

August 15, 1957

REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF SAN ANTONIO HELD IN THE COUNCIL  
CHAMBER AT CITY HALL AT 9:30 A.M. ON  
AUGUST 15, 1957.

PRESENT: DIETERT, PASSUR, CRUMRINE, WINTON, GAYOSO, OLIVARES, SAN MARTIN.

Invocation by Reverend C. W. Black, Mt. Zion 1st Baptist Church.

Mayor Pro-Tem, Elmer R. Crumrine, presiding.

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

Zoning Case No. 857 to re-zone property at Giddings and Brendel Streets being lots 1 through 6, New City Block 1243 from "L" Manufacturing District to "B" Residence District was called up for hearing. Mr. Winston Martin the Director of Planning briefed the Council on the request and the reasons for approval by the planning commission. No one else was present to be heard. On motion of Mr. Winton seconded by Mr. Passur the recommendation of the Planning Commission was approved by the following Ordinance:

ORDINANCE 25,391

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.

(Full text in Ordinance Book EE, Page 483)

The vote on passage was as follows: AYES, Dietert, Passur, Crumrine, Winton, Gayoso Olivares, San Martin; NAYS, None; ABSENT, Daniels and Kuykendall.

Zoning Case No. 852 to re-zone certain lots and blocks in the area between the old city limits now permanently zoned and the present city limits as described by lot and block, was next called up for hearing. Mr. Winston Martin the Director of Planning explained to the Council the reasons for the recommendation of the Planning Commission. No one else appeared to be heard. On motion of Mr. Gayoso, seconded by Dr. San Martin, the recommendation of the Planning Commission was approved by the passage of the following Ordinance:

ORDINANCE 25,392

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. 852 - To re-zone AREA TO SOUTHWEST CITY LIMITS AS "B" RESIDENCE DISTRICT AND "E" APARTMENT DISTRICT.

(Full text in Ordinance Book EE, Page 484)

The vote on passage of the Ordinance was as follows: AYES, Dietert, Passur, Crumrine, Winton, Gayoso, Olivares, San Martin; NAYS, None; ABSENT, Kuykendall, Daniels.

The Mayor Pro-Tem then announced that a hearing had been set for this time on special benefits to be received from proposed street improvements and other matters with reference thereto and for the purpose of taking certain action relating to the proposed street improvements to be made by the city, including the levying of assessments for a portion of the costs thereof, the city having set this time and place for conducting such a meeting by an ordinance passed and approved on August 1, 1957, and it further appearing that due and legal notice of said hearing has been given as required by law.

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The Mayor Pro Tem announced that the hearing was open. All of those in attendance at the meeting were then requested to state their names and addresses. The only person present who gave his name in answer to such request was F. R. Dickey, 311 Baker Street.

The City Council thereupon, with all of the above named members of the City Council present, proceeded to hear all persons desiring to be heard and to receive all protests. The following persons made statements, voiced objections and gave testimony as follows:

Mr. Raymond R. Parker stated that he was a Street Right-of-Way Agent with the City Land Division. His job consists of securing rights-of-way for street widening, expressway, sewer easements, etc. He has been in his present position for one and one-half years in the same capacity. Mr. Parker stated that he was generally familiar with the proposed assessment program and the properties which are being assessed. He further stated that in his opinion, generally speaking, the property on each instance will be enhanced in value as a result of the proposed paving and curbing, at least to the extent of the amount of the assessment, and in most cases the property value increase will be at least double the cost of the assessment. He based this conclusion on his experience in obtaining rights-of-way, and cited as an example the acquisition of right-of-way for Highway 87 North. Fifty-foot lots which were not paved and curbed sold at approximately \$1,000.00 each, and those which were paved sold from \$1,250.00 to 1,500.00.

Mrs. ~~Cayline~~ Graham then made a statement. She stated she has been a realtor for ten years in San Antonio and was familiar with the proposed assessment program and properties involved. The extent of her investigation included driving around and looking at specific properties in the areas to be paved. Being in the real estate business, she said she considered that she has a general knowledge of property value and is aware of factors which will make properties salable. She said it was not necessary to be in the real estate business to realize that property on paved streets is more salable than equal property on unpaved streets; that value of property is also increased if the entire area is paved instead of isolated streets, making the particular section more desirable and increasing value of all property in neighborhood; that there were a number of schools in areas to be paved, which are important factor; also, that loan companies will make higher real estate loans on houses on paved and curbed streets than on property which is otherwise of equal value.

The question was asked of Mrs. Graham as to whether she was a housewife, to which she replied in the affirmative. She was asked, as a housewife, whether she would prefer to live and keep house on a paved street. She stated that she would definitely prefer to keep house on a paved street, and raise her children on paved street.

Mr. J. D. Rusmiser next made a statement. He gave his occupation as being Right-of-Way Agent with the City Land Division and stated his job consisted of purchasing right-of-way for expressway and widening streets, sewer easements, etc. He formerly a real estate broker in Texas during a period of 20 years, nine of which were in San Antonio. He stated that he was generally familiar with the program and properties involved. He said his experience in purchasing property has been that prices of property on unpaved streets is lower. That the price paid in obtaining rights-of-way is based upon the sales value of the property. That on vacant lots, the price per front foot runs \$4.00 to \$.5.00 less than the price on paved, lots. That on improved lots the differential is even greater. For instance, if there is a \$10,000 improvement on the lot, the

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fact that the abutting street is paved would increase the value even more than \$5.00 per front foot.

Mr. R. L. Lester then made a statement. He said he had been a real estate loan dealer in San Antonio for the past 20 to 25 years. Mr. Lester stated that he was generally familiar with the proposed program and properties which are to be assessed. He said that from a loan and real estate standpoint, the property which is paved will greatly increase in value. He said it is difficult to obtain a loan on a lot abutting a gravel street and that real estate loan dealers allow three or four times as much loan on property with paved streets.

The City Council then discussed all the evidence which had been presented, and after full and careful discussion of the same, Mayor Pro Tem Elmer R. Crumrine then introduced a proposed ordinance which was read in full by the City Clerk, and after full and careful consideration and discussion of the same, Councilman Mike Passur moved the ordinance be finally passed and enacted, which motion was seconded by Councilman Melvin L. Gayoso. Thereupon, the question being called for, the motion was carried by the following vote: AYES: Elmer R. Crumrine, Reuben O. Dietert, Melvin L. Gayoso, Ralph H. Winton, Joe Olivares, Dr. Jose San Martin and Mike Passur.

Nays: None.

Mayor Pro Tem Elmer R. Crumrine approved said ordinance and said ordinance was enacted. The ordinance as passed, enacted and approved is as follows:

ORDINANCE 25,393

CLOSING THE HEARING ON SPECIAL BENEFITS TO BE RECEIVED FROM PROPOSED STREET IMPROVEMENTS, AND ON OTHER MATTERS WITH REFERENCE THERETO, ORDERED TO BE MADE PURSUANT TO AN ORDINANCE DULY PASSED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, ON THE 1ST DAY OF AUGUST, 1957, AND PURSUANT TO SUBSEQUENT PROCEEDINGS OF SAID CITY COUNCIL; LEVYING SPECIAL ASSESSMENT CERTIFICATES; RATIFYING AND CONFIRMING ALL PROCEEDINGS HERETOFORE TAKEN BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO IN CONNECTION WITH SUCH STREET IMPROVEMENTS AND THE ASSESSMENTS WITH REFERENCE THERETO; MAKING OTHER FINDINGS AND ENACTING OTHER PROVISIONS INCIDENT AND RELATING TO THE SUBJECT; PROVIDING THAT SHOULD ANY SECTION OF OR PART OF ANY SECTION OF THIS ORDINANCE BE HELD VOID, THE REMAINING PORTION SHALL NOT BE AFFECTED; DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

(Full Text in Ordinance Book EE, Page 485)

Mayor Kuykendall arrived at this time and took the chair.

The following Ordinances were passed and approved by the following vote:  
 AYES, Kuykendall, Dietert, Passur, Crumrine, Winton, Gayoso, Olivares, San Martin;  
 NAYS, None; ABSENT, Daniels:

ORDINANCE 25,394

ACCEPTING THE DEDICATION OF EASEMENT FOR STORM DRAINAGE ACROSS A PORTION OF LOT 1, NEW CITY BLOCK 8906, TO THE CITY OF SAN ANTONIO FROM EDNA KNOX SMITH, JOINED BY HER HUSBAND, OREL G. SMITH.

(Full text in Ordinance Book EE, Page 490)

ORDINANCE 25,395

APPROPRIATING THE SUM OF \$23.50 TO PAY COURT COSTS IN CONDEMNATION CAUSES NUMBERS 48,867 AND 49,415.

(Full text in Ordinance Book EE, Page 490)

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## ORDINANCE 25,396

APPROPRIATING THE SUM OF \$73.70 TO PAY COURT COSTS IN FIVE CONDEMNATION CASES.

(Full text in Ordinance Book EE, Page 490)

## ORDINANCE 25,397

ACCEPTING A DEED FROM R. C. CUNNINGHAM AND WIFE, SALLIE T. CUNNINGHAM, CONVEYING TO THE CITY OF SAN ANTONIO AN IRREGULAR PORTION OF LAND OUT OF THE EAST 100 FEET OF TWO ACRE TRACT, BEING OUT OF LOTS 9 AND 10, WEST RANGE OF A. N. DAUCHY SUBDIVISION, thomas thatcher survey no. 24 FOR THE WIDENING OF SOUTH HACKBERRY STREET, AND APPROPRIATING THE SUM OF \$750.00 TO PAY FOR SAME.

(Full text in Ordinance Book EE, Page 491)

## ORDINANCE 25,398

ACCEPTING A DEED FROM ARNOLD E. CAPT, CONVEYING TO THE CITY OF SAN ANTONIO THE WEST 50 FEET OF LOT 10, BLOCK 10, NEW CITY BLOCK 6509, FOR THE WIDENING OF SOUTH HACKBERRY STREET, AND APPROPRIATING THE SUM OF \$10,650.00 TO PAY FOR SAME.

(Full text in Ordinance Book EE, Page 491)

## ORDINANCE 25,399

ACCEPTING A DEED FROM RAMON R. GUERRERO AND WIFE EVAGELINA G. GUERRERO, CONVEYING TO THE CITY OF SAN ANTONIO THE NORTH 10 FEET OF THE WEST 40 FEET OF LOT 25, BLOCK 1, NEW CITY BLOCK 7923, FOR THE WIDENING OF DIVISION AVENUE, AND APPROPRIATING THE SUM OF \$100.00 TO PAY FOR SAME.

(Full text in Ordinance Book EE, Page 491)

## ORDINANCE 25,400

AN ORDINANCE AMENDING CERTAIN ORDINANCES ACCEPTING DEEDS REQUIRED FOR WIDENING OF DIVISION AVENUE, AND APPROPRIATING THE SUM OF \$110.00.

(Full text in Ordinance Book EE, Page 492)

## ORDINANCE 25,401

ACCEPTING A DEED FROM OLGA S. TIDWELL, CONVEYING TO THE CITY OF SAN ANTONIO PORTIONS OF LOTS 74 & 75, NEW CITY BLOCK 9483, FOR #69 STORM DRAINAGE PROJECT, AND APPROPRIATING THE SUM OF \$2,200.00 TO PAY FOR SAME.

(Full text in Ordinance Book EE, Page 492)

## ORDINANCE 25,402

ACCEPTING A DEED FROM T. G. CONNAHER AND WIFE, GLADYS M. CONNAHER, CONVEYING TO THE CITY OF SAN ANTONIO ALL OF LOT 15 (EXCEPT THE WEST 5 FEET), BLOCK 58, NEW CITY BLOCK 8958, FOR #69 STORM DRAINAGE PROJECT, AND APPROPRIATING THE SUM OF \$11,500.00 TO PAY FOR SAME.

(Full text in Ordinance Book EE, Page 493)

## ORDINANCE 25,403

APPROPRIATING THE SUM OF \$1,613.70 OUT OF STORM DRAINAGE IMPROVEMENT FUND, SERIES 1956, #479-03, PAYABLE TO THE MCKENZIE CONSTRUCTION CO., TO COVER ADDITIONAL COSTS IN CONNECTION WITH STORM DRAINAGE PROJECT #16.

(Full text in Ordinance Book EE, Page 493)

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## ORDINANCE 25,404

ACCEPTING THE PROPOSAL OF FRANK T. DROUGHT, FOR PROFESSIONAL ENGINEERING SERVICES TO BE RENDERED IN ESTABLISHING A SEWER CHARGE FOR EAST KELLY FIELD, AND AUTHORIZING PAYMENT OF \$600.00 OUT OF GENERAL FUND 09-02-04 TO FRANK T. DROUGHT IN LUMP SUM PAYMENT OF SUCH SERVICES.

(Full text in Ordinance Book EE, Page 494)

## ORDINANCE 25,405

ACCEPTING THE LOW BID OF J. C. TRUEHEART, IN THE AMOUNT OF \$95,460.00, FOR THE CONSTRUCTION OF THE ALAMO HEIGHTS INTERCEPTOR MAIN WITH CHANGES AS OUTLINED BY THE CONSULTING ENGINEER; AUTHORIZING THE CITY MANAGER TO EXECUT A CONTRACT THEREFOR; AND AUTHROIZING THE PAYMENT OF FUNDS FOR SAME.

(Full text in Ordinance Book EE, Page 494)

## ORDINANCE 25,406

AUTHORIZING THE CITY MANAGER OF THE CITY OF SAN ANTONIO TO EXECUT A CONTRACT WITH THE DODD CORPORATION, A TEXAS CORPORATION, TO FURNISH SEWAGE SERVICE FOR THE UNITS KNOWN AS SAMHOUSTON VILLAGE # 1 AND #2 LOCATED UPON THE FORT SAM HOUSTON MILITARY RESERVATION.

(Full text in Ordinance Book EE, Page 494)

## A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON PROPERTY OWNER PARTICIPATION PAVING PROJECT NO. 14, IN ACCORDANCE WITH CITY PARTICIPATION ORDINANCE NO. 23204, ESTABLISHING STANDARDS FOR STREET PAVING CONSTRUCCION, PASSED AND APPROVED JULY 5, 1956.

(Full text in Ordinance Book EE, Page 495)

## ORDINANCE 25,407

AMENDING PARAGRAPH 6 OF ORDINANCE # 22366 DATED FEBRUARY 16, 1956, WHICH MANIFESTED A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND W. F. PICKARD.

(Full text in Ordinance Book EE, Page 495)

## A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE IMPROVEMENT OF BYNUM AVENUE FROM QUINTANA ROAD TO LAREDO HIGHWAY.

(Full text in Ordinance Book EE, Page 496)

## ORDINANCE 25,408

GRANTING PERMISSION TO J. K. STARK AND WIFE, TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS.

(Full Text in Ordinance Book EE, Page 496)

## ORDINANCE 25,409

AUTHORIZING PAYMENT OF THE SUM OF \$350.00 FROM THE GENERAL FUND - ACCOUNT NO. 50-02-01 (4-10), IN SATISFACTION OF JUDGMENT RENDERED IN CAUSE NO. 48486, JOE GUTIERREZ VS. CITY OF SAN ANTONIO, IN COUNTY COURT AT LAW NO. 1.

k(Full text in Ordinance Book EE, Page 497)

## ORDINANCE 25, 410

AUTHORIZING PAYMENT OF THE SUM OF \$358.00 OUT OF GENERAL FUND, ACCOUNT # 50-0201, CODE 4-10, IN FULL AND FINAL SETTLEMENT OF THE CLAIM OF TRACEY SMITH FOR PROPERTY DAMAGE.

(Full text in Ordinance Book EE, Page 498)

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## A RESOLUTION

AUTHORIZING THE CITY MANAGER TO EXECUTE APPLICATIONS TO THE GOVERNOR FOR FEDERAL FINANCIAL ASSISTANCE IN CONNECTION WITH RALPH STREET SEWAGE SYPHON WHICH WAS DAMAGED IN THE SPRING FLOODS.

(Full text in Ordinance Book EE, Page 498)

## ORDINANCE 25,411

PROVIDING FOR THE SALE AND CONVEYANCE OF CERTAIN PROPERTY IN COMAL COUNTY, TEXAS.

(Full text in Ordinance Book EE, Page 498)

## ORDINANCE 25,412

TRANSFERRING \$35,000 FROM THE CONTINGENCY ACCOUNT 50-01-01, OF THE GENERAL FUND TO ACCOUNT 09-02-06 TO PROVIDE ADDITIONAL FUNDS FOR THE CONSTRUCTION OF A BY-PASS SEWER LINE THROUGH ALAMO HEIGHTS TO SERVE NORTHEAST SAN ANTONIO.

(Full text in Ordinance Book EE, Page 499)

The Clerk then read the following ordinance in full:

## ORDINANCE

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE PRESENT SOUTH AND SOUTHEAST CITY LIMITS OF SAN ANTONIO.

(Full text in Ordinance Book EE, Page 500)

When the reading was completed, Dr. San Martin moved that the Ordinance be ordered published. After a second by Mr. Dietert it was so ordered by the following vote:

AYES: Kuykendall, Dietert, Passur, Crumrine, Winton, Gayoso, Olivares, San Martin.

NAYS: None; ABSENT: Daniels.

- The following Ordinances were passed by the following vote: AYES: Kuykendall Dietert, Passur, Crumrine, Winton, Gayoso, Olivares, San Martin. NAYS: None ABSENT: Daniels.

## ORDINANCE 25,413

AUTHORIZING AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN ANTONIO TO PROSECUTE A SUIT FOR DECLARATORY JUDGMENT AGAINST THE BEXAR METROPOLITAN WATER DISTRICT, TO DETERMINE CERTAIN RIGHTS AND DUTIES OF THE PARTIES WITH REFERENCE TO THE DISTRICT'S WATER SUPPLY AND DISTRIBUTION SYSTEM LOCATED WITHIN THE BOUNDARIES OF CERTAIN CITY STREETS; PROVIDING FOR AN INTERIM MODE OF PAYMENT BY THE CITY FOR THE EXPENSE OF RELOCATING SUCH WATER SUPPLY AND DISTRIBUTION SYSTEM, PENDING THE FINAL DETERMINATION OF SUCH SUIT: AND PROVIDING FURTHER FOR APPROPRIATE RE-ADJUSTMENT OF THE PAYMENTS SO MADE BY THE CITY, DEPENDENT UPON THE OUTCOME OF SUCH SUIT.

(Full text in Ordinance Book EE, Page 501)

## ORDINANCE 25,414

PROHIBITING LOITERING WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO AT NIGHTTIME IN OR ABOUT PUBLIC OR PRIVATE BUILDINGS OR PREMISES.

(Full text in Ordinance Book EE, Page 501)

## ORDINANCE 25,415

AMENDING AN ORDINANCE GRANTING RAYMOND D. HALL THREE MONTHS EXTENSION OF INJURY LEAVE AT 60% OF HIS REGULAR PAY.

(Full text in Ordinance Book EE, Page 502)

## ORDINANCE 25,416

APPROVING THE LOCATION OF RIGHT-OF-WAY FOR A NEW ENTRANCE ROAD TO INTERNATIONAL AIRPORT IN NEW CITY BLOCK 8676; ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF SUCH RIGHT-OF-WAY; AND DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR CERTAIN WORK WITHIN SUCH RIGHT OF WAY.

(Full Text in Ordinance Book EE, Page. 502)

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## RESOLUTION

ENDORING THE APPLICATION TO THE SECRETARY OF AGRICULTURE OF THE UNITED STATES OF AMERICA FOR ASSISTANCE IN MAKING A SURVEY AND INVESTIGATION OF THE SALADO CREEK WATERSHED IN BEXAR COUNTY, TEXAS, TO DETERMINE THE PHYSICAL AND ECONOMIC FEASIBILITY OF CONSTRUCTING WORKS FOR THE PREVENTION AND CONTROL OF FLOODS; AND ASKING THE STATE SOIL CONSERVATION BOARD AND THE COMMISSIONER'S COURT OF BEXAR COUNTY TO JOIN IN SAID APPLICATION.

(Full text in ordinance Book EE, Page 503)

## RESOLUTION

REJECTING THE MASTER FIRE STATION PLAN RECOMMENDED BY THE PLANNING COMMISSION.

(Full Text in Ordinance Book EE, Page 503)

## RESOLUTION

CONFIRMING THE CITY MANAGER'S APPOINTMENT OF JUDSON PHELPS TO SERVE AS A MEMBER OF THE BOARD OF EXAMINERS AND APPEALS.

(Full text in Ordinance Book EE, Page 503)

Resolutions, endorsing the application to the Secretary of Agriculture, confirming the city Manager's Appointment of Judson Phelps, and rejecting the Master Fire Station and the Ordinance transferring \$35,000.00 were passed by the following vote:  
 AYES, Kuykendall, Dietert, Passur, Crumrine, Winton, Gayoso, Olivares, San Martin;  
 NAYS: None, ABSENT, Daniels:

After the agenda was completed, Mr. Crumrine made a short oral report to the Council on the progress of meetings of the Committee appointed to study the matter of building a Hall of Justice in conjunction with the County. He stated some progress has been made and further meetings would be held.

Mr. Passur then remarked that he has heard a great deal of discussion on the matter of holding a bond issue election in the fall to vote funds for needed improvements. He suggested that the time had arrived for action and he therefore made the following motion "That the Mayor ask the City Manager and his staff get together the information needed and consult with citizens and citizens committees on our needs and make some recommendations as a basis for early positive action.

The motion being seconded by Mr. Crumrine was adopted by the following vote:  
 AYES, Kuykendall, Dietert, Passur, Crumrine, Winton, Gayoso, Olivares, and San Martin.  
 NAYS: None, ABSENT, Daniels.

Mr. Crumrine then announced that he was in receipt of a letter from the Mayor of Beeville inviting the Mayor and Council to attend a meeting in Beeville On Monday, August 19th, with regard to the proposals for improvement of U.S. Highway 181. Mr. Crumrine suggested that all who could, attend. Mr. Crumrine then said he had the pleasure of meeting Judge C. K. Quinn of the District Court and that Judge Quinn had complimented the City on the excellence of its legal staff.

There being no further business, the meeting was adjourned.

APPROVED:

*E. R. Crumrine*  
 Mayor PRO TEM

ATTEST:

*Paul Haller*  
 City Clerk