

April 23, 1953

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN THE
COUNCIL CHAMBER OF THE CITY HALL ON
THURSDAY, APRIL 23, 1953 AT 10:00 A.M.

PRESENT:

WHITE, LOZANO, SCHMIDT, KELLER, SPIVEY, GERHARDT, CASSIDY, GREEMAN, STEVES
Mayor Sam Bell Steves presiding.

Invocation by Rev. F. R. Weedon - Central Baptist Church

On motion of Mr. Keller seconded by Mrs. Gerhardt the reading of the minutes
of the previous meeting was dispensed with.

Hearings were held on rezoning Case 248A - Ceralvo and Merida Streets.

Motion by Mr. Lozano seconded by Mrs. Gerhardt the recommendation of the Zoning Commission
was approved. (The Zoning Commission recommended the change from "C" Residential
to "J" Commercial, being Lot 11, South 234.2 of Lots 4 and 5, Block 39, NCB 3698.)

Case 256-A. The Zoning Commission recommended rezoning from "F" Local
Retail to "J" Commercial, Lots 1-2-3-4-7-8-9-10-11-12, NCB 1021 being property located on
the South side of Culebra Road from Sabinas Street, East to Trinity Street in the 700
block of Culebra Road. On motion of Mr. Lozano seconded by Mrs. Gerhardt the recommendation
of the Zoning Commission was approved.

Case 259. The Zoning Commission recommended rezoning from Temporary "B"
Residential to "F" Local Retail and "J" Commercial and Permanent "B" Residential. Greenlawn
Terrace Addition. On Motion of Mr. Lozano seconded by Mrs. Gerhardt the recommendation
of the Zoning Commission was approved.

Case 265. The Zoning Commission denied the petition to rezone Lot 20, Block
2, NCB 2184 from "B" Residential to "F" Local Retail. On motion of Mr. Lozano seconded
by Mrs. Gerhardt the recommendation of the Zoning Commission was approved.

Case 272. The Zoning Commission recommended rezoning from "C" Residential
Lorita St.
to "J" Commercial all of Lot 55, NCB 9194. On motion of Mr. Lozano seconded by Mrs. Gerhardt
the recommendation of the Zoning Commission was approved.

Case 273. The Zoning Commission recommended rezoning from EApartment to "J"
Commercial Lots 7-8-9-10-11-12, NCB 977. On motion of Mr. Lozano seconded by Mrs. Gerhardt
the recommendation of the Zoning Commission was approved.

The following ordinance was presented and was passed and approved by
unanimous vote:

AN ORDINANCE 18,958

AMENDING AN ORDINANCE PASSED AND APPROVED 3 NOVEMBER, 1938, ESTABLISHING
ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE
PLAN; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE
OF BUILDINGS AND STRUCTURES; PER CENT OF LOT THAT MAY BE OCCUPIED; THE
SIZE OF YARDS, COURTS AND OPEN SPACES; DENSITY OF POPULATION; LOCATION AND
USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND
OTHER PURPOSES; DIVIDING THE CITY OF SAN ANTONIO INTO DISTRICTS, REGULATING
AND RESTRICTING THE ERECTION, CONSTRUCTION, RE-CONSTRUCTION, ALTERATION,
REPAIR OR USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICT;
PROVIDING THE UNIFORM REGULATIONS FOR CLASSES OR KINDS OF BUILDINGS OR
STRUCTURES AND USES WITHIN THE RESTRICTED DISTRICT; ADOPTING ZONING MAP
DISCLOSING VARIOUS DISTRICTS, USE, AREAS, RESTRICTIONS, LIMITATIONS AND
PROVISIONS APPLICABLE TO DISTRICTS AND AREAS; PROVIDING FOR A BOARD OF
ADJUSTMENT AND DEFINING THE POWERS THEREOF; TO RE-ZONE (CASE 214) PROPERTY
AT SAN PEDRO AND BASSE ROAD, PART OF NEW CITY BLOCK 10155; (CASE 256)
PROPERTY ON CULEBRA ROAD, PART OF NEW CITY BLOCK 1021; (CASE 258) PROPERTY
ON CULEBRA ROAD, PART OF NEW CITY BLOCKS 10558 AND 10562; (CASE 260)
PROPERTY IN TERRELL TERRACE ADDITION, NEW CITY BLOCKS 9784, 9785, 9786;
(CASE 267) PROPERTY ON SAN PEDRO AVENUE, PARTS OF NEW CITY BLOCKS 10111
AND 10112. ANY PERSON WHO VIOLATES THIS ORDINANCE OR THE OWNER OF ANY
BUILDING OR PREMISES OR PART THEREOF WHERE ANYTHING IN VIOLATION OF THIS
ORDINANCE SHALL BE PLACED OR SHALL EXIST AND ANY ARCHITECT, BUILDER, CONTRACTOR,
AGENT, PERSON OR CORPORATION EMPLOYED IN CONNECTION THEREWITH, WHO MAY HAVE
ASSISTED IN THE COMMISSION OF ANY SUCH VIOLATION SHALL BE GUILTY OF A SEPARATE
OFFENSE AND UPON CONVICTION MAY BE FINED NOT MORE THAN \$100.00 AND EACH DAY

SUCH VIOLATION EXISTS SHALL CONSTITUTE A SEPARATE OFFENSE.

(Full text in Ordinance Book Y. page 531)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,959

ACCEPTING THE PROPOSAL OF BRUCE E. ELLISON TO CONSTRUCT CONCRETE SLABS IN CERTAIN CITY PARKS AT A PRICE OF \$3680.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR

(Full text in Ordinance Book Y. page 532)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,960

ACCEPTING THE PROPOSAL OF A. M. MCNEEL, COMPANY TO CONSTRUCT A PARKING AREA AT WOODLAWN LAKE FOR THE SUM OF \$2,722.50 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR

(Full text in Ordinance Book Y. page 533)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,961

ACCEPTING THE BID OF KELLY CONSTRUCTION CO. TO CONSTRUCT A PARKING AREA AT LIONS FIELD FOR THE SUM OF \$6,354.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR

(Full text in Ordinance Book Y. page 533)

A letter from the City Manager was read recommending the following ordinances be passed and the recommendation was unanimously approved by the Council.

APPRO. NO. 2013

AN ORDINANCE 18,962

ACCEPTING DEED FROM MARGARITO GARCIA AND WIFE LIBRADA R. GARCIA CONVEYING TO THE CITY OF SAN ANTONIO A PORTION OF LOT 12, NEW CITY BLOCK 3022, AND APPROPRIATING THE SUM OF \$500.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 533)

APPRO. NO. 2014

AN ORDINANCE 18,963

ACCEPTING DEED FROM R. H. SCHUSSLER AND WIFE SALLIE SCHUSSLER, CONVEYING TO THE CITY OF SAN ANTONIO A PORTION OF LOT 10, 11, 12, 13 AND 14, NCB 1758 AND APPROPRIATING THE SUM OF \$15,000.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 534)

APPRO. NO. 2015

AN ORDINANCE 18,964

ACCEPTING TWO DEEDS FROM WILLIAM R. WALLS (A) CONVEYING PARTS OF LOT A-1 AND A-2 CITY BLOCK A-8 LYING AND ADJACENT TO THE HIGH BANK LINE OF THE SAN ANTONIO RIVER AND (B) CONVEYING TO THE CITY OF SAN ANTONIO ALL OF LAND IN BLOCK A-8 LYING BETWEEN THE HIGH BANK LINE OF THE SAN ANTONIO RIVER AND THE EAST RIGHT-OF-WAY LINE OF THE SAN ANTONIO RIVER; AND APPROPRIATING THE SUM OF \$25,000.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 534)

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APPRO. NO. 2016

AN ORDINANCE 18,965

ACCEPTING A DEED FROM SARAH SPITZ, A WIDOW,
CONVEYING TO THE CITY OF SAN ANTONIO, LOTS
A, B AND E IN BLOCK E NEW CITY BLOCK 1758
AND APPROPRIATING THE SUM OF \$25,000

(Full text in Ordinance Book Y. page 534)

APPRO. NO. 2017

AN ORDINANCE 18,966

ACCEPTING DEED FROM SOUTH TEXAS ENTERPRISES INC.
A PRIVATE CORPORATION CONVEYING TO THE CITY OF
SAN ANTONIO LOTS 1, 7, 8 AND 9, NEW CITY BLOCK
999, AND APPROPRIATING THE SUM OF \$22,000.00 TO
PAY FOR SAME

(Full text in Ordinance Book Y. page 535)

APPRO. NO. 2018

AN ORDINANCE 18,967

ACCEPTING DEED OF JOE B. NOVICH CONVEYING TO THE
CITY OF SAN ANTONIO THE SOUTHEAST 125.9 FEET OF LOT
7 NCB 833 IN SAN ANTONIO, BEXAR COUNTY, TEXAS AND
APPROPRIATING THE SUM OF \$3,500.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 535)

APPRO. NO. 2019

AN ORDINANCE 18,968

ACCEPTING A DEED FROM MAUDE HOUSE, A WIDOW CON-
VEYING TO THE CITY OF SAN ANTONIO, THE NORTH 10
FEET OF LOT 3, NCB 3021 AND APPROPRIATING THE
SUM OF \$2500. TO ~~PA~~ FOR SAME

(Full text in Ordinance Book Y. page 535)

APPRO. NO. 2020

AN ORDINANCE 18,969

ACCEPTING A DEED FROM MARTIN EBEST CONVEYING TO
THE CITY OF SAN ANTONIO A PORTION OF LOT 8, NCB
3021 AND APPROPRIATING THE SUM OF \$2500.00 TO PAY
FOR SAME

(Full text in Ordinance Book Y. page 536)

A letter from the City Manager was read recommending the following ordinance
be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,970

ACCEPTING A DEED FROM RAYMUNDO MARROQUIN AND WIFE,
ZOILA C. MARROQUIN, CONVEYING TO THE CITY OF SAN
ANTONIO, A PORTION OF LOT 14, BLOCK 3, NEW CITY
BLOCK 9253, KNOWN AS 2951 LOMBRANO AND APPROPRIATING
\$36.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 536)

A letter from the City Manager was read recommending the following ordinances
be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,971

ACCEPTING EASEMENT FROM TOMMY MILLER, AND WIFE,
LARNIA MILLER, FOR A PUBLIC STORM DRAIN IN THE
EAST 5 FEET OF LOT 17, BLOCK 20, NEW CITY BLOCK
1456, SAN ANTONIO, BEXAR COUNTY, TEXAS, PAYMENT
THEREFOR OF \$1.00 TO BE MADE OUT OF 09-07-02 (2-09)

(Full text in Ordinance Book Y. page 536)

AN ORDINANCE 18,972

ACCEPTING EASEMENT FROM PLEASANTON HILL AND WIFE,
ETTA MAE HILL, FOR A PUBLIC STORM DRAIN IN THE WEST
5 FEET OF LOT 18, BLOCK 20, NEW CITY BLOCK 1456,
SAN ANTONIO, BEXAR COUNTY, TEXAS, PAYMENT THEREFOR
OF \$1.00 TO BE MADE OUT OF 09-07-02 (2-09)

(Full text in Ordinance Book Y. page 537)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,973

ACCEPTING THE GRANT OF AN EASEMENT OVER AND ACROSS A STRIP OF LAND OFF THE SOUTH 30 FT. BLOCK 1, NCB 892, FROM ANITA HERNANDEZ DE SANDOVAL TO THE CITY OF SAN ANTONIO, AND APPROPRIATING THE SUM OF \$10.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 537)

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,974

TRANSFERRING THE SUM OF \$930.00 FROM THE DEPARTMENT OF AVIATION TO THE DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSE OF PROVIDING FUNDS FOR PAYMENT OF FOUR EMPLOYEES

(Full text in Ordinance Book Y. page 537)

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,975

AUTHORIZING A REFUND TO STATEWIDE DRIVE-IN THEATRES, INC. OF \$116.00 PAID FOR UNUSED BUILDING PERMIT

(Full text in Ordinance Book Y. page 538)

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,976

AUTHORIZING DIRECTOR OF FINANCE TO MAKE REFUNDS TO VARIOUS PERSONS (James R. Herd, TOM AYALA, TYLER BROWNLEE, JR.)

(Full text in Ordinance Book Y. page 538)

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A letter from the City Manager was read with regard to petition of Mrs. Lupe F. Lewis for correction of a drainage problem at 728 E. Park Ave.

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A letter from the City Manager was read with regard to petition of Mrs. N. Hutsell, requesting the opening of West French across the Missouri Pacific Railroad.

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A letter from the City Manager was read with regard to Zoning Case 263 and recommended a public hearing.

A letter from the City Manager was read with regard to Zoning Case 269 and recommended a public hearing.

A letter from the City Manager was read regarding Zoning Case 280 and recommended a public hearing.

A letter from the City Manager was read with regard to Zoning Case 282 and recommended a public hearing. The following resolution was presented and was unanimously approved by the Council.

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A RESOLUTION

GIVING NOTICE OF A HEARING ON MAY 14, 1953, OF A PROPOSED AMENDMENT TO THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETCS. PASSED AND APPROVED ON THE 3RD DAY OF NOVEMBER, 1938, FOR RE-ZONING OF (CASE NO. 269) PROPERTY IN SHEARER HILLS, NORTH SHEARER HILLS AND EAST SHEARER HILLS AS ITEMIZED BELOW (CASE NO. 280) PORTION OF LOTS 33, 34, 35 NEW CITY BLOCK 7439, LOCATED ON THE NORTHEAST INTERSECTION OF 39TH AND FRANKIE STREETS, (CASE NO. 282) LOT 15, NEW CITY BLOCK 8409, FRONTING ON THE 3400 BLOCK OF FREDERICKSBURG ROAD (CASE NO. 283) LOT 7 NEW CITY BLOCK 2070, LOCATED IN THE 1300 BLOCK CULEBRA ROAD

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

APPRO. NO. 2021

AN ORDINANCE 18,977

ACCEPTING DEED FROM E. M. VILLARREAL AND WIFE PETRA A. VILLARREAL CONVEYING TO THE CITY OF SAN ANTONIO LOTS 8 AND 9, BLOCK 1, N.C.B. 3381, AND APPROPRIATING THE SUM OF \$4600.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 538)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,978

ACCEPTING THE PROPOSAL OF PAUL G. BALDWIN FOR A ONE MONTH EXTENSION OF THE LEASE COVERING THE SPACE OCCUPIED BY THE POLICE AUTO STORAGE POUND

(Full text in Ordinance Book Y. page 539)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,979

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FRED E. PFLUGHAUPT, C.P.A., FOR A DETAILED AUDIT FOR THE PERIOD FROM AUGUST 1, 1952 THROUGH APRIL 30, 1953, OF ALL THE DEPARTMENTS OF THE CITY EXCEPT THE WATER WORKS DEPARTMENT AND THE CITY PUBLIC SERVICE DEPARTMENT

(Full text in Ordinance Book Y. page 539)

A letter from the City Manager was read recommending the following ordinance be passed.

AN ORDINANCE 18,980

TRANSFERRING THE SUM OF \$185,300. FROM VARIOUS CITY DEPARTMENTS, CURRENT OPERATING BUDGET TO THE STEPHENSON ROAD, RIGHT-OF-WAY PROJECT

(Full text in Ordinance Book Y. page 540)

When the above ordinance was read, Mr. White stated that he did not think these funds should be shifted until after an audit is made and it is determined just how all accounts stand.

Mr. Steves replied that he had been working for two years with the Federal Authority to try to get this road built - That the money is available for the work and all depends on San Antonio getting the right of way; that it should not be longer delayed. He stated this transfer could be reversed at any time if desired.

Mr. Hardy explained that the funds could be reshifted.

Mr. Cassidy spoke against any further delay. He wants the work to proceed.

Mr. Schmidt asked Mr. Temple to explain these surpluses or under runs. Mr. Temple replied that in his opinion no department would be handicapped even though no reductions are made in salaries.

Mr. Harrell stated that he too thought that a surplus would be available in the budget of at least \$250,000.00. On Roll call the ordinance was adopted by the following vote:

Ayes: Lozano, Keller, Spivey, Gerhardt, Cassidy, Greeman, Steves

Nays: White, Schmidt

A letter from the City Manager was read recommending the following ordinance be passed.

AN ORDINANCE 18,981

FIXING AND IMPOSING A RENTAL OF \$100 PER MONTH OR A PERCENTAGE OF GROSS RECEIPTS CHARGED IN THE AMOUNT OF TEN PERCENT ON ALL MONIES COLLECTED FOR AUTO RENTALS TO PERSONS AT SAN ANTONIO INTERNATIONAL AIRPORT, WHICHEVER AMOUNT IS THE GREATER, ON MISSION DRIVERLESS CAR CO., BLUE BONNET RENT-A-CAR CO., AND THE SAN ANTONIO LICENSEE OF HERTZ DRIV-UR-SELF SYSTEM, INC., AND DIRECTING THE DIRECTION OF AVIATION TO PROVIDE SPACE FOR THESE CONCERNS AND ANY OTHERS MEETING HIS SPECIFICATIONS TO OPERATE AT THE SAN ANTONIO INTERNATIONAL AIRPORT, AND DIRECTING THE DIRECTOR OF FINANCE TO COLLECT SUCH RENTAL OF \$100 A MONTH OR SUCH GROSS RECEIPTS CHARGED WHICHEVER AMOUNT IS THE GREATER, FROM SUCH CONCERNS AND ANY HEREINAFTER MEETING THE SPECIFICATIONS OF THE DIRECTOR OF AVIATION

(Full text in Ordinance Book Y. page 540)

When the above ordinance was read Mr. Robert Sawtelle asked to be heard. As Attorney for Mission Driverless Company he asked for a one week delay because his client was on a Federal Jury and he would like to show him the ordinance.

Mr. Adrian Spears, Attorney for other companies asked immediate action and stated that the delaying action was all in favor of one company and against the others and that the City was losing money.

Mr. Pat Swearington, Attorney for other companies backed up Mr. Spears and asked for action.

Mr. Sawtelle again asked for further delay but the ordinance was unanimously adopted.

The following letter from Mr. Harrell was read:

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

Gentlemen:

The Council will undoubtedly remember that during the discussions which were had with your body prior to my appointment as City Manager, there was agreement upon three general fields of action:

1. It was the sense of the Council, predicated I presume upon the adoption of the Charter and their election as the first governing body, that a progressive administration was desired;
2. It was further agreed that all laws and ordinances -- of both a civil and criminal nature -- were to be impartially enforced; and
3. That the whole operation of the City Government was to be predicated upon both the letter and the spirit of the newly adopted charter.

My relationship with the City Council, both in these fields and in fact in every contact, has left nothing to be desired. It can also be stated without hesitation that my relationship with the Department Heads, the City employees, the press and the public in general has been most pleasant.

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Mr. Harrell's letter continued.

In view, however, of the recent election, will you please accept my resignation as City Manager of the City of San Antonio effective April 30, 1953.

Yours very sincerely,

/s/ C. A. Harrell
City Manager

When the Clerk read the resignation of Mr. Harrell, Mr. Steves stated that the Council accepts it with great regret.

Mr. Lozano moved that the City Attorney be directed to draw a resolution of regret of the entire council. The motion was unanimously adopted.

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 then forwarded to the City Manager for his recommendation or action.

4-20-53 Petition of Mr. Slayden Edwards, Attorney for Waldine Tauch, Pompeo and Elizabeth Coppini, requesting the closing and sale of an alley in New City Block 7304.

4-20-53 Petition of Mrs. Edna R. Myers requesting a permit to erect a 7 1/2 foot fence at 303 East Laurel St.

4-15-53 Petition of St. Matthews Baptist Church requesting tax exemption of Lot 2, Block 5, NCB 10341.

Yours very truly,

/s/ J. Frank Gallagher
City Clerk

On motion of Mr. Greeman seconded by Mrs. Gerhardt the meeting adjourned.

APPROVED:

Sam All Steves
MAYOR.

ATTEST:

J. Frank Gallagher
City Clerk