

SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER OF THE CITY HALL
ON TUESDAY EVENING, AUGUST 11, 1953
AT 7:00 P.M.

PRESENT: SCHERLEN, STEVENS, SHEARER, A. C. WHITE, RUSSELL, R. N. WHITE, EASLEY, LESTER,
GONZALEZ AND JACK DAVIS, CITY ATTORNEY; J. FRANK GALLAGHER, CITY CLERK

The Clerk read the call of the meeting as follows:

Mr. J. Frank Gallagher
City Clerk
City of San Antonio, Texas

Dear Sir:

Under authority vested in me by the Charter of the City I hereby request that you call a Special Meeting of the City Council, required for the good of the City of San Antonio to convene at 7:00 P.M. Tuesday, August 11, 1953 in the Council Chamber of the City Hall of the City of San Antonio.

Yours very truly,

/s/ Henry B. Gonzalez
Mayor Pro-tem

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

Gentlemen:

Pursuant to a written request filed by Mayor Pro-tem Henry B. Gonzalez, you are hereby called into a Special Session of the City Council to be held in the City Council Chamber in the City Hall at 7:00 P.M. on the 11th day of August, 1953 for the good of the City.

Respectfully,

/s/ J. Frank Gallagher
City Clerk

Receipt of notice of above Special Meeting of the City Council of the City of San Antonio is hereby acknowledged.

/s/ Henry B. Gonzalez	/s/ H. J. Shearer
/s/ Raymond Russell, Jr.	/s/ Thelma Stevens
/s/ R. N. White, Jr.	/s/ A. C. White
/s/ Emil O. Scherlen	/s/ R. L. Lester
/s/ Ralph V. Easley	

After the call of the meeting was read, the Mayor called for any discussion which members of the audience or of the Council might desire.

He called upon Mr. Kellis Dibrell, an attorney representing several small communities in the San Antonio Area, for facts and his legal opinion regarding the question of fixing and changing the bounds, boundary lines and limits of the city. Mr. Dibrell discussed the matter at length, disclosing the status of certain incorporated towns and those in process of being incorporated with regard to the present limits of the city and their status and intentions if the lines of the city should be changed in accordance with an ordinance which was read to the council on July 2, 1953 and ordered published.

Discussion developed between Mr. Dibrell, several council members, the Mayor, and the City Attorney.

When asked specifically about a case pending in which the town of Coker Estates has asked for a writ of error, Mr. Dibrell stated that the application for a writ of error was still pending and it was the intention of Coker Estates to pursue it to conclusion but if, by September 15th, the various small towns which have incorporated or started incorporation proceedings have not all been fully dissolved he will pledge himself and his clients to withdraw the application for a writ.

August 11, 1953

Mr. Murray Winn, Mayor of so called Coker Estates, rose in the Chamber and made a statement that his township would back Mr. Dibrell up in this pledge.

Mr. M. D. Whiteside, representing the town of Sam Houston, also appeared and agreed that his town would dissolve at once.

Mr. Jack Davis, City Attorney, said that Mr. Park Street, representing the town of Serna, agreed to dissolve all work heretofore done on its incorporation.

Mr. Jack Davis then made a lengthy statement giving the council his opinion and reciting all the legal angles of the passage of the ordinance fixing the city limits and bounds. He gave what he considered to be all sides and facets of the case and said that now the matter of decision was up to the council.

He agreed that the plan proposed by Mr. Dibrell for dissolution of the satellite towns or withdrawing the request for a writ of error seemed to be a reasonably safe one but that was only his opinion. The Council must decide.

Mr. George de la Garza spoke asking the council to hold up action on any change of the city limits.

Councilman Russell then moved that the ordinance read before the City Council on July 2nd and ordered published be now placed upon its second reading and be read by the Clerk. Upon being seconded by Councilman Gonzalez, the motion was carried by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none.

The Clerk then read the following ordinance in full.

AN ORDINANCE 19,443

FIXING AND CHANGING THE BOUNDS, BOUNDARY LINES
AND LIMITS OF THE CITY OF SAN ANTONIO IN ACCORDANCE
WITH THE PROVISIONS OF ARTICLE I, SECTION 3, PARAGRAPHS
1 AND 2 OF THE CHARTER OF THE CITY OF SAN ANTONIO AND
SUBDIVISION 2 OF ARTICLE 1175, VERNON'S CIVIL STATUTES OF
THE STATE OF TEXAS

(Full text in Ordinance Book Z. page 151)

After the reading was completed by the Clerk, Mr. Shearer moved that the ordinance as read be finally passed and approved. On ^{the} motion being seconded by Mrs. Stevens the roll was called on the final passage of the ordinance and the result announced as follows: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none.

The Mayor then at 9:43 P.M. declared the ordinance passed and approved and affixed his signature thereto which signature was attested by the City Clerk.

Mr. Russell then introduced the following ordinance which the clerk read in full.

AN ORDINANCE

AN ORDINANCE PROVIDING FOR THE EXTENSION OF THE
LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION
OF CERTAIN ADDITIONAL TERRITORY LYING ADJACENT TO AND
SURROUNDING THE BOUNDARIES OF THE CITY OF SAN ANTONIO,
SAID ADDITIONAL TERRITORY BEING 74.62 SQ. MILES MORE
OR LESS SITUATED IN BEXAR COUNTY, TEXAS; PROVIDING THAT THERE
IS NO INTENT TO INCLUDE WITHIN THE AREA ANNEXED BY THIS
ORDINANCE, ANY MUNICIPALITY LAWFULLY INCORPORATED UNDER
TITLE 28 OF THE R.C.S. OF TEXAS OF 1925; AND PROVIDING
FOR PUBLICATION OF THIS ORDINANCE

Mr. Russell then moved that the ordinance be approved for publication and that the clerk advertise it in the Commercial Recorder, seconded by Mrs. Stevens, the motion carried at 9:55 P.M.; Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none.

Mr. Thurman Barrett arose and congratulated the council on its action of the evening and urged all to get behind a move to get the settled areas and incorporated towns into the city.

Mr. Scherlen then introduced the following resolution:

A RESOLUTION

INVITING AND URGING CITIES, TOWNS AND COMMUNITIES
IN THE SAN ANTONIO ORBIT TO BECOME IN NAME AND IN
FACT PARTS OF SAN ANTONIO

which was passed and approved by the following vote; Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none.

Mr. Russell then introduced the following resolution:

A RESOLUTION

PROVIDING FOR A COMMISSION ON HISTORIC
BUILDINGS AND FINE ARTS TO BE KNOWN AS THE HISTORIC
SITES EVALUATION COMMISSION AND DEFINING ITS DUTIES

Seconded by Mr. Shearer, it was adopted by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none.

Mr. Gonzalez then introduced the following resolution:

A RESOLUTION

CALLING FOR A HEARING ON WATER RATES
(AUGUST 27, 1953)

and moved its adoption; seconded by Mr. Russell; Mr. Scherlen objected strenuously to its passage stating that the matter of water rates had been investigated by a committee of which he was a member and that no good could now be accomplished by a mere public hearing. He thought if anything were done it should be by auditors and appraisers and investigators, but not in a public hearing.

Mr. Gonzalez insisted that good could be done and a public hearing was the method provided by the charter.

A roll call resulted in the following vote: Ayes, Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, Scherlen; and the resolution was adopted.

On motion by Mr. Shearer seconded by Mr. Lester the meeting adjourned.

APPROVED:


MAYOR.

ATTEST:


City Clerk