

June 5, 1958

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JUNE 5, 1958 AT 8:30 A.M.

PRESENT: KUYKENDALL, DIETERT, PASSUR, MCMAHON, OLIVARES, PINSON, SAN MARTIN

ABSENT: WINTON, GAYOSO (WINTON ARRIVED LATER)

Mayor J. Edwin Kuykendall presiding.

Invocation by Councilman Mike Passur.

On motion of Mr. Olivares, seconded by Mr. Pinson, the reading of the minutes of the previous meeting was dispensed with.

The following ordinances were passed and approved as follows: AYES, KUYKENDALL, DIETERT, PASSUR, MCMAHON, OLIVARES, PINSON, SAN MARTIN; NAYS, NONE; ABSENT, WINTON, GAYOSO.

AN ORDINANCE 26,438

AUTHORIZING PAYMENT OF THE SUM OF \$1,976.77
OUT OF ACCOUNT NO. 50-02-01 OF THE GENERAL FUND
TO THE HOUSING AND HOME FINANCE AGENCY AS RE-
IMBURSEMENT FOR FURNITURE PURCHASED WITH ADVANCE
PLANNING FUNDS ON THE EDGEWOOD PROJECT

(Full text in Ordinance Book GG page 211)

AN ORDINANCE 26,439

APPROPRIATING THE SUM OF \$437.65 OUT OF EXPRESSWAY
AND STREET IMPROVEMENT BOND SERIES 1955 -SECTION "A"
FUND NO. 478-01, TO PAY PHOTOGRAMMETRIC ENGINEERS,
FERGUSON MAP COMPANY, AND APPRAISERS' FEES FOR SERVICES
RENDERED IN CONNECTION WITH THE ACQUISITION OF CERTAIN
PROPERTIES FOR THE CITY OF SAN ANTONIO BY CONDEMNATION
PROCEEDINGS FOR EXPRESSWAYS AND STORM DRAINAGE
PURPOSES

(Full text in Ordinance Book GG page 211)

AN ORDINANCE 26,440

APPROPRIATING THE SUM OF \$503.00 FOR DEPOSIT WITH
THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE
AWARD IN CONDEMNATION CAUSE NO. 51,129, MINNIE
SLADE, ET AL

(Full text in Ordinance Book GG page 212)

AN ORDINANCE 26,441

APPROPRIATING THE SUM OF \$823.75 FOR DEPOSIT
WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS
THE AWARD IN CONDEMNATION CAUSE NO. 51,130, SAM H.
SCHAEFER

(Full text in Ordinance Book GG page 212)

AN ORDINANCE 26,442

APPROPRIATING THE SUM OF \$320.00 FOR DEPOSIT WITH
THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, AS THE
AWARD IN CONDEMNATION CAUSE NO. 51,128, W. E.
MCINTRYEE AND SAM H. SCHAEFER

(Full text in Ordinance Book GG page 212)

AN ORDINANCE 26,443

ACCEPTING A DEED FROM SHELLIE THOMPSON, CONVEYING
TO THE CITY OF SAN ANTONIO THE NORTH 14 FEET OF
LOT 23, BLOCK 1, NEW CITY BLOCK 10259, FOR THE
NEBRASKA STREET WIDENING PROJECT, AND APPROPRIATING
THE SUM OF \$565.00 IN PAYMENT THEREFOR

(Full text in Ordinance Book GG page 213)

AN ORDINANCE 26,444

ACCEPTING A DEED FROM FEDERAL LUMBER COMPANY, INC., A CORPORATION, CONVEYING TO THE CITY OF SAN ANTONIO LOTS 13 & 14, BLOCK 58, NEW CITY BLOCK 7968, LOT 1, BLOCK 59, NEW CITY BLOCK 7981, AND LOT 24, BLOCK 49, NEW CITY BLOCK 7982 FOR THE WIDENING OF ZARZAMORA STREET, AND APPROPRIATING THE SUM OF \$2,200.00 TO PAY FOR SAME

(Full text in Ordinance Book GG page 213)

AN ORDINANCE 26,445

APPROPRIATING THE SUM OF \$15,500.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, AS THE AWARD OF DAMAGES IN CONDEMNATION CAUSE NO. 51,195

(Full text in Ordinance Book GGpage 213)

AN ORDINANCE 26,446

ACCEPTING A DEED FROM SAN ANTONIO INDEPENDENT SCHOOL DISTRICT, CONVEYING A PARCEL OF LAND BY DEDICATION, TO THE CITY OF SAN ANTONIO FOR STORM DRAINAGE PROJECT #20, OVER, ACROSS, UNDER, AND UPON A PORTION OF LOTS 11 AND 12, NEW CITY BLOCK 3209, IN SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book GG page 214)

AN ORDINANCE 26,447

ACCEPTING THE DEED FROM BEN G. RUIZ AND WIFE, JOSEPHINE V. RUIZ, CONVEYING TO THE CITY OF SAN ANTONIO AN EASEMENT FOR DRAINAGE PURPOSES FOR PROJECT #20 STORM DRAINAGE OVER, ACROSS, UNDER AND UPON AN IRREGULAR PORTION OF LAND OUT OF THE SOUTH SIDE OF LOT 94, NEW CITY BLOCK 2977, AND APPROPRIATING THE SUM OF \$2,300.00 IN PAYMENT THEREFOR

(Full text in Ordinance Book GG page214)

AN ORDINANCE 26,448

ACCEPTING THE DEED FROM HERMAN GLOSSERMAN, CONVEYING TO THE CITY OF SAN ANTONIO AN EASEMENT FOR DRAINAGE PURPOSES FOR PROJECT #95, STORM DRAINAGE OVER, ACROSS, UNDER AND UPON A TRIANGULAR PARCEL OF LAND OFF OF THE NORTHEAST CORNER OF LOT 9, BLOCK 29, NEW CITY BLOCK 8111, AND APPROPRIATING THE SUM OF \$250.00 IN PAYMENT THEREFOR

(Full text in Ordinance Book GG page214)

AN ORDINANCE 26,449

ACCEPTING A DEED FROM DELBERT MARSHALL, CONVEYING TO THE CITY OF SAN ANTONIO LOTS 85 AND 86, BLOCK 9, NEW CITY BLOCK 8319, FOR THE WOODLAWN SEWER INTERCEPTOR PROJECT S-14, S-15 A & B AND APPROPRIATING THE SUM OF \$400.00 TO PAY FOR SAME

(Full text in Ordinance Book GG page 215)

Mr. Winton arrived at this time, thus making the vote on the following ordinances and resolutions as follows: AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Olivares, Pinson, San Martin;
NAYS, None;
ABSENT, Gayoso.

AN ORDINANCE 26,450

AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH TEXAS AND NEW ORLEANS RAILROAD COMPANY FOR INSTALLATION OF A SEWER LINE UNDER THE RAILWAY RIGHT-OF-WAY

(Full text in Ordinance Book GG page 216)

AN ORDINANCE 26,451

AUTHORIZING THE CITY MANAGER TO EXECUTE A RELEASE OF THAT CERTAIN LEASE AGREEMENT TO EASTERN AIRLINES OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR RADIO EQUIPMENT

(Full text in Ordinance Book GG page 216)

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AN ORDINANCE 26,452

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR CONSTRUCTION OF AN ILLUMINATION SYSTEM ON I.H. NO. 35 FROM NOGALITOS STREET TO MILITARY DRIVE AND TO TRANSMIT SUCH AGREEMENT TO THE STATE HIGHWAY DEPARTMENT TOGETHER WITH A WARRANT OF THE CITY PUBLIC SERVICE BOARD FOR ONE HALF OF THE ESTIMATED COST

(Full text in Ordinance Book GG page 216)

AN ORDINANCE 26,453

MANIFESTING A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND CLARENCE L. MABRY, CONCESSIONAIRE FOR THE SAN PEDRO TENNIS CENTER, FOR THE DEVELOPMENT OF THE SPORT OF TENNIS

(Full text in Ordinance Book GG page 217)

AN ORDINANCE 26,454

AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT-CLAIM DEED OF THE CITY'S INTEREST IN LOT E, NEW CITY BLOCK 2310, IN CONSIDERATION OF THE SUM OF \$1.00

(Full text in Ordinance Book GG page 218)

AN ORDINANCE 26,455

DEFINING CERTAIN WORDS AND PHRASES; PROVIDING FOR THE PREPARATION AND FILING WITH THE CITY TAX ASSESSOR AND COLLECTOR OF INVENTORIES OF PHYSICAL PERSONAL PROPERTY OWNED, HELD OR USED IN CONNECTION WITH A BUSINESS OR PROFESSION; PROVIDING AUTHORITY IN THE CITY TAX ASSESSOR AND COLLECTOR TO PREPARE SUCH INVENTORIES UPON DEFAULT OF THE OWNER, HOLDER OR AGENT, AND TO EXAMINE BOOKS AND RECORDS AND MAKE PHYSICAL INVENTORIES OF THE PROPERTY OF THE OWNER OR HOLDER FOR THE PURPOSE OF PREPARING OR VERIFYING ANY SUCH INVENTORIES; PROVIDING FOR ACCEPTANCE OF INVENTORIES BY THE CITY TAX ASSESSOR AND COLLECTOR OR FORWARDING BY HIM TO THE BOARD OF EQUALIZATION OF SUCH VALUATIONS REJECTED AND THE GIVING OF NOTICE TO THE OWNERS OR HOLDERS OF SUCH ACTION; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY

(Full text in Ordinance Book GG page 219)

AN ORDINANCE 26,456

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS FOR APPRAISAL OF LAND REQUIRED FOR AIRPORT PURPOSES (PROJECTS F.A.A.P. #9-41-709 AND #9-41-5608), THE TOTAL OF THE FEES FOR ORIGINAL APPRAISALS BEING ESTIMATED AT \$3,107.00

(Full text in Ordinance Book GG page 220)

AN ORDINANCE 26,457

AMENDING ORDINANCE 26,389 PASSED AND APPROVED MAY 19, 1958 BY CHANGING THE POLLING PLACE FOR CERTAIN PRECINCTS

(Full text in Ordinance Book GG page 220)

AN ORDINANCE 26,458

APPROPRIATING THE SUM OF \$17,198.74 OUT OF NO. 479-01, STREET IMPROVEMENT BOND FUND, SERIES 1956, PAYABLE TO COLGLAZIER CONSTRUCTION CO. AND EARL WENTWORTH FOR ADDITIONAL SERVICES IN CONNECTION WITH THE RESURFACING AND RECONSTRUCTION OF SOUTH LAREDO STREET

(Full text in Ordinance Book GG page 221)

A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE SEAL COAT PROGRAM (BIDS TO BE OPENED

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RESOLUTION

WHEREAS, the City Council of the City of San Antonio has noted with great gratification the excellent volunteer work of the San Antonio Boy Scouts in the distribution of 50,000 pamphlets of instructions to householders and others regarding the garbage pick up and disposal plans of the City; and

WHEREAS, the benefits derived from the work done in the distribution of these pamphlets will be manifold in keeping our city clean, and in fighting disease and flies and other insects; NOW THEREFORE:

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

That the local Boy Scout Troops be given a vote of sincere thanks for a most worthy service to the community; and

BE IT FURTHER RESOLVED that an additional vote of thanks be given to the Boy Scouts taking part in the program with the administrative forces of the City today for their expressed interest in our municipal government and its operation.

PASSED AND APPROVED this 5th day of June A. D. 1958.

J. Edwin Kuykendall
Mayor

ATTEST:
J. Frank Gallagher
City Clerk

The following letter from the City Clerk was read:

HONORABLE MAYOR AND MEMBERS OF COUNCIL
City of San Antonio, Texas

Gentlemen:

The following petitions were received by this office and referred to the department concerned for any necessary action.

5-30-58 Petition of Antonio Zermeno, et al, requesting a traffic light at the corner of Martin and North Colorado Streets was referred to the Traffic Engineer.

Yours very truly,

J. FRANK GALLAGHER
City Clerk

The Council then recessed for ten minutes.

After recess, the first zoning case heard was Case No. 871 to rezone Lots 12 and 13, NCB 10101 from "B" RESIDENCE DISTRICT to "E" APARTMENT DISTRICT, property being located on the west side of the 6600 block of San Pedro. Mr. Bender, Acting Planning Director, stated that the Planning Commission recommended the property be zoned "D" APARTMENT DISTRICT, instead of "E" APARTMENT DISTRICT as the "D" APARTMENT zoning would allow the operation of clinics and doctors offices which was the intended use of the property. Mr. Nolan Welmaker, attorney representing Mr. Roeglein and Gaskin, owners of the property, asked that the property be zoned "E" as requested because at some future date Mr. Gaskin would like to have his business office at this location. Mr. L. M. Bickett representing property owners on Grotto Blvd, objected to the change. He stated that only recently Mr. Norman Lowery's request for rezoning had been denied for the property at the corner of San Pedro and Vance Jackson. The matter of deed restrictions on the property was brought out and said the restrictions to date have not been broken in this block, and the

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integrity of the residential district has been preserved. He stated that Mr. Roeglein and Mr. Gaskin purchased property with full knowledge that deed restrictions existed. He stated a change would be a detriment to the property and a financial loss to the property owners.

Mr. W. F. Hardy, owner of Lot 2 on Grotto Blvd, said they have for five years held the line against rezoning this block of San Pedro. He stated he also represented Mr. Tom Stewart, owner of Lot 3, who was against the change. He stated if this request was approved the whole block would in time be rezoned. Mr. Leslie Necker of 119 Ave Maria Drive, representing the Shearer Hills Association stated that his area was 95% against any change, because if the gate was opened it would become another South Flores Street. He asked the petition be deried.

Discussion was then had regarding the Planning Commission study of San Pedro. It was brought out that the Commission had suggested "E" APARTMENT DISTRICT as possible zoning for this block. Mr. Welmaker then stated that in his opinion the deed restrictions were invalid and that any action taken by the Council would not effect the restrictions.

Dr. San Martin then moved that the request for "E" APARTMENT zoning be denied. Seconded by Mr. Pinson, the motion carried by the following vote: AYES, Dietert, Passur, McMahon, Winton, Pinson, San Martin; NAYS, Kuykendall, Olivares; ABSENT, Gayoso.

Mr. Pinson then moved that the recommendation of the Planning Commission to rezone to "D" APARTMENT DISTRICT instead of "E" APARTMENT DISTRICT be approved. Seconded by Mr. Dietert, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote. AYES, Kuykendall, Dietert, Passur, McMahon, Olivares, Pinson; NAYS, Winton, San Martin; ABSENT, Gayoso.

AN ORDINANCE 26,459

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 RE-ZONING
OF CERTAIN PROPERTY DESCRIBED HEREIN CASE NO. 871,
TO REZONE LOTS 12, 13, BLK. E, NCB 10101, FROM
"B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT

(Full text in Ordinance Book GG page 221)

Next case heard was Case No. 866 to rezone Lot 1, NCB 12962 located southwest from intersection of Sprucewood Lane and San Pedro from "A" RESIDENCE DISTRICT to "F" LOCAL RETAIL. Mr. Bender, Acting Planning Director, explained the Country Club has been there for some time and the reason for the request was that it must be rezoned in order to open the facilities of the Club to the public. He stated the Planning Commission recommended the change. That a buffer zone had been provided protecting property owned by Mr. Saunders on the west. He stated property has been replatted properly and dedication of a strip 35' in width made for future widening of San Pedro Avenue. No one appeared in opposition. On motion of Mr. Passur, seconded by Mr. Dietert, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Olivares, Pinson, San Martin; NAYS, None; ABSENT, Gayoso.

AN ORDINANCE 26,460

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 RE-ZONING
OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 866,
TO REZONE LOT 1, NCB 12962, FROM "A" RESIDENCE DISTRICT
TO "F" LOCAL RETAIL DISTRICT

(Full text in Ordinance Book GG page 222)

Last Case heard was Case No. 876 to rezone Lot 5, NCB 11695 located on the northwest corner of Oblate and San Pedro from "B" RESIDENCE DISTRICT to "F" LOCAL RETAIL DISTRICT. The Acting Planning Director explained the recommendation of the Planning Commission was to approve the change to "F" LOCAL RETAIL. No one appeared in opposition. On motion of Dr. McMahon, seconded by Mr. Winton, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Olivares, Pinson, San Martin; NAYS, None; ABSENT, Gayoso.

AN ORDINANCE 26,461

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN CASE NO. 876, TO REZONE LOT 5, NCB 11695, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT

(Full text in Ordinance Book GG page 222)

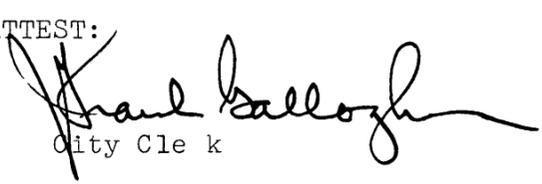
Mr. Reynolds of the Shepherd Laundries asked the Council to repeal or reconsider the tax ordinance passed today as No. 18 on the Council docket. He protested the allowing of the Tax Assessor to examine their books for tax purposes. He protested as this ^{as}unfair and a restriction on freedom. After discussion he was referred to the City Manager and City Attorney for study of the ordinance.

Mrs. Ruth , of 202 Kirkpatrick Street, asked for relief of dust nuisance created by grading of their street recently. She was told that Public Works Department would look into the matter and was also referred to the City Manager for information regarding the City's participation paving program.

There being no further business, the meeting adjourned.

APPROVED:

 M A Y O R

ATTEST:

 City Clerk

