

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE CITY COUNCIL CHAMBER, CITY HALL,  
ON WEDNESDAY, JUNE 6, 1962, AT  
8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer, Mayor Walter W. McAllister, with the following members present:

McALLISTER  
DE LA GARZA  
ROHLFS  
KAUFMAN  
GATTI  
PADILLA  
PARKER  
and BREMER.

ABSENT: GUNSTREAM.

- - -  
The invocation was given by Councilman Roland C. Bremer.

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The minutes of the previous meeting were approved.

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First item of business taken up was hearing on Case No. 1624 to rezone Lot 1, Blk 4, NCB 1340, located at the southeast corner of Oblate Drive and Blanco Road from "A" Residence District to "D" Apartment District.

The Planning Director briefed the proposed change. No one spoke in opposition. On motion of Mr. Kaufman, seconded by Mr. Rohlfs, the recommendation of the Zoning Commission to grant the change in zone was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gatti, Padilla, Parker, and Bremer; NAYS: None; ABSENT: Gunstream.

AN ORDINANCE 30,379

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 REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLK 4, NCB 13430, FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book MM, page 66

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Next taken up was Case No. 1670 to rezone Lots 1, 2 and 3, Blk 6, NCB 12816, located at the northeast corner of Babcock Road and Medical Drive from "A" Residence District to "D" Apartment District.

The Planning Director briefed the proposed change. No one spoke in opposition. On motion of Mr. Padilla, seconded by Mr. Gatti, the recommendation of the Zoning Commission to grant the change in zone was approved by passage of the following ordinance, the vote being as follows:

AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

AN ORDINANCE 30,380

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

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CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2 AND 3, BLK 6, NCB 12816, FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book MM, page 67

Next heard was Case No. 1645 to rezone Lots 53 and 54, Blk 29, NCB 3823, located between Channing and Hiawatha, from "B" Residence District to "C" Residence District.

The Planning Director briefed the proposed change. No one spoke in opposition. On motion of Mr. de la Garza, seconded by Mr. Padilla, the recommendation of the Zoning Commission to grant the change in zone was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

AN ORDINANCE 30,381

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 REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 53 AND 54, BLK 29, NCB 3823 FROM "B" RESIDENCE DISTRICT TO "C" RESIDENCE DISTRICT.

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Full text in Ordinance Book MM, page 67

Next heard was Case No. 1651 to rezone Lot 22, NCB 12086, located at the south east corner of Sprucewood Lane and El Montan, from "A" Residence District to "B" Residence District.

The Planning Director briefed the proposed change. No one spoke in opposition. On motion of Mr. de la Garza, seconded by Mr. Rohlfs, the recommendation of the Zoning Commission was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

AN ORDINANCE 30,382

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 REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 22, NCB 12086, from "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT.

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Full text in Ordinance Book MM, page 68

Next heard was case No. 1672 to rezone Lot 1, NCB 12086, located at the northeast corner of Mill Wood Lane and El Montan from "A" Residence District to "B" Residence District and Lot 9, NCB 12084 located at the southeast corner of Mill Wood Lane and El Montan, from "A" Residence District to "B" Residence District.

The Planning Director briefed the proposed change. No one spoke in opposition to the change. On motion of Mr. Rohlfs, seconded by Mr. de la Garza, the recommendation of the Zoning Commission to grant the change in zone was approved by passage of the following ordinance, by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

AN ORDINANCE 30,383

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING

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ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, NCB 12086; AND LOT 9, NCB 12084, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT.

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Full text in Ordinance Book MM, page 68

Next taken up was Case No. 1665 to rezone Lots 3 and 4, NCB 833, located on the south side of Elmira Street, approximately 112' west of North Saint Mary's Street, from "E" Office to "J" Commercial District

The Planning Director briefed the proposed change. No one spoke in opposition to the change. On motion of Mr. de la Garza, seconded by Mr. Bremer, the recommendation of the Zoning Commission to grant the change in zone was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

## AN ORDINANCE 30,384

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 REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 3 AND 4, NCB 833, FROM "E" OFFICE DISTRICT TO "J" COMMERCIAL DISTRICT.

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Full text in Ordinance Book MM, page 69

Taken up next was Case No. 1659 to rezone Lot 188, Blk H, NCB 8360, located northeast of the intersection of Cheryl Drive and Bandera Road from "A" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change. No one spoke in opposition. On motion of Mr. de la Garza, seconded by Mr. Bremer, the recommendation of the Zoning Commission was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, ROHLFS, KAUFMAN, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

## AN ORDINANCE 30,385

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 REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 188, BLK H, NCB 8360, FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, page 69

Dr. William Elizondo President of the Lulac Council No. 2, presented a citation for bravery to Sergeant William Weilbacher who assisted in saving the lives of a number of persons at a fire on April 17, 1962.

Mayor McAllister read the following resolution:

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## A RESOLUTION

ACCEPTING THE RESIGNATION OF J. FRANK GALLAGHER AS CITY CLERK AND COMMENDING HIM FOR OUTSTANDING AND MERITORIOUS SERVICE TO THE CITY OF SAN ANTONIO.

\* \*

WHEREAS, J. Frank Gallagher, after many years of service under the Aldermanic, Commission and Council-Manager forms of government, has tendered his resignation as City Clerk of the City of San Antonio, effective June 15, 1962; and

WHEREAS, this service to the community began in 1912 when he was elected City Treasurer and served in that capacity until 1916; and in 1942 returned to City service as Corporation Court Clerk; and

WHEREAS, because of his expert knowledge in the field of municipal tax valuations, having made tax surveys for many cities in the Southwest, including San Antonio, he was called upon to serve as Chief Deputy Tax Assessor in 1943 when the city began to expand rapidly through its annexation program, and ably served in that capacity until 1947 when he was chosen City Clerk; and

WHEREAS, as the only City Clerk to serve since Council-Manager Government was inaugurated in 1952, during which time he assisted in the complete reorganization of the City Government to place it on a sound, business basis and during which time the citizens of San Antonio witnessed many notable achievements, constructive and enduring programs which have helped make our community a better place to live; and

WHEREAS, this Council will lose a valiant and trusted official in person of J. Frank Gallagher, whose sterling qualities and friendly spirit have endeared him to all with whom he was associated; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

1. The resignation of J. Frank Gallagher as City Clerk of the City of San Antonio is accepted with deep regret.

2. This Council expresses profound regret over the loss of the services of J. Frank Gallagher as City Clerk, which will be a distinct loss to the City. During his long tenure of service, because of his high integrity, honest and sincere performance of duty, efficient and impartial administration of his office, Mr. Gallagher has earned the respect and admiration of the people of this community. The City has indeed been fortunate to have secured the services of such a man, and this Council expresses to him heartfelt appreciation and gratitude for his outstanding and meritorious service to the City, and extends best wishes to this very fine gentleman for the golden years that lie ahead.

3. BE IT FURTHER RESOLVED, that this Resolution be spread in full on the minutes of the City Council, and a copy presented to J. Frank Gallagher.

PASSED AND APPROVED this 6th day of June, 1962.

W. W. McALLISTER, Mayor

ATTEST: City Clerk

The resolution was then passed by a standing vote of the Council.

Mr. Gallagher expressed appreciation for the resolution, stated he would be available to help out in any way he could.

City Manager Jack Shelley, on behalf of the City Employees and former Managers, thanked Mr. Gallagher for the advice and cooperation he had given them, and expressed deep regret in his leaving the City's service.

Next taken up was Zoning Case No. 1635 to rezone Lots 8 and 12, NCB 11925, located on the east side of Broadway between Hiler Road and Nottingham Place from "A" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change which the Zoning Commission recommended be denied by the City Council.

The Applicants, Mr. Richard H. Hearn, Jr., and Mr. Leo C. Hearn, were called on to present their case, but were not present for the hearing. Mr. Earl Fuller, 7535 Broadway, spoke in favor of the change.

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Major Ralph Phillips, 119 Nottingham, spoke against the change in zone and filed a protest petition containing 46 signatures.

Also speaking in opposition were Mr. B. L. Smith, 104 Hiler Road, and Mrs. C. A. Steubing, 111 Nottingham. After consideration of the matter, on motion of Mr. de la Garza, seconded by Dr. Parker, the recommendation of the Zoning Commission to deny the rezoning was approved by the following vote: AYES: McAllister, de la Garza, Rohlf, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

Next taken up was a continued hearing on Case No. 1562 to rezone Lots 1, 2, 3 and 4, Blk 3 NCB 3245 located at the southwest corner of Moberly and Avery Streets from "B" Residence District to "J" Commercial District.

The Planning Director explained that this hearing had been continued from April 4th to allow the applicant, Knowlton's Creamery, and the adjacent property owners to settle their difference.

Mr. Henry Miller, representing Knowlton's Creamery, stated they had not been able to negotiate the purchase of properties of those opposing the change in zone. He reviewed the negotiation and then with the aid of maps gave a history of the case and asked the Council to grant the change in zone.

Mr. Bob Ritter, Attorney representing the property owners in the area also reviewed the negotiations and asked the Council to deny the change because it would work a hardship on his clients.

Also speaking against the change were Mrs. Eusebio Alanzo, Mrs. Eloisa Bustos and Mr. H. L. Metzger.

After consideration of the case, on motion of Mr. Padilla, seconded by Mr. Gatti, the recommendation of the Zoning Commission to grant the change in zone was overruled and the rezoning denied. The motion carried by the following vote: AYES: McAllister, Rohlf, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: de la Garza; ABSENT: Gunstream.

Next matter taken up was the continued hearing on the ordinance to amend Section 12-100 of the City Code to permit No. 12 nonmetallic sheathed cable (Romex) on all residential wiring up to and including \_\_\_ apartment units under one roof, number of units to be determined by the Council.

Speaking against the amendment were Mr. Victor Speert, representing the Alamo Electrical Contractors Association; Mr. Jesse Villareal of the firm of Jesse and Chandler; Mr. Frank Stewart, representing the local chapter of the National Electrical Contractors Association; Mr. Roy Griffin, Chairman of the City's Electrical Examining and Supervisory Board; and Mr. Harry Pitts, Electrical Contractor.

Speaking in favor of the change were Mr. Morris Jaffee, local builder; Mr. Lloyd Booth, Chairman of the Codes Committee of the San Antonio Home Builders Association; Mr. Lon Travis, Electrical Engineer for the engineering firm of Beretta, Greenslate and Associates; and Mr. Fred Clark, Electrical Contractor.

Also speaking on the matter was Mr. John Lloyd, local electrical engineer.

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After a lengthy discussion of the advantages and disadvantages, Romex, Greenfield and Metal tube type of wiring, the Council felt it would like to get more information and the City Manager was instructed to contact some of the local electrical engineers and get their thinking on the matter and make a report to the Council.

Mayor McAllister stated the Council had received a request from the City Public Service Board to authorize and provide for the sale of additional Electric and Gas Revenue Improvement Bonds in the amount of \$20,000,000.00.

The Mayor reviewed a five month report on the Boards finances and explained the need for providing funds to continue the program of additions and improvements to the system, and meet a deficiency in the Improvements and Contingencies Fund.

The following ordinance was then introduced by Jack H. Kaufman, Member, and was read in full. The Ordinance was discussed after which pursuant to motion made by Jack H. Kaufman, Member, and seconded by Roland C. Bremer, Member, Section 2 of the Ordinance, being the emergency section, was submitted to a separate vote of the Council, and was adopted by vote of not less than six members, to-wit:

Aye: Walter W. McAllister, Mayor  
Roland C. Bremer, Member  
George de la Garza, Member  
John Gatti, Member  
Jack H. Kaufman, Member  
Roy S. Padilla, Member  
Gerald W. Parker, Member  
Claus H. Rohlfs, Member

Nay: None

It was then moved by John Gatti, Member, and seconded by Claus H. Rohlfs, Member, that the Ordinance be adopted as a whole, which motion was carried by the following vote:

Aye: Walter W. McAllister, Mayor  
Roland C. Bremer, Member  
George de la Garza, Member  
John Gatti, Member  
Jack H. Kaufman, Member  
Roy S. Padilla, Member  
Gerald W. Parker, Member  
Claus H. Rohlfs, Member

Nay: None

The ordinance was thereupon signed by the Mayor, attested by the City Clerk, endorsed by the City Attorney and declared to be effective.. The Ordinance is as follows:

AN ORDINANCE 30,386

AN ORDINANCE DIRECTING THE GIVING OF NOTICE OF THE INTENTION OF THE COUNCIL OF THE CITY OF SAN ANTONIO TO PROVIDE FOR THE EXTENSION AND IMPROVEMENT OF THE ELECTRIC AND GAS SYSTEMS OF SAID CITY AND TO ISSUE REVENUE BONDS TO PAY THE COST THEREOF, AND DECLARING AN EMERGENCY.

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Full text in Ordinance Book MM, page 70

Mr. H. Quintanilla, 150 Ostrom, suggested that the name of Alonso S. Perales Park be considered in naming the new park under construction in the West Side of the City.

Mr. Quintanilla also informed the council that many trees were being cut down by the City on the West bank of the San Antonio River opposite Bordens Dairy and felt it was in some respect an unnecessary destruction of trees. The City Manager was instructed to have the

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Director of Parks and Recreation make a report on the matter.

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Mr. Edgar Pace questioned the need of/additional Electric and Gas Revenue Bond issue if figures published in the press were correct. He asked the Mayor to have the City Public Service Board give correct figures.

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The City Attorney was instructed to take the necessary action to set up the procedure of holding the hearing on the request of the City Public Service Board for an increase in electric and gas rates so that it could be released to the press and the public.

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There being no further business, the meeting was adjourned.

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A P P R O V E D :

*W. McEister*

M A Y O R

A T T E S T :

*Frank Gallagher*  
C i t y C l e r k