

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN THE  
COUNCIL CHAMBER OF THE CITY HALL ON THURSDAY  
OCTOBER 1, 1953 AT 10:00 A.M.

PRESENT: SCHERLEN, STEVENS, SHEARER, A. C. WHITE, RUSSELL, R. N. WHITE, EASLEY, LESTER,  
GONZALEZ

Mayor A. C. White presiding.

Invocation by Mrs. Thelma Stevens

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

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

AN ORDINANCE 19,620

ACCEPTING BID OF MILAM CHEVROLET COMPANY TO FURNISH  
THE CITY OF SAN ANTONIO WITH THREE (3) 3 CU. YD DUMP  
TRUCKS, FOR THE DEPARTMENT OF PUBLIC WORKS, FOR A TOTAL  
PRICE OF \$6,174.57; AND APPROPRIATING SAID SUM OUT OF  
ACCOUNT NO. 09-05-03 IN PAYMENT TO SAID MILAM CHEVROLET  
COMPANY FOR SAME

( Full text in Ordinance Book Z. page 251)

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

AN ORDINANCE 19,621

ACCEPTING BID OF PAK-MOR MFG. CO. TO FURNISH THE  
CITY OF SAN ANTONIO WITH THREE (3) REFUSE COLLECTION  
UNITS, FOR A TOTAL PRICE OF \$9,900.00; AND APPROPRIATING  
THE SAID SUM OUT OF ACCOUNT 09-05-01 IN PAYMENT FOR SAME

( Full text in Ordinance Book Z. page 251)

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

AN ORDINANCE 19,622

ACCEPTING BID OF MILAM CHEVROLET COMPANY TO FURNISH  
THE CITY OF SAN ANTONIO WITH ONE (1) 3/4 TON PICK-UP  
TRUCK FOR THE PUBLIC WORKS DEPARTMENT, FOR A TOTAL PRICE  
OF \$1284.70; AND APPROPRIATING THE SUM OF \$1284.70 OUT OF  
ACCOUNT 09-05-04 IN PAYMENT TO SAID MILAM CHEVROLET COMPANY  
FOR SAME

( Full text in Ordinance Book Z. 252)

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

AN ORDINANCE 19,623

ACCEPTING THE BID OF H. F. WATSON COMPANY, INC  
FOR CONSTRUCTION OF AN 8" SANITARY SEWER LINE, ON  
HILER ROAD, KNIBBE ROAD FROM NACOGDOCHES TO BROADWAY,  
ETC., AUTHORIZING THE EXECUTION OF A CONTRACT; AND  
APPROPRIATING \$2415.55 OUT OF THE SPECIAL SEWER LINE  
CONSTRUCTION FUND NO. 7-36

( Full text in Ordinance Book Z. 252)

October 1, 1953

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

## A RESOLUTION

DIRECTING THE CITY ATTORNEY TO BIND THE CITY  
BY AN AGREED JUDGMENT FOR DELINQUENT PERSONAL PROPERTY  
TAXES AGAINST A. L. FRANGER, D/B/A FRANGER'S FOOD STORE

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

## A RESOLUTION

DIRECTING THE SALE OF PERSONAL PROPERTY IN  
THE POSSESSION OF THE POLICE DEPARTMENT NOT  
OWNED OR CLAIMED BY THE CITY OF SAN ANTONIO

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

## A RESOLUTION

DIRECTING THE CITY CLERK TO ADVERTISE  
SALE OF IMPROVEMENTS OWNED BY THE CITY OF  
SAN ANTONIO

The following ordinance was passed and approved by the following vote: Ayes,  
Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays,  
Scherlen;

## AN ORDINANCE 19,624

AMENDING SECTION 60-75 OF THE SAN ANTONIO CITY  
CODE ENTITLED "STREETS WHERE PARKING PROHIBITED  
AT CERTAIN PERIODS" BY ADDING FREDERICKSBURG ROAD  
BETWEEN WEST AVENUE AND WOODLAWN AVENUE PROHIBITING  
PARKING BETWEEN 7:00 AM AND 9:00 AM ON THE WEST SIDE  
AND BETWEEN 4:00 PM AND 6:00 PM ON THE EAST SIDE

( Full text in Ordinance Book Z. page 252)

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

## AN ORDINANCE 19,625

APPROPRIATING THE SUM OF \$6.02 OUT OF 1953-54  
GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND  
REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF  
AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF  
SAN ANTONIO IN ERROR(MRS. THORNTON CARLISLE)

( Full text in Ordinance Book Z. page 253)

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

## AN ORDINANCE 19,626

APPROPRIATING THE SUM OF \$4.43 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (CONSUELO S. DE YANES)

( Full text in Ordinance Book Z. page 253)

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

## AN ORDINANCE 19,627

APPROPRIATING THE SUM OF \$29.48 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (BEN NATHAN)

( Full text in Ordinance Book Z. page 254)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, RN White, Easley, Lester, Gonzalez; Nays, none.

## AN ORDINANCE 19,628

APPROPRIATING THE SUM OF \$8.96 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (ULESTER AGUILAR)

( Full text in Ordinance Book Z. page 254)

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

## AN ORDINANCE 19,629

APPROPRIATING THE SUM OF \$39.98 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (O. H. & REBECCA H. CAVAZOS)

( Full text in Ordinance Book Z. page 255)

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

## AN ORDINANCE 19,630

APPROPRIATING THE SUM OF \$15.55 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (JOHN A. BERTETTI)

( Full text in Ordinance Book Z. page 255)

October 1, 1953

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

## AN ORDINANCE 19,631

APPROPRIATING THE SUM OF \$56.90 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (WEST SIDE PROGRESSIVE CLUB)

( Full text in Ordinance Book Z. page 255)

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

## AN ORDINANCE 19,632

APPROPRIATING THE SUM OF \$63.23 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02 CLAIMS AND REFUNDS IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (FARM & HOMES SAVINGS & LOAN ASSOCIATION)

( Full text in Ordinance Book Z. page 256)

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

## AN ORDINANCE 19,633

APPROPRIATING THE SUM OF \$19.32 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (ALEX HETTLER)

( Full text in Ordinance Book Z. page 256)

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

## AN ORDINANCE 19,634

APPROPRIATING THE SUM OF \$4.40 OUT OF 1953-54 GENERAL FUND ACCOUNT NO. 56-02-02 CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (CHARLES F. WALZ)

( Full text in Ordinance Book Z. page 257)

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

## AN ORDINANCE 19,635

APPROPRIATING THE SUM OF \$1.00 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02 CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (STEWART TITLE CO.)

( Full text in Ordinance Book Z. page 257)

October 1, 1953

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

## AN ORDINANCE 19,636

APPROPRIATING THE SUM OF \$1.00 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (CITY TAX COLLECTOR)

( Full text in Ordinance Book Z. page 257)

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

## AN ORDINANCE 19,637

APPROPRIATING THE SUM OF \$120.83 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (GUARDIAN ABSTRACT & TITLE CO.)

( Fulltext in Ordinance Book Z. page 258)

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

## AN ORDINANCE 19,638

APPROPRIATING THE SUM OF \$639.45 OUT OF 1953-54 GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR (AZTECA FILMS, INC)

( Full text in Ordinance Book Z. page 258)

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

## AN ORDINANCE 19,639

AN ORDINANCE 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 DIS-CLOSING VARIOUS DISTRICTS, USE, AREAS, RESTRICTIONS, LIMITATIONS, AND OTHER PROVISIONS APPLICABLE TO DISTRICTS AND AREAS; PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS THEREOF; PETITIONS FOR RE-ZONING OF: CASE NO. 314, MENE-FEE AND WEST 19TH STREETS, FROM "B" RESIDENTIAL DISTRICT TO "F" LOCAL RETAIL DISTRICT; CASE NO. 317, ROGERS AND QUITMAN STREETS FROM "D" APARTMENT DISTRICT TO "J" COMMERCIAL DISTRICT; AND CASE NO. 318, NORIA STREET BETWEEN NAVIDAD AND NUECES STREETS, FROM "C" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT. 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 Z. page 259)

October 1, 1953

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

## AN ORDINANCE 19,640

AUTHORIZING THE PAYMENT OF \$113.88 TO ROVELLA LACY AND \$28.10 TO DONALD C. WAGNER AS PAYMENT FOR DAMAGES TO THEIR AUTOMOBILES DUE TO COLLISIONS WITH CITY-OWNED VEHICLES

( Full text in Ordinance Book Z. page 260)

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

## AN ORDINANCE 19,641

ACCEPTING THE ATTACHED BID OF THE SIMMS FIRE EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH 6000 FEET 2 1/2 INCH FIRE HOSE FOR A TOTAL OF \$9,480.00

( Full text in Ordinance Book Z. page 260)

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

## AN ORDINANCE 19,642

ACCEPTING THE ATTACHED BID OF KALLISON'S TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH 6000 FEET 1 1/2 INCH FIRE HOSE FOR A TOTAL OF \$7,320.00

( Full text in Ordinance Book Z. page 260)

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

## AN ORDINANCE 19,643

AN ORDINANCE AMENDING SECTION 2 OF AN ORDINANCE DATED THE 1ST DAY OF DECEMBER, 1921, ENTITLED "AN ORDINANCE FOR THE PURPOSE OF REGULATING LOCAL STREET TRANSPORTATION OF PERSONS BY JITNEYS, MOTOR BUSES AND OTHER VEHICLES, AND PROHIBITING THE USE OF JITNEYS, MOTOR BUSES AND OTHER VEHICLES FOR SUCH TRANSPORTATION ON THE STREETS OF THE CITY OF SAN ANTONIO, EXCEPT AS HEREIN PROVIDED FOR, AND PROVIDING PENALTIES", AS AMENDED BY AMENDING PARAGRAPH 31 THEREOF

( Full text in Ordinance Book Z. page 261)

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

## A RESOLUTION

AUTHORIZING AND DIRECTING THE ASSESSOR AND COLLECTOR OF TAXES TO ENTER UPON THE TAX ROLLS OF THE CITY OF SAN ANTONIO CORRECTIONS, ADJUSTMENTS, AND REMISSIONS OF TAXES IN CASES WHEREIN TAX ERRORS HAVE BEEN FOUND UPON THE TAX ROLLS, AND AUTHORIZING THE CITY ATTORNEY TO TAKE LEGAL ACTION FOR COLLECTION OF TAXES WHERE NECESSARY

( Full text in Ordinance Book Z. page 261)

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

AN ORDINANCE 19,644

AMENDING AN ORDINANCE NO. 19,184, ENTITLED "AN ORDINANCE CREATING THE LA VILLITA ADVISORY BOARD, AND AUTHORIZING THE CITY MANAGER TO APPOINT THE MEMBERS THEREOF," PASSED AND APPROVED BY THE CITY COUNCIL ON THE 11TH DAY OF JUNE, 1953

( Full text in Ordinance Book Z. page 268)

The following letter from the City Manager was read and the recommendation was approved by the City Council.

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

In accordance with an ordinance passed this date, amending the ordinance creating the La Villita Advisory Board of the City of San Antonio, by adding two more members, making the membership of said Board eleven members, I hereby appoint as the tenth member of said Board, for the term ending June 10, 1955:

Charles B. Weimer.

Very truly yours,

/s/ Ralph H. Winton  
City Manager

The following letter from the City Manager was read, and the recommendation was approved by the City Council.

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

In accordance with Section 49 of the Charter, the City Manager recommends that Mr. Monk Wilson, 611 W. Ashby, San Antonio, Texas be appointed to membership on the Parks and Recreation Board vice Mr. Terrell McKay resigned.

Yours very truly,

/s/ Ralph H. Winton  
City Manager

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

AN ORDINANCE 19,645

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT ON BEHALF OF THE CITY OF SAN ANTONIO WITH THE TOWN OF TERRELL HILLS, TEXAS, PROVIDING TO TERRELL HILLS FIRE PROTECTION FROM DATE OF EXECUTION TO SEPTEMBER 30, 1955; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

( Full text in Ordinance Book Z. page 268)

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

AN ORDINANCE 19,646

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT ON BEHALF OF THE CITY OF SAN ANTONIO WITH THE TOWN OF OLMOS PARK, TEXAS, PROVIDING TO THE TOWN OF OLMOS PARK FIRE PROTECTION FROM DATE OF EXECUTION TO SEPTEMBER 30, 1955; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

( Full text in Ordinance Book Z. page 269)

October 1, 1953

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

## AN ORDINANCE 19,647

AUTHORIZING THE PAYMENT OF \$5.00 TO W. L. STOKER AS REFUND OF \$5.00 OF IMPOUNDING FEE ON AUTOMOBILE IMPROPERLY IMPOUNDED

( Full text in Ordinance Book Z. page 270)

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

## AN ORDINANCE 19,648

APPROPRIATING \$1830.00 OUT OF SEWER LINE CONNECTIONS FUND, SECTION A, ACCOUNT NO. 7-27 PAYABLE TO R. A. PERKINS AND W. B. COLEMAN AS A REFUND OR PAYMENT OF MATERIAL THAT WAS FURNISHED BY THEM ON THE SEWER INSTALLATIONS ON STEPHENSON ROAD TO ESCUELA STREET, RIMOLINA FROM CORDOVA TO ESCUELA, MERIDA FROM ESCUELA TO CUPPLES ROAD, AND ESCUELA FROM MORELIA TO A DEAD END AT N.C.B. 7241

( Full text in Ordinance Book Z. page 271)

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

## AN ORDINANCE 19,649

MAKING AND MANIFESTING A CONTRACT WITH ROY L. POPE & SPILLERS COMPANY AND ROY L. POPE AND L. E. SPILLERS, CERTIFIED PUBLIC ACCOUNTANTS, TO MAKE A SURVEY AND STUDY OF THE RATES AND FINANCES OF THE SAN ANTONIO TRANSIT COMPANY

( Full text in Ordinance Book Z. page 271)

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

## AN ORDINANCE 19,650

ABOLISHING THREE POSITIONS OF ADMINISTRATIVE SECRETARY AND CREATING AND ESTABLISHING TWO POSITIONS OF CLERK STENO II AND ONE POSITION OF CLERK STENO I IN LIEU THEREOF

( Full text in Ordinance Book Z. page 272)

The Clerk then announced that the following ordinance

## AN ORDINANCE 19,651

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 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

( Full text in Ordinance Book Z. page 272)

had been read the first time on August 27, 1953 and it was published on August 28th in

the Commercial Recorder and that it was now ready for final reading and passage. He then read the ordinance in full and it was passed by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none.

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

A RESOLUTION

EXPRESSING APPRECIATION TO THE MEN OF SAN ANTONIO'S OWN 182ND FIGHTER BOMBER SQUADRON AND WELCOMING LIEUTENANT COLONEL JAMES R. WITT HOME ON RELEASE AFTER TWENTY-TWO MONTHS AS A PRISONER OF WAR OF THE COMMUNISTS

The Clerk then read the following letter from Mr. Park Street:

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

Gentlemen:

On behalf of a number of insurance agencies and companies doing business in San Antonio which are not associated with the San Antonio Insurance Exchange, I wish to respectfully invite your attention to certain matters pertaining to the insurance program of the City which I believe to merit your further consideration.

By ordinances enacted on September 24, 1953, the Council has instructed the City Manager to enter into five insurance contracts, some of which are referred to as "Master Policies", with various insurance agencies and companies belonging to the San Antonio Insurance Exchange. It was announced in the Council at that time that this action was being taken on the recommendation of the so-called Insurance Advisory Board, composed exclusively of members of the San Antonio Insurance Exchange, for the purpose of consolidating the City insurance program under a few large contracts.

With no intention to reflect on any individual involved in this transaction, it appears that it was ill-advised both from the legal and the practical business standpoint, for the following reasons:

The delegation of authority vested in the Council and in officials of the City to any other person or group is unlawful, and in any action taken as the result of such a delegation of authority, is void. The propriety and legality of delegating authority vested in the Council to a group which cannot be regarded as disinterested, and of accepting the blanket recommendations of this group, can only be considered as a highly questionable action.

In this connection are noted certain circumstances which illustrate the soundness of the rule of law and policy above mentioned. For example, this same group upon which the City relies for advice upon its insurance program recently refunded to the City an over-charge of \$9600.00 upon a policy covering city vehicles which had been contracted for through this same group. For another example, the City has apparently not been advised that certain of its activities are immune from liability, for which reason certain coverage which it is carrying is probably unnecessary and superfluous.

It is also noted that in authorizing this new insurance program, the City did not follow the procedure of taking competitive bids, as required by the Charter for all purchases.

It is believed that the Council and the public could materially benefit from a re-examination and reconsideration of the City insurance program, and particularly of the results which have flowed from blanket acceptance of the advice and recommendations of a financially interested group.

It is therefore my purpose to respectfully request that, as soon as possible, the Council grant a public hearing in order to fully examine its insurance program in the light of all the information that is available, rather than only in the light of the information available from one interested source. I believe that the parties whom I represent can demonstrate to your satisfaction that, by open and competitive handling of insurance purchases, in accordance with the Charter, the City can realize substantial savings and economies with complete safety and soundness.

We would also welcome the attendance at such a hearing of representatives of the group which at present is being permitted to monopolize the City insurance business, and to mislead the Council into taking actions of dubious policy and legality, since we feel that the Council would benefit from listening to both sides of this question, and from comparing the results which the City is now getting from its expenditures for insurance with the better results which are available.

Respectfully submitted,

/s/ Park Street

PS:CS

cc to Honorable Ralph W. Winton, City Manager  
" " Honorable Jack Davis, City Attorney

October 1, 1953

Mr. Street then asked permission to address the council on the subject in his letter.

He strongly urged that the council give him and his associates a hearing in public where all might attend including the agents who are represented on the Insurance Advisory Board.

After lengthy discussion, Mr. R. N. White moved that the entire matter be referred to the City Manager, the City Attorney, and Insurance Advisory Board for study and that a public hearing be then given in the future. Mr. Shearer seconded the motion and a lengthy discussion ensued Mr. Scherlen finally asking that the motion be amended to leave out the Insurance Advisory Board. Mr. White and Mr. Shearer agreed and the motion was unanimously adopted.

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

AN ORDINANCE 19,652

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OF INSURANCE WITH QUEEN INSURANCE COMPANY FOR FIRE AND EXTENDED COVERAGE, PUBLIC LIABILITY ON WILLOW SPRINGS GOLF COURSE BUILDINGS AND CONTENTS, FOR ONE YEAR; AND APPROPRIATING THE SUM OF \$468.02 TO QUEEN INSURANCE COMPANY, OUT OF PARK REVENUE BONDS, 1945, FUND (WILLOW SPRINGS) FUND NO. 2-01, IN PAYMENT OF PREMIUM FOR SAID POLICY OF INSURANCE

( Full text in Ordinance Book Z. page 274)

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

AN ORDINANCE 19,653

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OF INSURANCE WITH LIVERPOOL, LONDON & GLOBE INSURANCE COMPANY FOR FINE ARTS COVERAGE AT WITTE MUSEUM, FOR THREE YEARS, FROM AUGUST 1, 1953 AND APPROPRIATING THE SUM OF \$1,063.00 OUT OF ACCOUNT NO. 56-04-09, IN PAYMENT OF PREMIUM FOR SAID INSURANCE

( Full text in Ordinance Book Z. page 274)

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

A RESOLUTION

AUTHORIZING AND INSTRUCTING THE CITY MANAGER TO NEGOTIATE WITH THE ARMY AUTHORITIES AT FT. SAM HOUSTON REGARDING SEWAGE DISPOSAL

WHEREAS the City now has a contract with the U. S. Government through officials of Fort Sam Houston for disposal of sewage from that post and

WHEREAS the payment being made by the Government for this necessary service is inadequate and is not sufficient to repay the cost of this service to the City, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO that the City Manager be authorized to contact and confer with the authorities with power to renegotiate this contract with the idea in view of making the payments sufficient to repay what the service actually costs the city.

PASSED AND APPROVED this 1st day of October A. D. 1953.

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

## A RESOLUTION

AUTHORIZING AND DIRECTING THE CITY MANAGER TO CONTACT AND CONFER WITH OFFICIALS OF SOUTHERN PACIFIC RAILROAD IN AN ENDEAVOR TO HAVE A NEW OVERPASS CONSTRUCTED OVER THE RAILROAD TRACKS AND YARDS AT N. NEW BRAUNFELS AVENUE

WHEREAS the present overpass at N. New Braunfels Avenue over the tracks and yards of the Southern Pacific Railroad is not adequate or satisfactory for the functions it must perform, and

WHEREAS the Railroad Company is under obligation to keep this passage over its tracks at an ample and safe standard at all times.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO that the City Manager be authorized and instructed to contact and confer with the officials of this Railroad Company regarding the matter of erecting a safer, wider and smoother structure over the area involved and report back to the council.

PASSED AND APPROVED this the 1st day of October A. D. 1953.

A. C. White  
Mayor

ATTEST:  
J. Frank Gallagher  
City Clerk

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 then referred to Mr. Ralph H. Winton, City Manager, for his recommendation or action.

- 9-23-53 Letter of Mr. A. Kronkosky, Vice President of the Gebhardt Chili Powder Company regarding the proposed overpass in the West Commerce - Buena Vista section of the city.
- 9-23-53 Petition of Southland Mortgage Company for annexation of Unit I, Greenhill Village Subdivision.
- 9-24-53 Petition of Jehovah's Witnesses giving notice of appeal from order of Building Inspector Supervisor.
- 9-25-53 Letter from San Antonio Jaycees asking for permission to use the City Council Chamber for five weeks, 2 hours a night.
- 9-25-53 Petition of Chas. M. Schoenfeld, et al, requesting street lights on Adele Street from Schley Avenue south to Hiawatha Street.
- 9-28-53 Petition of Alberto Fernandez, et al, requesting the repair of the 900 block of Pace Street (formerly Ruiz Alley)

Yours very truly,

J. Frank Gallagher  
City Clerk

Hearing was then called on Zoning Case #320 to rezone Lots A32 and A33 NCB A49 at Broadway and Hildebrand from "E" Apartment and "G" Local retail to "H" Local Retail. There being no one to object Mr. Shearer, seconded by Mrs. Stevens moved to approve the recommendation of the Planning Commission and permit the rezoning. The motion was unanimously carried.

The next case to be heard was Zoning Case #322 on a petition to rezone lots 12 through 23, NCB 11002 on Bretonwood Drive from Temporary "A" Residential to "C" Residential. There was no one to be heard therefore Mr. Lester moved that the recommendation of the Planning Board to grant the petition to rezone be approved and the zoning change be made. The motion was unanimously approved by the council.

The next case to be heard was Zoning Case #308 on a petition to rezone lots on Goliad Road in NCB 9566, 9572, 9571, 9570, 9574, 9578, 9577, 9579, 9580, 9613, 9614 from "B" Residential to "F" Local Retail. This case having been heard by the council before and having been referred back to the Planning Board for further study. The Planning Board recommended that the council follow its first recommendation and deny the petition. Mr. Jack Ridgeway, Attorney for the proponents, made an appeal to the council and introduced about seven petitioners after which Mr. Mel Hughes, Attorney for the opponents, protested against any change and he also introduced several opponents. The matter was then discussed by the council members and on motion of Mr. Russell, seconded by Mr. Scherlen, the council voted to approve the recommendations of the Planning Board to deny the petition, by the following vote: Ayes, Scherlen, Stevens, Shearer, Russell, R. N. White, Easley, Gonzalez; Mayor White and Mr. Lester having left the chamber during the discussion.

On motion of Mrs. Stevens seconded by Mr. Russell the meeting adjourned.

APPROVED:

*[Handwritten Signature]*  
MAYOR.

ATTEST:

*[Handwritten Signature]*  
City Clerk