

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE CITY COUNCIL CHAMBER, CITY HALL,
ON THURSDAY, DECEMBER 17, 1959, AT
8:30 A. M.

The meeting was called to order by the presiding officer, Mayor J. Edwin Kuykendall. The following council members were present:

Kuykendall,

Passur,

McMahon,

Johnson,

Simpson,

Olivares,

Pinson and

San Martin;

Those absent: Dietert.

The invocation was by City Manager Lynn Andrews.

On motion the reading of the minutes of the previous meeting was dispensed with.

The Mayor announced that zoning hearings were set for this time. First heard was Case No. 1196 to rezone Lot 36, Blk. 1, NCB 10733, located on Hein Road from "A" Residence District to "B" Residence District. The Planning Director briefed the Council on the change. No one appeared in opposition. On motion of Dr. McMahon, seconded by Dr. Johnson the recommendation of the Planning Commission to grant the change was approved by passage of the following ordinance. The vote being as follows: AYES: Kuykendall, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None ABSENT: Dietert.

AN ORDINANCE 28, 165

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 CASE NO. 1196, LOT 36, BLK. 1, NCB 10733 FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT.

(Full text in Ordinance Book J.J. Page 1).

Next heard was Case No. 1223 to rezone lot 31, NCB 3077 on Myrtle Street from "D" Apartment District to "H" Local Retail District. The Planning Director briefed the Council on the change. No one appeared in opposition. The Planning Commission recommendation to grant the change was passed and approved on motion of Dr. Johnson, seconded by Mr. Olivares. The vote was as follows: AYES: Kuykendall, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Dietert.

AN ORDINANCE 28, 166

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 CASE NO. 1223 LOT 31, NCB 3077 FROM "D" APARTMENT DISTRICT TO "H" LOCAL RETAIL DISTRICT.

(Full text in Ordinance Book J.J. Page 1).

Case No. 1224 to rezone Lot 20, NCB 11874 on Broadway, 700 feet South of Loop 13 from "A" Residence District to "JJ" Commercial District was heard next. The Planning Director briefed the Council on the case. No one appeared in opposition. On motion of Mr. Simpson, seconded by Dr. Johnson the recommendation of the Planning Commission was passed and approved by passage of the following ordinance by the following vote: AYES: Kuykendall, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Dietert.

AN ORDINANCE 28, 167

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 CASE NO. 1224 LOT 20, NCB 11874 FROM "A" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

(Full text of Ordinance in Book "JJ" Page 2).

Next heard was Case No. 1226 to rezone Lot 43, NCB 3113, located on the Southeast corner of Capitol and Hildebrand from "F" Local retail district to "JJ" Commercial District. The Planning Director briefed the Council on the case. No one appeared in opposition. On motion of Mr. Pinson, seconded by Dr. McMahon the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: Kuykendall, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Dietert.

AN ORDINANCE 28, 168

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 CASE NO. 1226 LOT 43, NCB 3113, from "F" LOCAL RETAIL TO "JJ" COMMERCIAL DISTRICT.

(Full text of Ordinance in Book "JJ" Page 2).

Next heard was Case No. 1208 to rezone the S. 175 feet of Lot 14, and S. 175 feet of the West 58 feet of Lot 15, NCB 3685, located on the Northeast corner of Cupples Road and Apperson Street from "C" Residence District to "JJ" Commercial District. Mr. Luis R. Garcia, attorney for the applicant Mr. Joe P. Martinez presented a petition requesting the case be referred back to the Planning Commission for rehearing, claiming he had not been given an opportunity to present his case properly.

December 17th, 1959

After a lengthy discussion between members of the Council, Mr. Garcia, and the Planning Director, on motion of Mr. Passur, seconded by Dr. San Martin, case no. 1208 was referred back to the Planning Commission for rehearing by the following vote: AYES: Kuykendall, Passur, Simpson, Olivares, Pinson and San Martin; NAYS: McMahon and Johnson; ABSENT: Dietert.

Mr. Louis P. Garcia then introduced Miss Sandra Lopez and other students of Ursuline Academy who presented a petition for an ordinance to prohibit the sale, circulation and exhibition of nude, indecent and vile magazines in public places.

The Mayor announced a hearing was scheduled for this time to hear from interested citizens regarding proposed charter changes.

Mrs. Sid Cochrell, Jr., President of the League of Women Voters read a statement in which the League supports the Advisory Committee on Charter Revision that there be no change in the method of electing the mayor.

Mrs. Cochrell did however suggest that procedural changes be made in order to make the average citizens feel closer to city government. City Manager Lynn Andrews stated the City hopes to improve this situation by having three area service centers in operation early next year.

Mrs. Cochrell stated that regarding the recommended changes the league had studied them but regarded them as procedural changes and made no comment on them.

Mrs. Ed Jackson, Council President of PTA spoke against the proposal to amend Section 152 to fix a charge for assessing and collecting school taxes.

Also appearing in opposition to this change were Mr. L. E. Fite, member of the San Antonio Independent School District; Mr. Wilber J. Knox, Teachers Council President; Mr. Ray Smith, Mr. Thomas B. Portwood, Superintendent of schools, San Antonio Independent School District, Mr. Bailey Peyton, and Mr. Sam Kone.

Mrs. Rufus Bell, member of the advisory committee on Charter Revision stated the recommendation was based on the desire that all districts be treated fairly and equitably. Mr. Arley Knight, attorney for the school board stated that he had examined the act creating the school district. He said if this change were passed it would put both the City and the district in a difficult position because of the existing legislative act of 1907. He suggested that the best way to settle the matter would be to have a friendly suit and have a declaratory judgement rendered.

City Attorney Carlos Cadena agreed that would be desirable and would not take too long.

After discussion of the matter between the Councilmen, school board representatives and the City Manager and City Attorney, Dr. McMahon moved that in view of the fact there is a legal question involved the administrative staff arrange with proper school authorities to have a friendly suit filed to seek a declaratory judgement on the legality of the Legislative Act requiring the City to collect and assess taxes free of charge for the San Antonio Independent School District.

December 17th, 1959

Mr. W. D. Morris of 620 Briggs Street presented a petition of citizens in the area requesting installation of sanitary sewers. The matter was referred to the City Manager to make a survey and report to the petitioner.

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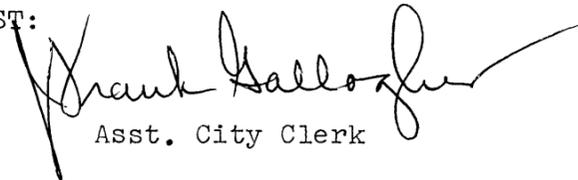
No one else appeared to be heard.

The meeting was adjourned.

APPROVED:


MAYOR

ATTEST:


Asst. City Clerk