

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 2, 1964, 8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer, Mayor W. W. McAllister, with the following members present: McAllister, de la Garza, Kaufman, Jones, Gatti, Padilla, Parker and Bremer; ABSENT: Cockrell.

The invocation was given by Father John Waggoner, St. Paul's Catholic Church.

Minutes of the last regular meeting were approved.

First item of business was the scheduled hearing of Zoning Case No. 2114, to rezone Lots 25 and 26, NCB 1766, located on the east side of North Alamo Street, 50' north of Carson Street, from "D" Apartment District and "F" Local Retail District to "JJ" Commercial District.

Mr. Burt Lawrence, Assistant Planning Director, briefed the Council on the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. de la Garza, seconded by Mr. Jones, the recommendation of the Planning Commission was upheld by passage of the following ordinance, by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Gatti, Padilla and Bremer; NAYS: None; ABSENT: Cockrell and Parker.

AN ORDINANCE 32,475

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 LOTS 25 AND 26, NCB 1766 FROM "F" LOCAL RETAIL DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Next heard was Case No. 2161, to rezone Lot 12, NCB 11961, located on the west side of Broadway, 813.8' south of the cut-off to I. H. 410, from "A" Residence District to "J" Commercial District; and Lot 11, NCB 11961, located on the east side of Gaulty Lane, 666.72' south of the cut-off to I. H. 410, from "A" Residence District to "D" Apartment District.

Mr. Burt Lawrence briefed the Council on the proposed change, which was recommended by the Planning Commission.

No one spoke in opposition.

On motion of Mr. de la Garza, seconded by Mr. Kaufman, the recommendation of the Planning Commission was upheld by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Gatti, Padilla and Bremer; NAYS: None; ABSENT: Cockrell and Parker.

AN ORDINANCE 32,476

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

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NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 12, NCB 11961 FROM "A" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT! AND LOT 11, NCB 11961 FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Next heard was Case No. 2166, to rezone Lot 15, NCB 10949, located on the west side of Clark Avenue, 550.16' south of Dauchy Road, from "B" Residence District to "F" Local Retail District.

Mr. Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Jones, seconded by Mr. Gatti, the recommendation of the Planning Commission was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Gatti, Padilla, and Bremer; NAYS: None; ABSENT: Cockrell and Parker.

AN ORDINANCE 32,477

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 LOT 15, NCB 10949, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2156, to rezone Lot 25, NCB 10978, located on the south side of Utopia Avenue, 497.9' west of Goliad Road, from "B" Residence District to "D" Apartment District.

Mr. Burt Lawrence briefed the Council on the proposed change which was recommended by the Planning Commission.

No one spoke in opposition.

On motion of Mr. Gatti, seconded by Mr. Bremer, the recommendation of the Planning Commission was upheld by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Gatti, Padilla and Bremer; NAYS: None; ABSENT: Cockrell and Parker.

AN ORDINANCE 32,478

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 LOT 25, NCB 10978 FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Next heard was Case No. 2163 to rezone Lot 19, NCB 11488, located on the north side of Culebra Road, 393.7' west of Brendell Avenue, from "A" Residence District to "E" Office District.

Mr. Burt Lawrence briefed the Council on the proposed change which was recommended by

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the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Bremer, seconded by Mr. Kaufman, the recommendation of the Planning Commission was upheld by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Gatti, Padilla and Bremer; NAYS: None; ABSENT: Cockrell and Parker.

AN ORDINANCE 32,479

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 LOT 19, NCB 11488 FROM "A" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.

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Next taken up was Zoning Case No. 2154, to rezone Lot 3, NCB 11714, save and except the south triangular 150' thereof, which forms the corner south of the intersection of McCarty Road and Lorene Road, from "A" Residence District to "D" Apartment District.

Mr. Burt Lawrence explained that this was an appeal case, as the Planning Commission had recommended denial of the change in zone.

Mr. Robert Calloway, one of the Applicants, explained the proposed development of 120 residential type apartment units, with 220 parking spaces. He stated that the Planning Commission ruled against the change by a four to three vote, and since that time they have talked to the people in the area, and there has been no opposition. He then asked that the Council refer this case back to the Planning Commission for re-hearing.

On motion of Mr. Bremer, seconded by Mr. Gatti, Case No. 2154 was referred back to the Planning Commission by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Cockrell.

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The following ordinances were explained by Assistant Purchasing Agent John Brooks, and on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Jones, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSTAINING: de la Garza; ABSENT: Cockrell.

AN ORDINANCE 32,480

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF INTERNATIONAL HARVESTER COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH TWO CAB & CHASSIS FOR FIRE PUMPERS FOR A NET TOTAL OF \$10,719.54 AND TRANSFERRING THE SUM OF \$10,719.54 FROM PUBLIC IMPROVEMENT FUND 30-01-01 TO 08-12-01 FOR PAYMENT OF SAME.

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AN ORDINANCE 32,481

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF O. R. MITCHELL MOTORS TO FURNISH THE CITY OF SAN ANTONIO WITH TWENTY-FIVE MOTOR VEHICLES (CAB & CHASSIS) FOR A NET TOTAL OF \$64,875.00 AND TRANSFERRING THE SUM OF \$64,875.00 FROM PUBLIC IMPROVEMENT FUND 30-01-01 TO PUBLIC WORKS, ACCOUNT NO. 09-06-13 FOR PAYMENT OF SAME.

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AN ORDINANCE 32,482

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF JORDAN FORD, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH ONE MOTOR VEHICLE (CAB & CHASSIS) FOR THE DEPARTMENT OF TRAFFIC AND TRANSPORTATION FOR A NET TOTAL OF \$2,065.00.

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The following ordinance was explained by Assistant City Attorney Bruce Aycock, and on motion made by Mr. Jones, seconded by Mr. Kaufman, was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 32,483

REVOKING ORDINANCE #32,424 DATED JUNE 18, 1964 AND APPROPRIATING \$6,350.00 OUT OF STORM SEWER AND DRAINAGE BONDS, 1957, #479-13, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY SUBJECT TO THE ORDER OF ABELARDO RIOS, ET AL, AS THEIR INTERESTS MAY APPEAR, SAID AMOUNT BEING THE AWARD OF THE PURCHASE OF LOTS 28 AND 29, BLOCK 2, NEW CITY BLOCK 8265, BERLIN HEIGHTS, IN SAN ANTONIO, BEXAR COUNTY, TEXAS.

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The Clerk read the following petition letter:

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Honorable Mayor and Members of the City Council
San Antonio, Texas

Gentlemen and Madam:

The following petitions were received and forwarded to the Office of the City Manager for investigation and report to the City Council.

6-25-64 Petition of Mission Cemetery Company, requesting a permit to establish a funeral home and mortuary on property located on S. E. Military Drive, between Mission Road and the San Antonio River.

6-29-64 Petition of Mr. Edward N. Lopez, et al, requesting the installation of a street light at the intersection of Winnipeg and Orey Streets.

6-29-64 Petition of Fred Romagnano, Jr., requesting a re-hearing by the City Council on the matter of a taxicab chauffeur's license.

Sincerely,

/s/ J. H. Inselmann
City Clerk

The City Manager reported on the petition of S. I. DuBose as follows:

Petition of S. I. DuBose to purchase dedicated park property on North Sabinas Street, adjacent to New City Block 6731.

It has been ruled many times by the City Attorney, in matters of this same nature, that dedicated park areas may not be sold to anyone except another governmental unit having the power to eminent domain.

We, therefore, are not in a position to offer the property for sale on a high bid basis.

In reference to a question, Mr. Bruce Aycock, Assistant City Attorney, ruled that dedicated park areas may not be disposed of or put to a different use unless approved by the people at a referendum election.

After discussion of the matter, the City Manager was instructed to prepare a list of dedicated park areas that are so small they are useless for that purpose, and submit the

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list to the City Council for consideration of submitting the list as a package to a referendum vote of the people.

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The City Manager reported on the petition of Mr. and Mrs. Charles Hardy, 226 Avalon Street. Petition of Mr. and Mrs. Charles Hardy, 226 Avalon Street, (Lot 1, Blk 11, NCB 9693) and Mr. E. S. Johnson, 230 Avalon Street (Lot 1, Blk 3, NCB 13471), to construct two steel posts at each end of the alley between their respective properties (one post on each side of each end), attaching a chain from one post to the other post at each end of said alley with a lock in the middle.

It is recommended that an ordinance be passed eliminating all traffic from this alley and requiring the petitioners to effect the closing by installing wooden posts four feet apart across each end of the alley.

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Assistant City Manager Gerald Henckel reported that this area is in back of a Handy Andy Store where West Avenue runs into Basse Road, and the people in the area are using the alley instead of the street.

After consideration, the City Manager was instructed to prepare an ordinance closing the alley to traffic in line with his recommendation.

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Mayor Pro-Tem Gatti, Chairman of the Fire and Police Pension Fund, gave a comprehensive report on the financial condition of the fund. He reported a total investment of \$2,260,164.97 a market value of \$2,249,607.83 as of March 31, 1964. Since that time the investment was appreciated some 5%. He reported that four or five years ago the fund stood at \$800,000.00 when they started the investing program.

He reported the fund is doing well and does not know of any other such fund that is doing as well. He commended the members of the Fire and Police Department who are dedicated members of the Pension Fund and are doing a fine job in their responsibilities without compensation.

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The meeting was then recessed. After a short recess, the meeting reconvened.

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City Manager Jack Shelley presented for consideration of the Council thirteen ordinances setting a hearing for 10:00 A.M., July 16, 1964, on the proposed annexation of property to the City of San Antonio, which he recommended be passed for the protection of the future growth of the city.

He explained that nine of the ordinances take in only the right-of-way of highways, which permits the orderly growth through the areas as necessary, and prevent other cities from coming through the area without San Antonio's consent. The other four ordinances propose to take in an industrial area north of Harmony Hills, three areas north of the airport which include property for airport expansion, and a proposed community park.

Planning Director Steve Taylor described the thirteen areas on a map, after which the City Clerk read the following ordinances:

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AN ORDINANCE 32,484

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is the Airport industrial area, containing 0.07 square miles of land.)

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AN ORDINANCE 32,485

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is the area west of Jones-Maltzberger Road, north of Bitters Road and east of the 1/2 mile jurisdictional line of Hill Country Village and Hollywood Park, containing 3.09 square miles of land.)

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AN ORDINANCE 32,486

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is the proposed City Park, generally lying east of Jones-Maltzberger Road, south of Lockhill Selma Road, west of a C.P.S.B. easement and north of Bitters Road, containing 3.09 square miles of land.)

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AN ORDINANCE 32,487

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This covers the area southeast of the new airport property. It is east of Wetmore Road, south of the Railroad, and adjoins the C.P.S.B. TUTTLE Plant, containing 2.07 square miles of land.)

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AN ORDINANCE 32,488

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is I. H. 35 South R.O.W. from the present City Limits to the 5 mile line of jurisdictional control, containing 0.33 square miles of land.)

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AN ORDINANCE 32,489

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is Highway 90 West R. O. W. from the present City Limits to I. H. Loop 410, containing 0.21 square miles of land.)

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AN ORDINANCE 32,490

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is I. H. 10 North and F. M. 1604 R.O.W. from the present City Limits to the 5 mile line of jurisdictional control, containing 0.63 square miles of land.)

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AN ORDINANCE 32,491

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is the R.O.W. on a portion of the M.K.T. Railroad, Schertz Road, Weidner Road, and I. H. 35 from the present City Limits to the 1/2 mile jurisdictional line of Live Oak, containing 0.21 square miles of land).

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AN ORDINANCE 32,492

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is I. H. 10 East R. O. W. from the present City Limits to the 5 mile line of jurisdictional control, containing 0.27 square miles of lane.)

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AN ORDINANCE 32,493

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is Sulphur Springs Road R. O. W. from the present City Limits to the 5 mile line of jurisdictional control, containing 0.24 square miles of land.)

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AN ORDINANCE 32,494

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is U. S. Hwy. 181 south R. O. W. from the present City limits to the 5 mile line of jurisdictional control, containing 0.20 square miles of land.)

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AN ORDINANCE 32,495

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is Hwy. 281 south R. O. W. from the present City Limits to the 5 mile line of jurisdictional control, containing .11 square miles of land.)

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AN ORDINANCE 32,496

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (This is Culebra Road R. O. W. from the present City Limits to the 5 mile line of jurisdictional control, containing .09 square miles of land.)

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Councilman Jones made a motion to adopt all thirteen ordinances, the motion and cote to apply to each ordinance individually, The motion was seconded by Mr. de la Garza, and Ordinance Nos. 32,484 through 32,496 were passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Kaufman and Cockrell. Action on these ordinances were completed at 10:45 A.M.

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The following ordinance was read by the City Clerk:

AN ORDINANCE 32,497

APPOINTING CERTAIN CITIZENS TO SERVE ON A COMMITTEE FOR PROGRAM OF COMMUNITY IMPROVEMENT FOR A TWO YEAR TERM, EFFECTIVE, MARCH 1, 1963.

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Ralph Brite, Chairman
Dr. C. A. Whittier
Robert Hand
Peter G. Garcia
Fred H. Mayer
Mario S. Gonzalez
S. P. Rogers

On motion of Mr. Gatti, seconded by Mr. Bremer, the ordinance was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Cockrell and Kaufman,

Mayor McAllister informed the Council that he was in receipt of a resolution signed by students of St. Gregory School and residents of the Dellview area, thanking the City of San Antonio for development of the Dellview Swimming pool and expressing sincere appreciation for this most welcome swimming pool.

Rev. L. C. Glasco, of Saint Paul's Independent Free Methodist Church, and Third Vice President of the N.A.A.C.P. asked the Council to consider passing a Public Accommodations ordinance.

Mayor McAllister informed him that the Council has stated it would not consider a Civil Rights ordinance until it has had an opportunity to inform itself on the Federal Bill as passed, and until the full membership of the Council was present.

Also speaking for a Civil Rights Ordinance was Mrs. Mary Hernandez, 375 West Hollywood.

There being no further business to come before the Council, the meeting was adjourned.

A P P R O V E D :

h m McAllister
MAYOR

A T T E S T :

J. H. Schulman
City Clerk