

July 21, 1955

REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF SAN ANTONIO HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL ON THURSDAY, JULY
21, 1955 AT 9:00 A.M.

PRESENT: FRIEDRICH, BAINES, PASSUR, CRUMRINE, WINTON, KUYKENDALL, OLIVARES, DANIELS,
GONZALEZ

Mayor J. Edwin Kuykendall presiding.

Invocation by Rev. Samuel T. Terry, Madison Square Presbyterian Church.

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

The following ordinances were passed and approved by the following vote: AYES,
Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez;
NAYS, none.

AN ORDINANCE 21,484

RECOMMENDED BY THE CITY MANAGER AUTHORIZING
PAYMENT OF \$645.00 FROM 1955 EXPRESSWAY AND
STREET IMPROVEMENT BOND FUND FOR SUPPLIES AND SALARIES
FOR NEGOTIATORS IN ACQUIRING PROPERTY FOR EXPRESSWAY
RIGHT-OF-WAY

(Full text in Ordinance Book BB page 276)

AN ORDINANCE 21,485

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY
A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE
PETITION OF ROBERT N. CAMPBELL, JR. AND WIFE
JACQUELINE C. AT 201 NEWBURY TERRACE

(Full text in Ordinance Book BB page 277)

AN ORDINANCE 21,486

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY
A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE
PETITION OF H. B. KAULBACH AT 1325 WILTSHIRE

(Full text in Ordinance Book BB page 277)

AN ORDINANCE 21,487

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY
A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE
PETITION OF DR. LIGHT T. CUMMINS AT 224 NEWBURY TERRACE

(Full text in Ordinance Book BB page 278)

AN ORDINANCE 21,488

ACCEPTING THE LOW BID OF HOWARD STICH IN THE SUM
OF \$3,394.00 FOR CONSTRUCTION OF AN 8-INCH SANITARY
SEWER MAIN ON SOUTH SAN SABA STREET BETWEEN EL PASO AND
SAN FERNANDO STREETS AND AUTHORIZING PAYMENT OUT OF 1955
EXPRESSWAY AND STREET IMPROVEMENT BOND FUND

(Full text in Ordinance Book BB page 278)

AN ORDINANCE 21,489

APPROVING AND ACCEPTING THE CONTRACT OF THE OTIS
ELEVATOR COMPANY TOMAINTAIN THE ELEVATORS IN THE
CITY HALL OF SAN ANTONIO, TEXAS, AS SUBMITTED
HEREWITH

(Full text in Ordinance Book BB page 278)

AN ORDINANCE 21,490

ACCEPTING THE LOW BID OF TEXAS TESTING LABORATORIES, INC., 218 7TH STREET, SAN ANTONIO, TEXAS, IN THE SUM OF \$3.40 EACH TO TEST APPROXIMATELY 350 CONCRETE TEST CYLINDERS AT THE CITY SEWAGE TREATMENT PLANT AND AUTHORIZING PAYMENT THEREFOR

(Full text in Ordinance Book BB page 278)

AN ORDINANCE 21,491

AUTHORIZING PAYMENT OF \$25.00 OUT OF THE CITY OF SAN ANTONIO "STREET EXCAVATION TRUST FUND" FOR REFUND TO MRS. MINNIE COOPER, WIDOW OF A. D. COOPER, DECEASED.

(Full text in Ordinance Book BB page 279)

AN ORDINANCE 21,492

APPROPRIATING \$2653.70 OUT OF THE 1954 SEWER REVENUE BOND FUND NO. 205, TO PAY H. B. ZACHRY CO., FOR WORK DONE IN CONNECTION WITH SEWAGE PLANT IMPROVEMENTS, SECTION IV, IN ACCORDANCE WITH CONTRACT

(Full text in Ordinance Book BB page 279)

AN ORDINANCE 21,493

APPROPRIATING \$2498.08 OUT OF THE 1954 SEWER REVENUE BOND FUND NO. 205, TO PAY IRVING S. SELIGMANN, CONSULTING ENGINEER, FOR PROFESSIONAL ENGINEERING SERVICES RENDERED IN CONNECTION WITH SEWAGE PLANT IMPROVEMENTS, IN ACCORDANCE WITH CONTRACT

(Full text in Ordinance Book BB page 280)

AN ORDINANCE 21,494

REFUNDING \$9.50 IMPOUNDING FEE COLLECTED IN ERROR BY THE POLICE DEPARTMENT FROM THE ALVARADO BROS. GARAGE ON A STOLEN MOTOR VEHICLE

(Full text in Ordinance Book BB page 280)

AN ORDINANCE 21,495

ACCEPTING THE BIDS AND PROPOSALS OF ROBERT D. MARTIN IN THE SUM OF \$1,783.90 FOR THE CONSTRUCTION OF A CONCRETE SLAB AT PALM HEIGHTS RECREATION CENTER AS PER BID PROPOSAL AND ACCEPTANCE

(Full text in Ordinance Book BB page 280)

AN ORDINANCE 21,496

GRANTING THE PETITIONS OF THE MOST REV. ROBERT E. LUCEY, ARCHBISHOP OF SAN ANTONIO: COLUMBIA HEIGHT COMPANY OF JEHOVAH'S WITNESSES AND TRINITY BAPTIST CHURCH FOR EXEMPTION FROM CITY TAXES ON PROPERTIES LOCATED ON NCB'S 3687, 8971 AND 3094; AND REPEALING ORDINANCE NO. 21443 PASSED AND APPROVED JULY 7, 1955

(Full text in Ordinance Book BB page 281)

AN ORDINANCE 21,497

GRANTING THE PETITIONS OF THE MOST REV. ROBERT E. LUCEY, WEST AVENUE CHURCH OF THE NAZARENE AND THE GIRLS CLUB OF SAN ANTONIO FOR EXEMPTION FROM CITY TAXES ON PROPERTIES LOCATED IN NCB'S 8970, 8341, 9702 AND 8082

(Full text in Ordinance Book BB page 281)

July 21, 1955

AN ORDINANCE 21,498

AUTHORIZING THE TAX ASSESSOR AND COLLECTOR TO COLLECT AND ADJUST CERTAIN ASSESSMENTS APPEARING ON THE CITY TAX ROLLS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW (SEE LIST BELOW)

(Full text in Ordinance Book BB page 282)

G. G. McDaniel Co., Edcough, Texas

S A U & G R R Co., c/o Guy A. Thompson, Dallas, Texas

AN ORDINANCE 21,499

AUTHORIZING THE TAX ASSESSOR AND COLLECTOR TO CORRECT CERTAIN MECHANICAL AND CLERICAL ERRORS IN ASSESSMENTS APPEARING ON THE CITY TAX ROLLS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW (SEE LIST BELOW)

(Full text in Ordinance Book BB page 283)

Allena Cleaners & Mona Wash

Alphonso Oeding

Mrs. Allie Bihl

Hardy L & Edith M. Raley

R. W. Briggs & Co.

Evadna Ida Ripps

Frank S. Bringle

S. A. Belt and Terminal Railway Co.

Ed W. Ebensberger

Sarah's Children Wear and Linens

Matilde Elizondo

Sam Schaefer

Edith Hatley

Stevens Gulf Service Station

Elena Huth

Ressie May Turnier

A. C Kirkpatrick

Wesley Methodist Church

Menier Hardware

Various Owners, NCB 10737

Lester J. Reetz

AN ORDINANCE 21,500

AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT TO CLAUDE ANIOL AND ASSOCIATES FOR CIVIC ADVERTISING IN THE AMOUNT OF \$8,989.70

(Full text in Ordinance Book BB page 285)

AN ORDINANCE 21,501

ACCEPTING THE LOW BID OF TURNER ROOFING AND SUPPLY COMPANY IN THE SUM OF \$1,998.00 FOR REPLACEMENT OF ROOF ON PORTION OF RUIZ HOUSE, WITTE MUSEUM; AND AUTHORIZING PAYMENT OF SAID SUM OUT OF ACCOUNT NUMBER 16-01-01, 1954-1955 GENERAL FUND

(Full text in Ordinance Book BB page 285)

AN ORDINANCE 21,502

ACCEPTING THE BID OF JOE MARSHALL IN THE SUM OF \$1,407.00 TO PURCHASE HOUSE AT 610-612 SOUTH PECOS STREET PARCEL NUMBER 31, ON THE EXPRESSWAY RIGHT OF WAY; ACCEPTING THE BID OF L. W. RUBIOLA IN THE SUM OF \$165.00 FOR THE HOUSE AT 816 NORTH PECOS, PARCEL NUMBER 5 ON THE EXPRESSWAY RIGHT OF WAY; ACCEPTING THE BID OF L. W. RUBIOLA OF \$165.00 FOR THE HOUSE AT 606-608 PECOS STREET, PARCEL NUMBER 32 ON THE EXPRESSWAY RIGHT OF WAY, AND MANIFESTING A BILL OF SALE TO THE PURCHASER OF THE RESPECTIVE HOUSES, THE SAME TO BE REMOVED BY THE PURCHASER UNDER THE TERMS AND CONDITIONS OF THE BID PROPOSAL ADVERTISEMENT AND ACCEPTANCE

(Full text in Ordinance Book BB page 286)

AN ORDINANCE 21,503

ACCEPTING A DEED FROM ANTONIO GARZA AND WIFE, REFUGIA M. GARZA CONVEYING TO THE CITY OF SAN ANTONIO LOT 27, BLOCK 2, NEW CITY BLOCK 311, AND APPROPRIATING THE SUM OF \$11,200. TO PAY FOR SAME

(Full text in Ordinance Book BB page 286)

AN ORDINANCE 21,504

APPROPRIATING THE SUM OF \$45,500.00 OUT OF 1955 EXPRESSWAY BOND FUND, PAYABLE TO FRED HUNTRESS, COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF EARL MARCUS, ET AL; SAID SUM BEING THE AWARD OF THE COMMISSIONERS IN CONDEMNATION IN CAUSE NO. 45,401, CITY OF SAN ANTONIO VS. EARL MARCUS, ET AL PENDING IN COUNTY COURT AT LAW NO. 2 OF BEXAR COUNTY, TEXAS, AND TO BE DEPOSITED IN THE REGISTRY OF SAID COURT SUBJECT TO THE ORDERS OF SAID EARL MARCUS, ET AL

(Full text in Ordinance Book BB page 287)

AN ORDINANCE 21,505

APPROPRIATING THE SUM OF \$49,750.00 OUT OF 1955 EXPRESSWAY BOND FUND, PAYABLE TO FRED HUNTRESS, COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF EARL MARCUS, ET AL, SAID SUM BEING THE AWARD OF THE COMMISSIONERS IN CONDEMNATION IN CAUSE NO. 45,402, CITY OF SAN ANTONIO VS. EARL MARCUS, ET AL, PENDING IN COUNTY COURT AT LAW NO. 2 OF BEXAR COUNTY, TEXAS, AND TO BE DEPOSITED IN THE REGISTRY OF SAID COURT SUBJECT TO THE ORDERS OF SAID EARL MARCUS, ET AL

(Full text in Ordinance Book BB page 287)

AN ORDINANCE 21,506

APPROPRIATING THE SUM OF \$16,500.00 OUT OF 1955 EXPRESSWAY BOND FUND, PAYABLE TO FRED HUNTRESS, COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF EARL MARCUS, ET AL, SAID SUM BEING THE AWARD OF THE COMMISSIONERS IN CONDEMNATION IN CAUSE NO. 45,403, CITY OF SAN ANTONIO VS. EARL MARCUS, ET AL, PENDING IN COUNTY COURT AT LAW NO. 2 OF BEXAR COUNTY, TEXAS, AND TO BE DEPOSITED IN THE REGISTRY OF SAID COURT SUBJECT TO THE ORDERS OF SAID EARL MARCUS, ET AL

(Full text in Ordinance Book BB page 287)/

AN ORDINANCE 21,507

APPROPRIATING THE SUM OF \$15,300.00 OUT OF 1955 EXPRESSWAY BOND FUND, PAYABLE TO FRED HUNTRESS, COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF EARL MARCUS, ET AL, SAID SUM BEING THE AWARD OF THE COMMISSIONERS IN CONDEMNATION IN CAUSE NO. 45,404, CITY OF SAN ANTONIO VS. EARL MARCUS, ET AL., PENDING IN COUNTY COURT AT LAW NO. 2 OF BEXAR COUNTY, TEXAS, AND TO BE DEPOSITED IN THE REGISTRY OF SAID COURT SUBJECT TO THE ORDERS OF SAID EARL MARCUS, ET AL.

(Full text in Ordinance Book BB page 288)

AN ORDINANCE 21,508

APPROPRIATING THE SUM OF \$28,500.00 OUT OF 1955 EXPRESSWAY BOND FUND, PAYABLE TO FRED HUNTRESS, COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF CARL STEPHAN, ET AL., SAID SUM BEING THE AWARD OF THE COMMISSIONERS IN CONDEMNATION IN CAUSE NO. 45,405, CITY OF SAN ANTONIO VS. CARL STEPHAN, ET AL., PENDING IN COUNTY COURT AT LAW NO. 2 OF BEXAR COUNTY, TEXAS, AND TO BE DEPOSITED IN THE REGISTRY OF SAID COURT SUBJECT TO THE ORDERS OF SAID CARL STEPHAN, ET AL.

(Full text in Ordinance Book BB page 288)

AN ORDINANCE 21,509

CLOSING THE ALLEY IN NCB NUMBER 307 BOUNDED BY EL PASO STREET, SOUTH PECOS STREET, GUADALUPE STREET AND SOUTH LEONA STREET TO MOTOR VEHICLE TRAFFIC; AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO EFFECTUATE SAID CLOSURE; AND PROVIDING PENALTY

(Full text in Ordinance Book BB page 289)

July 21, 1955

The following resolution was passed and approved by the following vote:
 AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels,
 Gonzalez. NAYS, none;

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING OF A
 PROPOSED AMENDMENT TO THE ORDINANCE ESTABLISHING
 ZONING REGULATIONS AND DISTRICTS, ETC., PASSED
 AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE
 CLASSIFICATION DESCRIBED HEREIN: CASE NO. 528,
 NCB 6014 AND PT. OF NCB 6009; CASE NO. 532, NCB 10506,
 CASE NO. 514, NCB 10101 - HEARING TO BE AUGUST 11,
 1955

The following ordinances were passed and approved by the following vote:
 AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels,
 Gonzalez; NAYS, none.

AN ORDINANCE 21,510

GRANTING THE WRAMBLING WRECKS ASSOCIATION
 A PERMIT TO CONDUCT A LIMITED FIREWORKS
 DEMONSTRATION ON THE PREMISES OF MISSION
 STADIUM ON JULY 26, 1955

(Full text in Ordinance Book BB page 289)

AN ORDINANCE 21,511

CREATING THE POSITIONS OF ONE (1) ASSISTANT
 CITY MANAGER AND ONE (1) EXECUTIVE ASSISTANT
 II AND FIXING THE SALARIES FOR SAID POSITIONS

(Full text in Ordinance Book BB page 289)

AN ORDINANCE 21,512

REDUCING THE PAY RANGE OF CLASSIFICATION TITLE
 OF "ASSISTANT TO CITY MANAGER", BEING CLASSIFICATION
 NO. 940

(Full text in Ordinance Book BB page 290)

The following resolution and ordinances were passed and approved by the following
 vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels,
 Gonzalez; NAYS, none;

A RESOLUTION

AUTHORIZING THE SIGNATURE OF THE
 ASSISTANT CITY MANAGER AS SUBSTITUTE
 FOR THAT OF THE CITY MANAGER

(Full text in Ordinance Book BB page 290)

AN ORDINANCE 21,513

AMENDING THE 1954-1955 BUDGET BY INCREASING
 THE APPROPRIATION FOR THE CIVIC ADVERTISING
 FUND FROM \$67,545.00 TO \$85,944.00

(Full text in Ordinance Book BB page 291)

AN ORDINANCE 21,514

APPOINTING SAMUEL F. BIERY AS SUBSTITUTE JUDGE
 OF CORPORATION COURT OF THE CITY OF SAN ANTONIO FOR A
 TERM BEGINNING AUGUST 1, 1955 AND ENDING JULY 31,
 1956, UNLESS TERMINATED SOONER BY ACT OF THE COUNCIL

(Full text in Ordinance Book BB page 291)

July 21, 1955

Mr. Winton called attention to a letter from former City Manager George W. Rice relative to a golf course in Olmos Basin. He suggested that the matter be referred to Manager Matthews for study and moved to that effect. The motion carried unanimously.

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 forwarded to Dr. George W. Rice, City Manager, for his recommendation or action.

- 7-8-55 Petition of Lovera Boulevard Baptist Church for tax exemption of Lots 1 thru 5, NCB 7257.
- 7-12-55 Petition of Phil C. Shook and others asking for abandonment by the City of San Antonio of a ten foot drainage easement in NCB 6885.
- 7-13-55 Petition of San Antonio Conservation Society for tax exemption of Lots 1 thru 4, NCB 748, at 509 King Williams Street.
- 7-15-55 Petition of Sgt. Albert J. Harris and others for paving of 300 block of South Monumental Street.
- 7-15-55 Petition of Efrain C. Garza and others complaining of contracts for paving being offered by Grun Construction Company.

Yours very truly,

J. Frank Gallagher
City Clerk

A hearing was now called on Zoning Case #515 which would rezone Tract A, CB A 62 and Lot 15, NCB 7573, and Lots 29 and 30, NCB 7574, bounded by Brady Blvd., Fran Fran Street and South Zarzamora from "C" Residence to "F" Local Retail. The Planning Commission recommended that the change be made for Tract A, NCB A62 only and be denied in NCB 7573 and 7574.

Mr. M. D. Jaffe, the petitioner, was called upon to be heard and he in turn requested that if there were persons in the audience objecting to the change, they be heard first.

Miss Lady Brady, owner of acreage to the south of the property in question, voiced objection since she said she had sold the property with the understanding that it would be developed for residential purposes. She stated that to make commercial property out of it would make it very dangerous to the many children in the vicinity.

Mr. H. Gordon Davis, Attorney for the Market Terminal facilities and Mr. Joseph Barshop, raised the point that there was already a sufficient amount of commercial property in the vicinity. He further called attention of the council to the fact that, after the Planning Commission had made its recommendation to permit the rezoning, it had heard representatives of the Housing Authority of the City of San Antonio and of the San Antonio Independent School District and had suggested that if their previous recommendation was approved that some restrictions or covenants should be complied with. A lively debate, while Mr. Davis had the floor, was engaged in between Mr. Davis, Councilman Gonzalez and Mr. Martin, the Planning Director.

Mrs. Marie McGuire, the Director of the Housing Authority, then addressed the council. She stated that she had appeared before the Planning Commission in protest but later Mr. Jaffe had appeared before the Housing Authority and given his plans and had agreed to certain restrictions and she was now not objecting.

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Mr. Martin stated that a letter from the Executive Secretary of the School Board that while it was the policy of his Board to frown on businesses in the vicinity of schools and while they do not abandon that policy he would not appear in protest against this change.

Mr. M. D. Jaffe then appeared and gave the council the history of his activities relative to the purchase of this property and his plans for its development.

Mr. Winton, seconded by Mr. Daniels, moved the adoption of the ordinance approving the recommendation of the Planning Commission and making the zoning change. The ordinance was adopted as follows: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none.

AN ORDINANCE 21,515

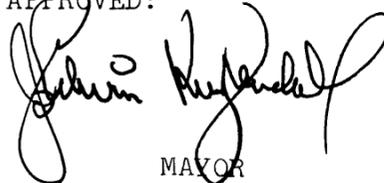
AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 515, TO RE-ZONE TRACT A, NCB A-62, FROM "C" RESIDENTIAL DISTRICT TO "F" LOCAL RETAIL DISTRICT

(Full text in Ordinance Book BB page 292)

Mrs. Franz Stumpf suggested to the council that certain changes should be made in the zoning laws.

On motion of Mr. Crumrine, seconded by Mr. Daniels, the meeting adjourned.

APPROVED:



MAYOR

ATTEST:



City Clerk

ADDENDUM

At a conference of the council members in the City Manager's Office prior to the council meeting, Mr. Aubrey Kline and Claude Aniol appeared in order to explain the expenditures of the Advertising Commission which exceed the amount budgeted for that purpose. Mr. Kline stated that the Advertising Commission had appeared before the council last year and had presented their plan for the year which contemplated the expenditure of over \$97,000. and the plan was approved by the Council. Later when the budget was adopted it was assumed that \$30,000., set up for Industrial Development, was rightfully expendable for this advertising purpose and the direct budget was cut to \$67,545.00. Assuming a budget of \$97,545.00, the Advertising Commission has expended or obligated \$85,944.00 thus showing an insufficiency of \$18,399.00. After the councilmen heard the explanation Mr. Winton moved that this additional expenditure be approved and that an ordinance be drawn for passage at the regular session to effectuate it; Mr. Crumrine seconded and the motion carried. Mr. Gonzalez had not yet arrived.

At the request of Mr. Lynn Andrews, the Assistant City Manager, Items 8, 9, 10, 11, 12 of this days docket were withdrawn from the docket.