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92-51 CISNEROS APPOINTMENT

Mayor Wolff and City Council members extended their congratulations to former Mayor Cisneros and spoke of what might be expected of him as the new HUD Secretary in Washington, D.C., and the importance of that appointment to the City of San Antonio, especially as it relates to the solution to urban problems everywhere, including San Antonio.

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92-51 City Council meeting reconvened at 2:47 P.M. and continued with Agenda Item 6D.

The Clerk read the following Ordinance:

AN ORDINANCE 77,091

GRANTING AN EXCEPTION TO THE SIX-MONTH MORATORIUM ON THE ISSUANCE OF SIGN PERMITS, CERTIFICATES OF OCCUPANCY, AND ZONING CHANGES IN THE FREDERICKSBURG ROAD PROJECT AREA IN ORDER TO ALLOW L.E. TRAVIS, JR. TO APPLY FOR DEVELOPMENT-RELATED PERMITS NEEDED TO OCCUPY THE PROPERTY LOCATED AT 1800 FREDERICKSBURG ROAD AS A JEWELRY STORE.

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A discussion took place concerning the removal of one outside sign on the property in question, as proposed in the master Plan for redevelopment of this portion of Fredericksburg Road.

Ms. Vera made a motion to approve the proposed Ordinance subject to staff recommendations as they relate to removal of outside signs on the property in question. Mr. Pierce 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, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez.

92-51

PROGRAM UPDATE: S.A. EDUCATION PARTNERSHIP FUND

Ms. Carol Bidus, Executive Director, San Antonio Education Partnership Fund, spoke to details of the program and a status report, to date.

A brief videotaped presentation on program accomplishments was shown to the City Council and audience.

Ms. Bertha Franklin, representing the Fund, addressed certain statistics of the program since its implementation in 1989, noting that more than 3,700 students have received scholarship assistance in the four years of the program's existence.

Ms. Bidus spoke to the program's funding, and to the "Adopt-a-School" program now being implemented for San Antonio businesses.

Several City Council members spoke to the accomplishments of the program and the good that it is doing for San Antonio.

92-51 City Council recessed its regular meeting at 3:33 P.M. to convene in informal "B" Session to hear and discuss the City Council Solid Waste Management Review Committee report; followed by another "B" Session presentation of the Interagency/Citizen Advisory Board recommendations to improve contracting opportunities for minority and women-owned businesses. The regular meeting reconvened at 6:25 P.M.

92-51

CITIZENS TO BE HEARD

MRS. MARIA H. SALAS

Mrs. Maria H. Salas, 5119 Hayden, spoke to the City Council in support of the recommendations brought forward by the Committee chaired by Councilman Frank Wing on the Solid Waste Issue discussed earlier in "B" Session.

In response to Mr. Thornton's question, Mrs. Salas stated that she is not in favor of privatizing this area of government and supports the recommendations made by the Committee.

MR. FRANCISCO CELLINI

Mr. Francisco Cellini shared a poem he wrote about America with the City Council, a copy of his poem is on file with the papers of this meeting. He also stated that he plans to seek support from the Council to get this poem adopted by the Armed Forces.

Several Council members commended Mr. Cellini on his composition.

MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo commended Mr. Frank Wing for his service to the community and also stated that it was proper for a City building to be named in his honor.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,092

AUTHORIZING THE EXECUTION OF A CONTRACT WITH SALDANA & ASSOCIATES, INC. IN THE AMOUNT OF \$207,365.00 FOR THE PROVISION OF ARCHITECTURAL SERVICES IN CONNECTION WITH THE CITY HALL FACADE RESTORATION PROJECT; AUTHORIZING \$40,000.00 FOR ARCHITECTURAL CONTINGENCIES; ESTABLISHING A PRODUCTION SCHEDULE; APPROPRIATING FUNDS; AUTHORIZING THE TRANSFER OF FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Labatt noted that City Council has expressed its decision to retain the fourth floor on City Hall, despite some recommendations that advocate its removal to restore the original footprint of City Hall, and indeed has no plans to remove it.

A discussion then took place concerning the annual Fiesta Carnival, located around City Hall, and its impact upon the City Hall restoration project work.

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

92-51 City Council recessed its regular meeting for dinner at 6:43 P.M., reconvening at 7:30 P.M.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,093

AUTHORIZING PAYMENT OF \$21,000.00 IN SETTLEMENT OF CAUSE NO. 91-CI-09011, STYLED GINA CHAVEZ VS. ALLAN NUSSBAUM AND THE CITY OF SAN ANTONIO; IN THE 166TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS.

* * * *

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

92-51 The Clerk read the following Resolution:

A RESOLUTION NO. 92-51-42

EXPRESSING STRONG SUPPORT OF THE "MAYORS UNITED ON SAFETY, CRIME, AND LAW ENFORCEMENT" (M.U.S.C.L.E.) STATEWIDE ANTI-CRIME LEGISLATIVE PACKAGE; URGING THE STATE LEGISLATURE TO CAREFULLY STUDY THE PENAL CODE, THE NEED FOR PRISON SPACE, APPROPRIATE PUNISHMENT AND DETERRENTS, AS WELL AS THE STATE PAROLE AND PROBATION SYSTEM; AND INCORPORATING INITIATIVES WITHIN THE PACKAGE INTO THE CITY OF SAN ANTONIO'S 1993 STATE LEGISLATIVE PROGRAM.

* * * *

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

Captain Al Phillipus, San Antonio Police Department, explained the Resolution.

Mayor Wolff noted that Governor Ann Richards now is studying the recommendations of the mayors' group, known as MUSCLE, and he spoke of his hopes to go to the state legislature with a package of bills soon. He then addressed several provisions of the package designed to assist cities in getting a handle on violent crime in Texas.

Mr. Larson spoke to the need to inform the legislature that the people are very concerned with several aspects of crime, including the matter of low bonds for criminals. He stated his belief that the state needs to prioritize its budget expenditures and construct more prisons, not free more prisoners.

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

Mr. Solis made a motion to approve the proposed second and final Reading of the Ordinance annexing certain properties known as the Sea World Area Property. Ms. Vera seconded the motion.

Mr. David Pasley, Acting Director of Planning, identified and spoke to the four separate areas for which annexation action is being sought today. He then spoke to certain changes being recommended in the annexation package to the City Council, as needed, due to certain recent events and actions.

Mr. Pasley then spoke specifically to the Sea World area annexation package.

After consideration, the motion, carrying with it the passage of the 2nd and Final Reading of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Ayala, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None. ABSENT: Solis.

AN ORDINANCE 76,895

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 652 ACRES OF LAND KNOWN AS THE SEA WORLD AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

Mr. Labatt made a motion to approve the second and final reading of an Ordinance annexing certain properties known as the Mainland Drive Area Property, except for the areas known as Quail Creek Units 1 and 2 as set out in the attached Exhibit, with a finding of necessity to exclude these areas in response to a temporary restraining order. Ms. Billa Burke seconded the motion.

Mr. David Pasley, Acting Director of Planning, spoke to specifics of the proposed Mainland Drive area annexation and details of the temporary restraining order issued in connection therewith.

Mr. Lloyd Garza, City Attorney, spoke to the lawsuit filed in connection with this particular area and also with certain portions of the proposed Inwood Area annexation properties, to follow, and he spoke to details of this matter. He noted that a hearing on the temporary restraining order is set for December 29, 1992, and expressed his opinion that the City Council therefore cannot annex the affected areas

until the temporary restraining order is dissolved in court. He then discussed the pleadings and the arguments, pro and con, and recommended that the City Council 'carve out' the affected areas of the annexation package. He then spoke to the wording of the law as it relates to the necessity for annexing this particular area.

Mr. Labatt then restated his motion to include the specific language, to include the 'finding of necessity' because of the temporary restraining order, as per City staff recommendation.

Mr. Pasley then identified and spoke to the Quail Creek Units 1 and 2 areas to be exempted from this annexation package, per the pending motion.

Mr. Labatt suggested that the City Council, in the future, begin its annexation actions earlier in the year so as not to run into end-of-calendar year problems such as this.

Mr. Garza noted that the temporary restraining order prohibits the City Council from voting to annex the particular affected areas at this time, and he spoke to the City's contention that a legislative act, such as annexation by a city, cannot legally be enjoined. He then discussed briefly the City Council's current annexation policies.

Mr. Pasley stated that the City of San Antonio will lose an estimated \$16-17,000 in net revenues because of non-annexation of the affected areas covered by the temporary restraining order.

Mr. George K. Noe, Director of Management Services, stated that the City's gross losses from non-annexation would be about \$53,000 in the Quail Creek matter, and about \$7,000 in the Inwood area, to follow.

A discussion then took place concerning the possible ramifications of ignoring the temporary restraining order, and the possibility of taking certain actions to perhaps effect this annexation by the end of the year, if the temporary restraining order is cleared.

Mr. Pasley discussed the arguments made in relation to the so-called 'gentleman' agreement' regarding annexations.

A discussion then took place concerning possible changes to the City's annexation policies.

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

AN ORDINANCE 76,896

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 796 ACRES OF LAND KNOWN AS THE MAINLAND DRIVE AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

(NOTE: This ordinance was reconsidered later in this meeting. See page 28.)

92-51 SECOND & FINAL READING-ANNEXATION OF INWOOD AREA

Mr. Labatt made a motion to approve the second and final reading of an Ordinance annexing certain properties known as the Inwood Area Property, save and except Parcel 2, containing 6.599 acres and Parcel 3A, containing 41.947 acres for a total of 48.57 acres as set out in the attached Exhibit, with a finding of necessity to exclude these affected areas because of a temporary restraining order. Mr. Wing seconded the motion.

After consideration, the motion, carrying with it the passage of the 2nd and Final Reading of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff;. NAYS: None. ABSENT: None.

AN ORDINANCE 76,897

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1,031 ACRES OF LAND KNOWN AS THE INWOOD AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

(NOTE: This ordinance was reconsidered later in this meeting. See page 28.)

92-51 SECOND & FINAL READING- ANNEXATION OF COVEL ROAD AREA

Ms. Billa Burke made a motion to approve the 2nd and Final Reading of the following Ordinance. 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, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

AN ORDINANCE 76,894

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 711 ACRES OF LAND KNOWN AS THE COVEL ROAD AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

92-51 (City Council recessed its regular meeting at 8:20 P.M. to attend a reception for new Secretary of HUD, Henry Cisneros at the Spanish Governor's Palace, reconvening at 9:37 P.M. with Mayor Pro Tem Larson presiding in the temporary absence of Mayor Wolff.)

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,094

SETTING THE TIME, PLACE, AND DATE FOR TWO REQUIRED PUBLIC HEARINGS ON THE ANNEXATION OF THE AREA KNOWN AS THE LA CANTERA PROPERTY; AND DIRECTING THE PLANNING DEPARTMENT STAFF TO PREPARE A SERVICE PLAN FOR SUCH AREA, ALL IN ACCORDANCE WITH CHAPTER 43 OF THE LOCAL GOVERNMENT CODE.

* * * *

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

Mr. David Pasley, Acting Director of Planning, briefly explained the proposed voluntary requested annexation of certain property known as the La Cantera property, and addressed the two required Public Hearings.

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

92-51 TRAVEL AUTHORIZATION - Granted:

Councilwoman Billa Burke to travel to Fort Worth, Texas on December 18, 1992 to meet with FAA officials.

92-51 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Washington, D. C. from January 16 - 21, 1993, to attend the 61st Winter Meeting of the U. S. Conference of Mayors.

(Mayor Wolff returned to the meeting to preside.)

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,095

ACCEPTING THE PROPOSAL OF VISCO TO PROVIDE CONSULTING SERVICES RELATED TO THE REVIEW AND EVALUATION OF THE CITY'S INSURANCE PROGRAMS AS WELL AS ASSISTING IN THE RECRUITMENT OF THE RISK MANAGER AND TRANSITION PERIOD DURING THE RECRUITMENT PROCESS FOR A CONSIDERATION OF \$10,000.00 AND PROVIDING FOR FUNDING IN CONNECTION THEREWITH.

* * * *

Ms. Vera 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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,096

AUTHORIZING THE EXECUTION OF A CONTRACT WITH PRICE WATERHOUSE INSURANCE INDUSTRIES SPECIALITY GROUP TO CONDUCT ACTUARIAL STUDIES OF THE CITY'S WORKERS' COMPENSATION AND GENERAL LIABILITY SELF-INSURANCE PROGRAMS AS OF SEPTEMBER 30, 1992 FOR AN ESTIMATED COST NOT TO EXCEED \$14,000.00.

* * * *

Mr. Wing 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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,097

RATIFYING THE CITY SPONSORED SPECIAL EVENTS INSURANCE PROGRAM FOR THE FIFTH YEAR WITH GULF INSURANCE COMPANY AND ADMINISTERED BY THE SERVICING AGENT, LAWRENCE ILFREY & COMPANY FOR THE PERIOD MAY 1, 1992 THROUGH MAY 1, 1993.

* * * *

Ms. Billa Burke 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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 Agenda item 47, being a proposed ordinance amending and renewing a contract with Managed Healthcare, Inc. to provide health care utilization review services for the City's employee health insurance and workers' compensation programs for the period May 1, 1992 through May 1, 1993, was earlier removed from consideration.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,098

RENEWING THE CONTRACT WITH BENEFIT PLANNERS, INC. TO PROVIDE CLAIMS ADMINISTRATION SERVICES FOR THE NON-UNIFORMED AND FIRE AND POLICE EMPLOYEES, AND RETIREE MEDICAL PLANS FOR THE PERIOD JANUARY 1, 1993 THROUGH DECEMBER 31, 1993 AT AN ESTIMATED COST OF \$336,000.00

* * * *

Mr. Wing 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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,099

RENEWING THE CONTRACT WITH HARTFORD LIFE INSURANCE COMPANY TO PROVIDE GROUP TERM LIFE AND ACCIDENTIAL DEATH AND DISMEMBERMENT (AD&D) INSURANCE FOR ALL ELIGIBLE CITY EMPLOYEES FOR THE PERIOD JANUARY 1, 1993 THROUGH DECEMBER 31, 1993 AT AN ESTIMATED COST OF \$376,000.00.

* * * *

Ms. Billa Burke 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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 77,100

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LINDSEY MORDEN CLAIMS SERVICES, INC. TO PROVIDE THIRD-PARTY LIABILITY CLAIMS HANDLING SERVICES FOR THE PERIOD DECEMBER 31, 1992, THROUGH DECEMBER 31, 1993, AT AN ESTIMATED COST OF \$471,750.00; AND PROVIDING FOR PAYMENT.

* * * *

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

Ms. Nora Chavez, Director of Finance, explained the Request for Proposal used in this matter, noting that seven of eight firms which picked up an RFP submitted proposals. She further stated that a panel review all proposals and made the recommendation for the lowest and most responsive proposer.

Mr. George R. "Bob" Harper, marketing representative for Barron & Company Adjusters, spoke to his firm's 42 local employees.

In response to a question by Mr. Thornton, Ms. Chavez addressed the short notice for the RFP process involved, noting that the recommended firm is from Tyler, but has a local office in San Antonio. She then addressed some of the criteria used to arrive at the panel's recommendation, and noted that the recommended firm has expertise in handling cities and has done other work for San Antonio, in the past.

In response to a question by Mr. Thornton, Mr. Michael Young, representing Lindsay Morden Claims Service, Inc., noted that his San Antonio office has 27 employees, and that his firm has done other work for the City of San Antonio over the past three and one-half years.

In response to a question by Mr. Larson, Mr. Harper addressed the differences in the two proposals in question.

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, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

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92-51

-
RECONSIDERATION OF ANNEXATION ACTIONS
-

At this point, Mr. Wing made a motion to reconsider agenda item 40B. Mr. Solis seconded the motion.

Mr. Lloyd Garza, City Attorney, asked to discuss this matter with the City Council in an executive session.

After discussion and consideration, the motion to reconsider agenda item 40B prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None. ABSENT: Perez.

At this point, Mr. Wing made a motion to reconsider agenda item 40C. Mr. Larson seconded the motion.

After discussion and consideration, the motion to reconsider agenda item 40C prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None. ABSENT: Perez.

Mr. Lloyd Garza, City Attorney, spoke to possible ramifications, including sanctions, that could be applied should the City Council vote to ignore the temporary restraining order placed upon certain proposed annexations, and in fact move to annex the areas covered by the restraining order. He stated his opinion that the entire annexation action taken today could be called into question.

City Manager Alex Briseno discussed possible options and considerations facing the City Council at this point.

Mayor Wolff suggested that the matter of possible annexation of the areas covered by the temporary restraining order be placed upon the City Council's official agenda for a meeting called for December 22, 1992, and that possible action be considered at that time if the judge who issued the restraining order does not agree to hold a hearing on this issue prior to that meeting time.

Mr. Labatt made a motion to approve the second and final reading of an Ordinance annexing certain properties known as the Mainland Drive Area Property, except for the areas known as Quail Creek Units 1 and 2 as set out in the attached Exhibit, with a finding of necessity to exclude these areas in response to a temporary restraining order. Mr. Larson seconded the motion.

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

92-51 The Clerk read the following Ordinance:

AN ORDINANCE 76,896

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 796 ACRES OF LAND KNOWN AS THE MAINLAND DRIVE AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

92-51 Mr. Labatt then made a motion to approve the second and final reading of an Ordinance annexing certain properties known as the Inwood Area Property, save and except Parcel 2, containing 6.599 acres and Parcel 3A, containing 41.947 acres, for a total of 48.57 acres as set out in the attached Exhibit, with a finding of necessity to exclude these affected areas because of a temporary restraining order. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 76,897

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1,031 ACRES OF LAND KNOWN AS THE INWOOD AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

Mr. Wing made a motion to direct City staff to bring back before City Council at the meeting of December 22, 1992 ordinances considering the 2nd and Final Reading of Ordinances annexing the areas covered by terms of the temporary restraining order. Mr. Perez seconded the motion.

Mr. Larson spoke in favor of enacting the full annexation, as planned, and spoke of his concerns with the actions taken in this matter by several developers.

Mr. Thornton stated his opinion that the legal action taken in securing a temporary restraining order in this matter was a 'clever trick' by several developers, and he spoke to his concern that many citizens are being affected by the City's new annexations, while only a few have hired lawyers to circumvent the annexation. He stated his belief that everyone should be treated the same, in this case.

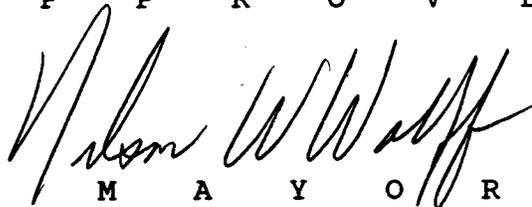
The pending motion, giving direction to City staff as outlined above, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None. ABSENT: None.

Mayor Wolff asked the City Attorney to hand-carry this information to the parties involved.

92-51 City Council recessed its regular meeting at 10:25 P.M. in order to convene in Executive Session for a briefing on contract negotiations with the San Antonio Spurs/San Antonio Concessions, Inc. and litigation styled Lane v. City of San Antonio, et al. The City Council then reconvened its regular meeting at 11:03 P.M., at which time Mayor Wolff related that the Council had been briefed on the above related item and had taken no formal action.

92-51 There being no further business to come before the Council, the meeting was adjourned at 11:04 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