

REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF SAN ANTONIO HELD IN THE CITY COUNCIL
CHAMBER, CITY HALL, ON WEDNESDAY, SEPTEMBER
20, 1961, AT 8:30 A.M.

* * * * *

The regular meeting of the City Council was called to order by the Presiding Officer
Mayor Walter W. McAllister with the following members present:

- McALLISTER
- DE LA GARZA
- PASSUR
- GUNSTREAM
- GATTI
- PADILLA
- PARKER and
- BREMER;
- ABSENT: KAUFMAN.

— — —
The invocation was given by the Reverend James Vorkoper, Pastor of Faith Lutheran
Church.

— — —
On motion of Mr. de la Garza, the minutes of the previous meeting were approved
as written.

— — —
The Mayor announced that a zoning hearing was set for this time.

— — —
Mr. Steve Taylor, Director of Planning, presented zoning case #1512 to rezone the
West 50' of Lot 21, NCB 6795 located west of E. Euclid Street from "D" Apartment District to
"J" Commercial District.

After briefing by the Planning Director, John Hogy, Jr., Attorney for Willi H.
Bernau, stated that his client who owns the entire 100' of Lot 21 the East half of which is
zoned "J" would like to consolidate the entire lot in that category. He wishes to erect a
machine shop on this West ½ to be constructed of steel and masonry. He cited the fact that
"J" existed to his west and across the street to his north. His shop would be a specialty
shop and not a heavy industry.

Mrs. M. W. Toland who lives at 814 E. Park Avenue asked the Council to refuse the
change of zoning because she feared it would create a fire hazard as well as a traffic hazard
and in addition would be a noise nuisance.

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Mrs. Mabel McIntosh of 810 E. Park Avenue opposed the change on very much the same grounds.

In rebuttal Mr. Hagy gave assurance that the building to be erected would not create a fire hazard because of the type of construction.

On motion of Mr. Padilla the Council approved the recommendation of the Zoning Commission to change the zoning of this lot from "D" Apartment District to "J" Commercial District by adoption of the following ordinance by the following vote: AYES: McAllister, de la Garza, Passur, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Kaufman.

AN ORDINANCE 29,842

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS WEST 50" OF LOT 21, NCB 6795 FROM "D" APARTMENT DISTRICT TO "J" COMMERCIAL DISTRICT.

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Full text in Ordinance Book L L, Page 270

The following ordinances were then taken up and passed and approved by roll call vote as follows: AYES: McAllister, de la Garza, Passur, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Kaufman.

AN ORDINANCE 29,843

ACCEPTING THE LOW BID OF MEADER CORPORATION IN THE AMOUNT OF \$138,764.28 FOR THE CONSTRUCTION OF SAN ANTONIO INTERNATIONAL AIRPORT IMPROVEMENTS, FAA PROJECT NO. 9-41-080-6113; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, AND APPROPRIATING \$138,764.28 AND \$4,000.00 AS A CONSTRUCTION CONTINGENCY ACCOUNT PAYABLE TO MEADER CORPORATION, AND \$2,000.00 AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT, ALL OUT OF FUND #803-06 IN CONNECTION WITH SAID CONSTRUCTION PROJECT.

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Full text in Ordinance Book L L, Page 270

AN ORDINANCE 29,844

ACCEPTING THE LOW BID OF ROBERT L. SCOTT, INC., FOR THE REHABILITATION AND REMODELING OF THE GOVERNMENT OFFICE ANNEX AT SAN ANTONIO INTERNATIONAL AIRPORT, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT; AND APPROPRIATING \$21,123.00 OUT OF FUND NO. 803-06 PAYABLE TO ROBERT L. SCOTT, INC., IN CONNECTION THEREWITH.

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Full text in Ordinance Book L L, Page 271

AN ORDINANCE 29,845

APPOINTING STERLING C. BURKE AS A MEMBER OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO.

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Full text in Ordinance Book L L, Page 271

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AN ORDINANCE 29,846

EXTENDING THE PERIOD OF INJURY LEAVE OF FIREMAN
FRED P. MONTEZ FOR SIX (6) MONTHS FROM SEPTEMBER
19, 1961, TO MARCH 19, 1962.

* * * * *

Full text in Ordinance Book L L, Page 272

AN ORDINANCE 29,847

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT WITH UNITED GAS PIPE LINE COMPANY FOR
THE RELOCATION OF THE NORTH JUNCTION FRIO--14
INCH PIPE LINE.

* * * * *

Full text in Ordinance Book L L, Page 272

AN ORDINANCE 29,848

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN
THE CITY AND THE SAN ANTONIO CHAMBER OF COMMERCE
PROVIDING FOR THE SAN ANTONIO CHAMBER OF COMMERCE
TO CARRY OUT THE MUNICIPAL ADVERTISING PROGRAM
FOR THE REMAINDER OF THE FISCAL YEAR ENDING JULY
31, 1962; AND AUTHORIZING PAYMENT BY THE CITY OF
CERTAIN SUMS FOR THIS PURPOSE TO THE SAN ANTONIO
CHAMBER OF COMMERCE.

* * * * *

Full text in Ordinance Book L L, Page 272

The Clerk then read the following letter:

September 18, 1961

Members of the City Council
City of San Antonio
San Antonio, Texas

Gentlemen:

The Transit Board of Trustees, after thorough consideration, has decided that thirty 45 passenger air conditioned buses should be purchased at this time to replace old equipment, for delivery in May 1962 at a price not to exceed \$930,000, paying part of the cost thereof in cash and the balance by borrowing funds. We are enclosing a certificate of the Board respectfully requesting that the Council pass a resolution directing the taking of sealed competitive bids for the purchase of these buses. We are also enclosing a proposed resolution.

The Board is convinced that acquiring these thirty buses on a partially financed basis at one time, rather than by increments over a two year period on a cash basis, is highly advisable. We feel that the savings afforded by the present lower purchase price would more than off set the interest which would be paid.

Furthermore, these buses would be in operation by May 1962 and would, according to our projections, permit fully air conditioned base service on the Guadalupe, Culebra-Exposition, Blanco-Denver Heights, Highland-Martin, Cincinnati-Collins Gardens, St. Marys' and Iowa-Ruiz lines. This would mean that all of the heavy lines would be air conditioned on base service with result that the air conditioned service could be actively promoted and merchandised.

We would be happy to furnish any additional information which may be of interest to you.

Respectfully submitted,

TRANSIT BOARD OF TRUSTEES OF SAN ANTONIO

/s/ M. B. Killian, Chairman

The following certificate of the Transit Board was then presented:

September 20, 1961

CERTIFICATE OF TRANSIT BOARD OF TRUSTEES OF SAN ANTONIO

To the Honorable Council of the City of San Antonio:

Pursuant to the Trust Indenture dated as of March 1, 1959, by and between the City of San Antonio and National Bank of Commerce of San Antonio, as Trustee, securing City of San Antonio, Texas, Transit Revenue Bonds, Series of 1959, particularly Section 901, the Transit Board of Trustees of San Antonio proposes to acquire and purchase thirty motor buses for a price not in any event to exceed \$930,000, paying part of the costs thereof in cash and the balance by borrowing funds, and, to evidence such loan, executing and delivering promissory note or notes the principal and interest of which will be payable only out of the Renewal and Replacement Fund provided in such Trust Indenture, such note or notes to be secured by a chattel mortgage or mortgages on the buses purchased.

Therefore, the undersigned, constituting all of the Transit Board of Trustees of San Antonio, the Board of Trustees named in said Trust Indenture, do hereby certify as follows:

1. In order for the San Antonio Transit System to render safe, comfortable, efficient and adequate transportation and service and to be kept in proper operation, it has become necessary to extend and improve the system by purchasing thirty motor buses to replace certain existing equipment.

2. The Board has caused to be drawn up, and submits herewith, a proposed resolution directing the giving of notice that sealed competitive bids will be received by the Board prior to 2:30 P.M., Friday, October 6, 1961, and that specifications for such buses have been prepared at the direction of the Board and shall be available to proposed bidders at the offices of the General Manager of the Board.

3. After the opening of such bids the Board proposes to certify the successful bidder to the Council and request authority from the Council to accept such bid and borrow funds for the purchase of such buses after compliance with State law regarding notices and bids.

The Transit Board of Trustees of San Antonio respectfully requests that the resolution directing the taking of sealed competitive bids for the purchase of said buses be favorably considered by the Honorable Council of the City of San Antonio.

Dated this the 15th day of September, 1961.

/s/ M. B. Killian

/s/ Ellis Wilson

/s/ John A. Esquivel

/s/ Harold D. Herndon

/s/ Walter W. McAllister

Mayor McAllister then informed the Council that as a Member of the Transit Board he had attended the meeting at which the above action was taken and he believes it to be a wise move on the part of the Transit Board and that the Transit System would profit by the requested action. He stated that Mr. Castle of the Transit Staff and other members of that Staff were present to answer any questions.

After discussion the resolution proposed by the Transit Board was presented and on motion of Mr. Passur was approved by the following vote: AYES: McAllister, de la Garza, Passur, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Kaufman.

The Resolution is as follows:

September 20, 1961

A RESOLUTION

DIRECTING THE CITY CLERK TO GIVE NOTICE OF THE TAKING OF BIDS FOR THE PURCHASE OF THIRTY MOTOR BUSES BY THE TRANSIT BOARD OF TRUSTEES OF SAN ANTONIO, AND SETTING OCTOBER 6, 1961, AS THE DATE FOR OPENING SUCH BIDS.

* * * * *

WHEREAS, it has become necessary for the City of San Antonio to extend and improve its transit system in order to render and provide safe, comfortable, efficient and adequate transportation and service and to keep the system in operation by purchasing thirty motor buses to replace certain obsolete equipment, part of the cost of such buses to be paid in cash and the balance of the cost by the borrowing of funds and the execution and delivery of promissory note or notes evidencing such loans, the principal and interest of which note or notes are payable only out of the renewal and replacement fund of the transit system, which is a revenue fund described in Sections 401, 402 and 406 of the Trust Indenture dated as of March 1, 1959, between the City of San Antonio and National Bank of Commerce of San Antonio, San Antonio, Texas, and to secure said notes by chattel mortgage or mortgages on said thirty motor buses; and

WHEREAS, it is desired to give notice of the taking of bids for the purchase of said buses and to set October 6, 1961, at 2:30 P.M., as the date and time for opening such bids;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANTONIO:

That the City Clerk is hereby directed to cause to be published in the Commercial Recorder, a newspaper published and having a general circulation in the City of San Antonio, in at least two issues of said newspapers, one week apart, the first publication to be not less than fourteen days prior to October 6, 1961, a notice in substantially the following form:

NOTICE OF THE TAKING OF BIDS FOR THE PURCHASE BY THE TRANSIT BOARD OF TRUSTEES OF SAN ANTONIO OF THIRTY AIR-CONDITIONED MOTOR BUSES.

Notice is hereby given that the Transit Board of Trustees of San Antonio will receive bids for the sale to and purchase by said Board of thirty air-conditioned motor buses; that sealed competitive bids therefor shall be delivered by bidders to the office of the General Manager of the Transit Board of Trustees of San Antonio, Fourth Floor, Tower Life Building, 310 South St. Mary's Street, San Antonio, Texas, prior to 2:30 P.M. on October 6, 1961; that said bids shall be opened at 2:30 P.M., on October 6, 1961; and that prior to said opening of bids the General Manager of the Transit Board of Trustees shall make available to prospective bidders at said office plans and specifications and further pertinent information about said buses and the form of said bids.

GIVEN by order of the Council of the City of San Antonio, this 20th day of September, 1961.

Mayor

(SEAL)

ATTEST:

City Clerk

ADOPTED AND APPROVED September 20, 1961.

W. W. McALLISTER, MAYOR

ATTEST: J. Frank Gallagher
City Clerk

The Clerk then read the following letter:

September 18, 1961

Mr. Stewart Fischer
Traffic Control Section
City Hall
San Antonio, Texas

Dear Mr. Fischer:

September 20, 1961

The Women's Committee of the San Antonio Symphony Society plan a "Circus Party" on October 10, 1961 for purposes of raising maintenance funds for the Symphony Orchestra.

The event, open to all San Antonio, is to include a variety of entertainment as well as food, beverages and game concessions. A general admission will be charged.

It is our request that the Villita Street section between Alamo and Presa be blocked off from motor traffic during this event in order to maintain safety to pedestrians and to facilitate our various attractions.

We would appreciate consideration of our request at the earliest convenience of your office and consulting authorities.

Sincerely,

/s/ Betty F. Murray
(Mrs. Neville Murray)
Project Chairman

The requested closing of Villita Street for the occasion was discussed and while all Council Members seemed willing to grant the request the point was brought out that these requests are frequently made and a policy should be set by the Council and if and when closing requests come up some official should be given authority to act without having to have Council action in each case. So that the Attorneys may have time to draw up a policy and action ordinance action on this request was delayed one week.

The City Clerk then read the following letter addressed to the Mayor and the accompanying resolution from the San Antonio Branch of the N.A.A.C.P.

September 17, 1961

Honorable W. W. McAllister, Sr.
Mayor, City of San Antonio
City Hall
San Antonio, Texas

Dear Mayor McAllister:

The attached resolution was adopted by this organization September 17, 1961.

Sincerely Yours,

/s/ Harry V. Burns
President

RESOLUTION

WHEREAS, the Negro citizens of San Antonio, Texas are not only anxious to obtain equal rights for themselves, but desire to see to it that all citizens shall retain their basic rights; and,

WHEREAS, The City Council of the City of San Antonio, Texas, is either helping to sponsor or is lending its offices and prestige to a so called "American Seminar"; and,

WHEREAS, the Mayor of this City has stated on television he is proud to participate in such a gathering; and,

WHEREAS, substantial portion of the speakers invited to speak at the proposed Americanism Seminar are either members of the John Birch Society or sympathetic thereto; and,

WHEREAS, in the current September 26, 1961 issue of Look magazine, Robert Welch, founder of the John Birch Society has said in talks, books, or magazines, the following:

1. "Democracy is merely a deceptive phrase, a weapon of demogoguery and a perennial fraud".
2. "It should be no surprise to anybody that Eisenhower was raised with this mentality of fanaticism, for as recently as 1942, his mother was arrested for participating in a forbidden parade of Jehovah's Witnesses..."
3. "It is my own firm opinion, the communist have one of their own actually in the presidency. For Eisenhower there is only one possible word to describe his purposes and actions. That word is treason".

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4. "...At least sometime in the 1930's, George Catlett Marshall has been a conscious, deliberate, dedicated agent of the Soviet Conspiracy".

5. "Earl Warren is probably not a communist, although the ardent advocacy of him for the Presidency by Eleanor Roosevelt and many of her ilk makes one wonder..."; and,

WHEREAS, U. S. Congressional Record, Senate, August 25, 1961 at page 15935 quotes the Birch Society as saying,

1. American Medical Association has been taken and can no longer be depended upon in the fight against Socialism.

2. So also with U. S. Chamber of Commerce, which has been preaching dangerous liberal doctrines.

3. That treason is wide-spread and rampant in our high army circles.

WHEREAS, Senator Strom Thurmond, not a member of the John Birch Society, but the worst kind of a race baiter, has been invited to be a speaker; and,

WHEREAS, however, it is one thing for the City Council of San Antonio or any of its members to permit individuals to meet, and another thing for the Council to sponsor or be an official part of or lend its dignity and prestige to such a meeting, now therefore;

Be it resolved by the San Antonio Branch of N.A.A.C.P. that the City Council protect the right of the speakers to say what they want at the Jaycee's so called "Americanism Seminar" but that the City Council of San Antonio, Texas withdraw from any official participation with said Seminar.

Adopted by the San Antonio Branch of the N.A.A.C.P. September 17, 1961.

Mr. Ernest Bennett, Moderator of the West Side ---- Union, addressed the Council on the subject of the Jaycees Americanism Seminar and asked that the City withdraw its commendation of the Jaycees made on July 26th when the matter of Constitution Day was discussed and their activities on that forth coming occasion were approved. He questioned the Mayor as to whether he would be acting in his capacity as Mayor or as a private individual when he introduces Senator Strom Thurmond as a speaker at the Jaycee meeting.

Mr. G. J. Sutton then addressed the Council and asked that a resolution be passed to let the record show that the Mayor on that occasion would be acting as an individual and not in his official capacity.

The Mayor stated that he had been personally asked to make the introduction and he intended to comply with the request.

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There being no further business, the meeting adjourned.

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APPROVED:

Wm McCrester

M A Y O R

ATTEST:

Kathleen Gallagher
C i t y C l e r k