

January 16, 1958

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JANUARY 16, 1958 AT 9:30  
A.M.

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

Mayor J. Edwin Kuykendall presiding.

Invocation by Father Sherrill Smith of Espada Mission.

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

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Zoning Case No. 907 to rezone New City Block 11705 from "B" RESIDENCE to "F"  
LOCAL RETAIL at Kopplow Place was called for hearing. After briefing by the Planning  
Director and no one appeared to be heard, the recommendation of the Planning Commission  
was approved by passage of the following ordinance; the vote being as follows:  
AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Pinson, San Martin;  
NAYS, None.

AN ORDINANCE 25,964

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. 907,  
TO REZONE FROM "B" RESIDENCE DISTRICT TO "F" LOCAL  
RETAIL DISTRICT, LOT 1, NCB 11705; FROM "B" RESIDENCE  
DISTRICT TO "E" APARTMENT DISTRICT, LOT 2, N.C.B.  
11705

( Full text in Ordinance Book FF page 333)

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Next called up for hearing was a proposal by the Planning Commission for  
amendment of the San Antonio City Code, Sec. 64-42 governing the heights of  
buildings. After briefing by the Planning Commission and no one appeared to be heard  
the recommendation of the Planning Commission was approved by adoption of the following  
ordinance; the vote being as follows: AYES, Kuykendall, Dietert, Passur, McMahon,  
Winton, Gayoso, Olivares, Pinson, San Martin; NAYS, None.

AN ORDINANCE 25,965

AMENDING SECTION 64-42 OF THE CITY CODE, BEING  
THAT PORTION OF THE COMPREHENSIVE ZONING ORDINANCE  
DEALING WITH "HEIGHT" REQUIREMENTS IN "E" APARTMENT  
DISTRICTS

( Full text in Ordinance Book FF page 333)

Next called up for hearing was a recommendation by the Planning Commission to amend the City Code, Sec's 64-35 and 64-36 regulating processing of dairy products. After briefing by the Planning Director the Council approved the recommendation of the Planning Commission by adoption of the following ordinance; the vote being, AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Pinson, San Martin; NAYS, None.

AN ORDINANCE 25,966

AMENDING SECTIONS 64-35 AND 64-36 OF THE CITY CODE, SUCH SECTIONS BEING A PART OF THE COMPREHENSIVE ZONING ORDINANCE, TO PROVIDE FOR CREAMERY AND DAIRY PRODUCTS PROCESSING

( Full text in Ordinance Book FF page 333)

Zoning Case No. 779 was next called up for hearing. Mr. William Barrett, representing the petitioner, spoke to the Council asking that it do not approve the recommendation of the Planning Commission in denying the petition since the property is involved in proposed route of U. S. Highway 90 West and cannot be improved but is good for a parking lot. He contended that it is a hardship case and the property cannot be used for "F" LOCAL RETAIL as zoned because no building can be erected due to the protective ordinance for U. S. Highway 90 West.

After much discussion by council members, Mr. Winton moved to uphold the recommendation of the Planning Commission and deny the request; seconded by McMahon. The vote on upholding the Planning Commission's recommendation was AYES: Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Pinson, San Martin; NAYS, Kuykendall; the petition was thus denied.

Mr. William Judson of the San Antonio Lions Club was recognized by the Mayor to address the Council. He headed a committee to consult with the Council and request the use of the Sunken Garden Theatre for the purpose of holding a Passion Play<sup>for ten weeks</sup> each year. He asked that the Council grant the use of the Theatre and in addition spend a sum estimated to amount to \$6500.00 to make certain improvement and repairs to the theatre mostly in the way of a certain and additional lighting. The Lions Club proposed to use 7500 dollars in furthering the project. He stated that the Chamber of Commerce believe that this production would bring many tourists and visitors to the City and would be an outstanding attraction. After discussion by some members of the Council, Mr. Winton stated he would not be able to make up his mind on the matter until a report and recommendation was made by the Administrative Staff upon consultation with the Parks Advisory Commission and the Parks Director; The Municipal Advertising Committee and the Welfare Board. He questioned the City Manager about contacting these boards, etc. He then asked what the City could do about recapturing the expenditure involved from gate receipts of the play.

Mr. Dietert asked questions of the proponents and Dr. San Martin moved that the Council ask the staff to investigate and make recommendation to cover the whole matter as soon as practicable. Mr. Pinson stated that he was for anything that is good for the City but would like to have more details. Mr. Passur then seconded the motion of Dr. San

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Martin. Mayor Kuykendall spoke strongly in favor of the proposition and urged that action be as early as possible. He believes that tourists bring industry and that this expenditure would be a good advertising expenditure.

On roll call vote, the motion of Dr. San Martin was adopted by the following vote: AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Pinson, San Martin; NAYS, None.

The following ordinance was passed and approved by the following vote: AYES, Kuykendall, Dietert, Passur, McMahon, Gayoso, Olivares, Pinson, San Martin; NAYS, None; ABSTAINING, Winton.

AN ORDINANCE 25,967

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF THE FORD DEALERS (BIDDING AS ONE) TO FURNISH THE CITY OF SAN ANTONIO WITH TWO MOTOR VEHICLES FOR A TOTAL OF \$3,155.44

( Full text in Ordinance Book FF page 334)

At this time Dr. San Martin left the meeting.

The following ordinances and resolutions were passed and approved as follows: AYES, Kuykendall, Dietert, Passur, McMahon, Gayoso, Olivares, Winton, Pinson; NAYS, None; ABSENT, San Martin.

AN ORDINANCE 25,968

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF THE ALEMITE COMPANY OF SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH CERTAIN LUBRICATING EQUIPMENT FOR A TOTAL OF \$1,363.32

( Full text in Ordinance Book FF page 334)

AN ORDINANCE 25,969

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF GENERAL SUPPLY COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN ACOUSTICAL MATERIALS FOR A TOTAL OF \$2,302.56

( Full text in Ordinance Book FF page 335)

AN ORDINANCE 25,970

ACCEPTING A DEED FROM A. A. SNYDER AND WIFE, ETHEL MAE SNYDER, CONVEYING TO THE CITY OF SAN ANTONIO THE SOUTH 13 FEET OF LOT 1, BLOCK 6, NEW CITY BLOCK 3933, FOR U. S. HIGHWAY #87 NORTHWEST EXPRESSWAY AND APPROPRIATING THE SUM OF \$10,500.00 TO PAY FOR SAME

( Full text in Ordinance Book FF page 335)

AN ORDINANCE 25,971

ACCEPTING A DEED FROM B. W. DOEHNE AND WIFE, FREDDIE DOEHNE, CONVEYING TO THE CITY OF SAN ANTONIO LOT 16, BLOCK 45, NEW CITY BLOCK 7148 FOR U. S. HIGHWAY #87 NORTHWEST EXPRESSWAY, AND APPROPRIATING THE SUM OF \$8,500.00 TO PAY FOR SAME

( Full text in Ordinance Book FF page 335)

## AN ORDINANCE 25,972

AUTHORIZING PAYMENT OF \$200.00 TO WILLIS A. PORTER FOR SERVICES RENDERED THE CITY OF SAN ANTONIO IN APPRAISING CITY PARCEL NO. 2605, AND FOR TESTIFYING AS EXPERT WITNESS IN CONDEMNATION PROCEEDINGS TO ACQUIRE SAID PARCEL FOR AIRPORT, LOOP 13 PROJECT

( Full text in Ordinance Book FF page 336)

## AN ORDINANCE 25,973

APPROPRIATING THE SUM OF \$200.00 OUT OF STORM DRAINAGE IMPROVEMENT BOND FUND, 1956 SERIES, #479-03, PAYABLE TO JOHN T. LINDSEY, ATTORNEY AT LAW, FOR SERVICES RENDERED AS GUARDIAN AD LITEM IN CONDEMNATION CAUSE NO. 49,969 IN THE COUNTY COURT AT LAW #2, OF BEXAR COUNTY, TEXAS

( Full text in Ordinance Book FF page 336)

## AN ORDINANCE 25,974

ACCEPTING A DEED FROM F. N. PIERCE, T. F. PIERCE, GLADYS NELL PIERCE KLEIN, AND HUSBAND O. B. KLEIN, CONVEYING TO THE CITY OF SAN ANTONIO A TRACT OF LAND OUT OF BLOCK "B", NCB 11709, FOR STORM DRAINAGE PROJECT #69, AND APPROPRIATING THE SUM OF \$600.00 TO PAY FOR SAME

( Full text in Ordinance Book FF page 336)

## AN ORDINANCE 25,975

APPROPRIATING THE SUM OF \$1525.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, AS THE AWARD IN CONDEMNATION CAUSE NO. 50,559, WALTER A. HERBST

( Full text in Ordinance Book FF page 337)

## AN ORDINANCE 25,976

APPROPRIATING THE SUM OF \$653.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 50,565, LORINE HERBST STREETER

( Full text in Ordinance Book FF page 338)

## AN ORDINANCE 25,977

ACCEPTING A DEED FROM BERNARD RUBINSTEIN, CONVEYING TO THE CITY OF SAN ANTONIO LOT 12, BLOCK 36, NEW CITY BLOCK 6457, ACCORDING TO PLAT FILED IN VOLUME 642, PAGE 6, FOR PROJECT #13 STORM DRAINAGE AND APPROPRIATING THE SUM OF \$5,000.00 TO PAY FOR SAME

( Full text in Ordinance Book FF page 338)

## AN ORDINANCE 25,978

ACCEPTING AN EASEMENT FOR STORM DRAINAGE PURPOSES ACROSS LOT 13, BLOCK 36, NEW CITY BLOCK 6457 BETWEEN GIBBS STREET AND PASO HONDO STREET FROM BERNARD RUBINSTEIN AND APPROPRIATING THE SUM OF \$1,000.00 TO PAY FOR SAME

( Full text in Ordinance Book FF page 339)

## AN ORDINANCE 25,979

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PRIVATELY OWNED REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO FOR PUBLIC PURPOSES TO-WIT: THE CONSTRUCTION OF STORM DRAINAGE PROJECT NO. 13 FROM GIBBS STREET AT RIO GRANDE STREET TO BELMONT STREET BETWEEN GRIMES AND WALTERS STREETS; AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION CONDEMNATION PROCEEDINGS TO ACQUIRE SO MUCH THEREOF AS CANNOT BE ACQUIRED BY PURCHASE

( Full text in Ordinance Book FF page 339)

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## AN ORDINANCE 25,980

APPROPRIATING THE SUM OF \$487.90 OUT OF EXPRESSWAY AND STREET IMPROVEMENT BOND SERIES 1955 - SECTION "A" FUND NO. 478-01, TO PAY TITLE COMPANIES, APPRAISERS, AND COMMISSIONERS FOR SERVICES RENDERED IN CONNECTION WITH THE ACQUISITION OF CERTAIN PROPERTIES FOR THE CITY OF SAN ANTONIO FOR EXPRESSWAYS AND DRAINAGE PURPOSES

( Full text in Ordinance Book FF page 339)

## AN ORDINANCE 25,981

ACCEPTING A DEDICATION OF LAND FROM SOUTHERN STEEL COMPANY, A CORPORATION, TO THE CITY OF SAN ANTONIO, FOR HIGHWAY PURPOSES AND THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES FOR SOUTH HACKBERRY STREET WIDENING PROJECT, SAID LAND BEING IN NEW CITY BLOCK 7602, OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

( Full text in Ordinance Book FF page 341)

## AN ORDINANCE 25,982

ACCEPTING A DEED FROM SISTER SERVANTS OF THE HOLY GHOST AND MARY IMMACULATE, A TEXAS CORPORATION, CONVEYING TO THE CITY OF SAN ANTONIO, A PORTION OF LAND OUT OF BLOCK 33, NEW CITY BLOCK 542, FOR AUSTIN STREET CUT-OFF, AND APPROPRIATING THE SUM OF \$310.00 TO PAY FOR SAME

( Full text in Ordinance Book FF page 341)

## AN ORDINANCE 25,983

APPROPRIATING \$6,580.00 OUT OF NO. 479-03 STORM DRAINAGE IMPROVEMENT BOND FUNDS, SERIES 1956, AS A CONTINGENCY TO BE USED IN CONNECTION WITH STORM DRAINAGE PROJECT NO. 68

( Full text in Ordinance Book FF page 341)

## AN ORDINANCE 25,984

AMENDING ORDINANCE NO. 25,057 TO ACCEPT DEED WITH CORRECTED PROPERTY DESCRIPTION - DANIEL T. PIEDMONT AND WIFE, HAZEL L. PIEDMONT, PARCEL 3149

( Full text in Ordinance Book FF page 342)

## A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON PARTICIPATION PAVING CONTRACT NO. 15

## AN ORDINANCE 25,985

ACCEPTING THE LOW BID OF H. B. ZACHRY CO., IN THE AMOUNT OF \$643,263.49 FOR CONSTRUCTION OF STORM DRAINAGE PROJECT NO. 69; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR; AND APPROPRIATING THE SUM OF \$643,263.49 OUT OF NO. 479-03, STORM DRAINAGE IMPROVEMENT BOND FUND, TO PAY FOR SAME

( Full text in Ordinance Book FF page 342)

## AN ORDINANCE 25,986

ABOLISHING CERTAIN POSITION CLASSIFICATIONS AND CREATING CERTAIN POSITION CLASSIFICATIONS IN THE MUNICIPAL CLASSIFICATION PLAN, AND ABOLISHING A POSITION CLASSIFICATION IN THE FIRE DEPARTMENT

( Full text in Ordinance Book FF page 342)

## A RESOLUTION

APPOINTING MEMBERS OF THE ADVISORY COMMITTEE OF TEXAS PIONEERS, TRAIL DRIVERS AND RANGERS MEMORIAL BUILDING

( Full text in Ordinance Book FF page 343)

## AN ORDINANCE 25,987

AUTHORIZING THE EXECUTION OF CERTAIN INSURANCE CONTRACTS BY THE CITY OF SAN ANTONIO WITH GLOBE INDEMNITY COMPANY AND FIREMAN'S FUND INDEMNITY COMPANY, AND AUTHORIZING PAYMENT OF INSURANCE PREMIUMS IN THE TOTAL SUM OF \$970.94

( Full text in Ordinance Book FF page 343)

## AN ORDINANCE 25,988

AUTHORIZING PITLUK ADVERTISING CO. TO PREPARE AND PLACE MUNICIPAL ADVERTISING IN CERTAIN PUBLICATIONS AS RECOMMENDED BY THE ADVERTISING COMMITTEE, AND AUTHORIZING PAYMENT OF \$35,019.08 THEREFOR

( Full text in Ordinance Book FF page 344)

## AN ORDINANCE 25,989

ABANDONING AND CLOSING PORTIONS OF CERTAIN STREETS WITHIN THE BOUNDARIES OF VICTORIA COURTS ADDITION HOUSING PROJECT (REFUGIO STREET, ST. CATHERINE STREET)

( Full text in Ordinance Book FF page 346)

## AN ORDINANCE 25,990

ABANDONING AND CLOSING PORTIONS OF CERTAIN STREETS WITHIN THE BOUNDARIES OF S. J. SUTTON HOMES ADDITION HOUSING PROJECT (LOCKE STREET, HINES STREET, GIDDINGS STREET, BETHUME AVENUE, RULLMAN AVENUE, RUNNELS AVENUE)

( Full text in Ordinance Book FF page 346)

## 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. 874, 901, 910, 914, 915 - HEARING TO BE FEBRUARY 6, 1958

## AN ORDINANCE 25,991

ESTABLISHING THE TIME AND PLACE FOR REGULAR MEETINGS OF THE PLANNING AND ZONING COMMISSION PURSUANT TO SECTION 122 OF THE CITY CHARTER

( Full text in Ordinance Book FF page 347)

## AN ORDINANCE 25,992

APPROPRIATING THE SUM OF \$300.00 OUT OF 478-01, EXPRESSWAY AND STREET IMPROVEMENT BOND FUND, 1955 SERIES, IN FULL AND FINAL SETTLEMENT OF CAUSE NO. F-101,176, BETTY BLACK, ET VIR, VS. CITY OF SAN ANTONIO

( Full text in Ordinance Book FF page 347)

## AN ORDINANCE 25,993

REPEALING RESOLUTION DATED JULY 21, 1955, PROVIDING FOR SUBSTITUTION OF THE SIGNATURE OF LYNN H. ANDREWS FOR THAT OF S. J. MATTHEWS; AND PROVIDING FOR THE GENERAL SUBSTITUTION OF THE SIGNATURE OF THE ASSISTANT CITY MANAGER FOR THAT OF THE CITY MANAGER

( Full text in Ordinance Book FF page 347)

## AN ORDINANCE 25,994

APPOINTING QUINCY LEE AS A MEMBER OF THE PLANNING COMMISSION

( Full text in Ordinance Book FF page 348)

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## AN ORDINANCE 25,995

APPOINTING DR. WALTER WALTHALL TO THE BOARD OF  
TRUSTEES OF THE SAN ANTONIO PUBLIC LIBRARY

( Full text in Ordinance Book FF page 348)

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 and forwarded to the department concerned for any necessary action.

- 1-7-58 Petition of Oak Hill Development Company regarding conveyance to the City of San Antonio of a 23 foot strip of land in NCB 12472 was referred to the Director of Planning.
- 1-10-58 Petition of Ignacio M. Hernandez, et al, requesting improvements to Fitch Avenue was referred to the Director of Public Works.

Yours very truly,

J. Frank Gallagher  
City Clerk

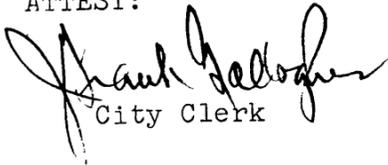
Mr. Andrews then informed the Council that copies of the proposed subdivision ordinance were available.

There being no further business the meeting adjourned.

APPROVED:

  
MAYOR

ATTEST:

  
City Clerk

## PRE-COUNCIL

Mr. Winton brought up the matter of a memorandum received by the councilmen showing action taken with regard to Zoning Cases #866, 871 and 876 involving San Pedro Avenue zoning. He stated that his understanding was that the Council had asked the Planning Commission for further study and recommendation for all of San Pedro Avenue beyond Olmos Creek. He asked that the minutes of the meeting (October 17th) in which the matter was discussed be produced. These minutes of October 17, 1957 showed that request had been made for recommendation for all of San Pedro from Military Drive to Olmos Creek. The Clerk was instructed by Council vote to write to the Planning Commission that the original idea for a complete recommendation was still the wish of the Council.