

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 23, 1964, 8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer, Mayor W. W. McAllister, with the following members present: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; ABSENT: Gatti.

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The invocation was given by Councilman Roland Bremer.

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The minutes of the previous meeting were approved.

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Mr. Ozzie Lattimer, representing Strauder G. Nelson, and other business men operating firms, requested the Council to give consideration to the petition filed for extension of storm sewers from the corner of West Travis and North Medina Streets, north to Morales Street, with laterals from the west side of Medina and Travis, Salinas and Martin Streets, in order to drain the water which continually stands on these streets making pedestrian traffic impossible.

The Mayor informed the petitioners present that the matter would be looked into and a report would be given to the Council.

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The following ordinances were explained by members of the Administrative Staff, and on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 32,039

ACCEPTING A DEDICATION DEED TO 7.02 ACRES GRANTED BY OGDEN B. KLEIN AND WIFE.

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Full text in Ordinance Book 00, Page 27

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AN ORDINANCE 32,040

APPROPRIATING THE SUM OF \$9,660.00 OUT OF CERTAIN FUNDS FOR ACQUISITION OF RIGHT-OF-WAY FOR U. S. 90 WEST PROJECT AND ACCEPTING ONE DEDICATION FOR HOME AVENUE DRAINAGE PROJECT.

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Full text in Ordinance Book 00, Page 27

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AN ORDINANCE 32,041

AUTHORIZING THE CITY MANAGER TO EXECUTE REQUIRED MEMORANDUMS OF AGREEMENT, DEEDS AND OTHER PAPERS NECESSARY FOR THE CONVEYANCE OF CERTAIN SURPLUS CITY OWNED PROPERTY LYING WITHIN THE LIMITS OF I. H. 10 EXPRESSWAY, TO THE STATE OF TEXAS FOR A CONSIDERATION OF \$15,090.00.

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Full text in Ordinance Book 00, Page 28

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AN ORDINANCE 32,042

AUTHORIZING AND DIRECTING THE FORFEITURE OF THE \$100.00 CASH DEPOSIT POSTED BY ERNEST HOLUB, AS A BOND FOR LIQUIDATED DAMAGES, FOR HIS FAILURE TO COMPLETE THE CONTRACT ENTERED INTO WITH THE CITY ON SEPTEMBER 26, 1963.

Full text in Ordinance Book 00, Page_29

AN ORDINANCE 32,043

APPROPRIATING THE SUM OF \$425,000.00 OUT OF HIGHWAY 90 WEST EXPRESSWAY BONDS, 1961, #479-16, TO BE PAID BY TWO SEPARATE CHECKS, ONE OF WHICH IS IN THE AMOUNT OF \$385,000.00 PAYABLE TO ROBERT E. LUCEY, ARCHBISHOP, OF THE ARCHDIOCESE OF SAN ANTONIO AND THE OTHER IN THE AMOUNT OF \$40,000.00 PAYABLE TO GUARDIAN ABSTRACT AND TITLE COMPANY AS ESCROW AGENT FOR ROBERT E. LUCEY, ARCHBISHOP OF THE ARCHDIOCESE OF SAN ANTONIO FOR THE PURCHASE OF CERTAIN PROPERTY BOUNDED BY WEST KIRK PLACE, GROTHUES PLACE, WEST HARRIMAN STREET, NEIMEYER STREET, DARBY BLVD., AND THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY, BEING KNOWN AS ST. JOHN BERCHMAN'S CHURCH AND SCHOOL, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR RIGHT OF WAY PURCHASES FOR KELLY ACCESS HIGHWAY.

Full text in Ordinance Book 00, Page_29

AN ORDINANCE 32,044

APPROPRIATING THE SUM OF \$3,250.00 OUT OF STORM SEWER AND DRAINAGE BONDS, 1957, FUND 479-13 AND AUTHORIZING PAYMENT THEREOF TO SOUTHERN PACIFIC COMPANY FOR AN EASEMENT FOR STORM DRAINAGE PROJECT 9 AND 9A.

Full text in Ordinance Book 00, Page 30

AN ORDINANCE 32,045

AMENDING SECTION 36-24, 36-25, 36-26.1 AND 36-27, CHAPTER 36, "SUBDIVISIONS" OF THE CITY CODE WITH RESPECT TO SECURITY FOR PERFORMANCE OF SITE IMPROVEMENTS, AND REPEALING SECTION 36-26 THEREOF.

Full text in Ordinance Book 00, Page 30

AN ORDINANCE 32,046

AMENDING SEC. 12-100 OF CITY ELECTRICAL CODE THEREBY PROVIDING THAT BUILDINGS CONTAINING MORE THAN 8 APARTMENT UNITS ARE CONSIDERED AS SEPARATE BUILDINGS IF TWO-HOUR FIRE-RESISTIVE WALLS SEPARATE EACH GROUP OF EIGHT OR LESS APARTMENT UNITS.

FULL TEXT IN ORDINANCE BOOK 00, PAGE 35

AN ORDINANCE 32,047

ACCEPTING THE LOW BID OF R. L. BURNEY, CONTRACTOR, FOR CONSTRUCTION OF RIGID FRAME BUILDING, 48' x 82', AT ANIMAL SHELTER ON TULETA DRIVE; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR; APPROPRIATING THE SUM OF \$35,727.00, PAYABLE TO R. L. BURNEY, CONTRACTOR; THE SUM OF \$300.00 AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT; ALL ABOVE SUMS PAYABLE OUT OF SPECIAL PROJECTS ACCOUNT 10-03-13, AND AUTHORIZING THE TRANSFER OF THE SUM OF \$36,027.00 FROM PUBLIC IMPROVEMENTS ACCOUNT 30-01-01 TO SPECIAL PROJECTS ACCOUNT 10-03-13.

Full text in Ordinance Book 00, Page 36

The following ordinance was explained by Mr. C. J. Spring, Property Records Supervisor, and on motion of Mr. de la Garza, seconded by Mr. Bremer, was passed and approved by the following vote: AYES: McAllister, de la Garza, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSTAINED: Jones; ABSENT: Gatti.

January 23, 1964

AN ORDINANCE 32,048

AUTHORIZING THE PAYMENT OF \$1,358.69 FOR INSURANCE TO F. F. LUDOLPH & COMPANY AND FRED W. RILEY, OUT OF STINSON AIRPORT FUND NO. 8-05 IN THE AMOUNT OF \$1,194.11 AND GENERAL FUND NO. 1-01, IN THE AMOUNT OF \$164.58.

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Full text in Ordinance Book 00, Page 36

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The following ordinances were explained by members of the Administrative Staff, and on motion made, and duly seconded, were each passed by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 32,049

AMENDING SECTION 38-107, SCHEDULE "A", FULL SIGNAL OPERATION; SECTION 38-108, SCHEDULE "B", ONE-WAY STREET; SECTION 38-109, SCHEDULE "C", FULL STOP LOCATION; SECTION 38-110, SCHEDULE "D", YIELD RIGHT-OF-WAY LOCATION; SECTION 38-111, SCHEDULE "E", SPEED REGULATION; SECTION 38-113, SCHEDULE "G", PARKING PROHIBITED AT ALL TIMES; SECTION 38-114, SCHEDULE "H", STOPPING, STANDING PROHIBITED DURING CERTAIN HOURS, OF THE CITY CODE OF THE CITY OF SAN ANTONIO.

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Full text in Ordinance Book 00, Page 36

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AN ORDINANCE 32,050

MANIFESTING A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND JOSE F. OLIVARES, CONSULTING ENGINEER, FOR ENGINEERING SERVICES ON CERTAIN BRIDGE IMPROVEMENTS.

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Full text in Ordinance Book 00, Page 38

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AN ORDINANCE 32,051

MANIFESTING AN AGREEMENT TO EXTEND THE TERM OF A LEASE OF SPACE AT INTERNATIONAL AIRPORT TO GEN-AERO, INC.

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Full text in Ordinance Book 00, Page 44

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AN ORDINANCE 32,052

MANIFESTING AN AGREEMENT WITH GEN-AERO, INC., EXTENDING THE OPTION AGREEMENT AUTHORIZED BY ORDINANCE 31230 AS AMENDED BY ORDINANCE 31444.

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Full text in Ordinance Book 00, Page 44

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AN ORDINANCE 32,053

AUTHORIZING ISSUANCE OF PERMITS FOR RENTAL OF STORAGE SPACE AT STINSON MUNICIPAL AIRPORT.

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Full text in Ordinance Book 00, Page 44

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The following ordinance was explained by Mr. Al Tripp, Purchasing Agent, and on motion made and duly seconded, was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla and Parker; NAYS: None; ABSTAINED: Bremer; ABSENT: Gatti.

January 23, 1964

AN ORDINANCE 32,054

ACCEPTING THE PROPOSAL OF AND MANIFESTING A CONTRACT WITH SAN ANTONIO BRAKE & CLUTCH SERVICE TO FURNISH THE CITY OF SAN ANTONIO WITH ALL REQUIREMENTS OF HEAVY EQUIPMENT BRAKE & CLUTCH PARTS AND SERVICE FOR PERIOD BEGINNING ON DATE OF ACCEPTANCE BY COUNCIL AND TERMINATING JULY 31, 1964.

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Full text in Ordinance Book 00, Page 45

The following ordinances were explained by Mr. Al Tripp, Purchasing Agent, and on motion made and duly seconded were passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 32,055

ACCEPTING THE LOW QUALIFIED BIDS OF GOLDWAITE'S OF TEXAS, INC., AND JIM EAGLE SALES COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PARKS AND RECREATION WITH CERTAIN ITEMS OF FERTILIZER FOR A TOTAL OF \$15,453.00.

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Full text in Ordinance Book 00, Page 46

AN ORDINANCE 32,056

ESTABLISHING AD VALOREM TAX COLLECTION SUB-STATIONS.

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Full text in Ordinance Book 00, Page 46

During the temporary absence of Mayor McAllister, Councilman George de la Garza, was appointed to serve as Acting Mayor.

The following ordinance was explained by the Purchasing Agent and on motion of Mr. Bremer, seconded by Mr. Jones, was passed and approved by the following vote: AYES: de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister and Gatti.

AN ORDINANCE 32,057

ACCEPTING THE LOW QUALIFIED BID OF UNDERWOOD CORPORATION TO FURNISH THE CITY OF SAN ANTONIO FINANCE DEPARTMENT, TAX DIVISION, WITH SIX CALCULATORS, FOR A NET TOTAL OF \$2,932.20.

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Full text in Ordinance Book 00, Page 48

The following ordinance was explained by the Purchasing Agent, and on motion of Mr. Bremer, seconded by Mr. Jones, was passed and approved by the following vote: AYES: de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSTAINED: McAllister; ABSENT: None.

AN ORDINANCE 32,058

ACCEPTING THE LOW QUALIFIED BID OF GRAYBAR ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF TRAFFIC AND TRANSPORTATION, WITH CERTAIN TRAFFIC SIGNAL CABLE FOR A TOTAL OF \$1,928.60.

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Full text in Ordinance Book 00, Page 48

The following ordinances were explained by the Purchasing Agent, and on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 32,059

ACCEPTING THE LOW QUALIFIED BID OF SAN ANTONIO HARLEY DAVIDSON SALES TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH CERTAIN MOTORCYCLES FOR A NET TOTAL OF \$5,027.25.

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Full text in Ordinance Book 00, Page 48

AN ORDINANCE 32,060

ACCEPTING THE LOW QUALIFIED BID OF ESTEY CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CERTAIN LIBRARY SHELVING FOR A TOTAL OF \$1,445.00.

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Full text in Ordinance Book 00, Page 49

AN ORDINANCE 32,061

ACCEPTING THE LOW QUALIFIED BID OF CALHOUN EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH FIVE INDUSTRIAL TRACTORS FOR A TOTAL OF \$14,994.00.

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Full text in Ordinance Book 00, Page 49

AN ORDINANCE 32,062

ACCEPTING THE LOW QUALIFIED BID OF THE TORGERSON COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS DEPARTMENT WITH ONE BACKHOE FOR A NET TOTAL OF \$2,683.75.

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Full text in Ordinance Book 00, Page 49

The City Clerk read an ordinance accepting the low qualified bid of Jess McNeal Machinery Corporation to furnish the City of San Antonio with four front end loaders for a total of \$39,152.00.

Purchasing Agent Al Tripp explained that all base bids submitted met specifications and recommended acceptance of the low qualified bid of Jess McNeal Machinery Corporation. He stated that alternate bids submitted were not called for and were not tabulated as they did not meet specifications.

Mr. Jim Morris, President of Industrial Machinery Corporation, whose base bid was not low, but who had submitted an alternate bid, complained that the statement that his front end loaders under consideration and his tractor, which is the next item on the agenda, did not meet specifications was arbitrary. He alleged that bid forms were deliberately withheld from his firm and received bid forms only on demand. He also claimed he was not given an opportunity to pre-qualify his equipment. The Council was asked to defer action on the four front end loaders and the tractor-dozer until an unbiased person or persons examined the

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correctness of methods employed on these particular bids.

Mr. Tripp then read a letter from Mr. Morris in which it was stated that he was submitting the bid with full knowledge that it does not meet specifications. He also answered questions by the Council concerning the specifications.

After further discussion, City Manager Jack Shelley asked the Council to defer action on this item and allow him to check the charges made by Mr. Morris and make a report to the Council.

Action was deferred and the Mayor named Councilmen Bremer, Gatti and Kaufman, to confer with Mr. Shelley on the matter.

Purchasing Agent Al Tripp explained the tabulation bids received for a tractor-dozer for the Public Works Department. He stated all bids met specifications except the one submitted by Industrial Machinery Corporation. Bids were called for certain pre-qualified equipment which did not include EIMCO, the equipment bid by Industrial Machinery Corporation.

Assistant City Manager Henckel explained that delivery dates vary and after study it was the Staff's recommendation that the bid of Holt Machinery Company, second low bid, be accepted as the best and most advantageous bid because of the three days delivery offered.

Mr. Jim Morris, President of Industrial Machinery Corporation, again protested the bid specifications and commented that his statements made concerning the previous item on front end loaders were compatible.

Mr. Joe Sullivan, Vice President and Sales Manager of Jess McNeel Machinery Company, which submitted the low bid, stated that delivery was not mentioned in the bids or that time was of the essence. On finding out the City needed the equipment right away, the factory informed him shipment could be made on February 3rd, and he would loan the city a machine including modifications, until the other one arrives. He felt the low bid of Jess McNeel Machinery Company should be accepted.

Mr. James Blane, representing the Holt Machinery Company, stated he had a machine in stock that could be delivered in three days and asked the bid be awarded to him as the low bid did not meet the delivery date required by the City.

City Manager Shelley then stated that in view of the fact no specific delivery date was specified, and the offer of Jess McNeel Machinery Company to loan the City a machine at no additional cost, he would recommend acceptance of the low bid of Jess McNeel.

On motion of Mr. Kaufman, seconded by Mrs. Cockrell, the low bid was accepted by passage of the following ordinance by the following vote: AYES: McAllister, dela Garza, Kaufman, Cockrell, Jones, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 32,063

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF JESS McNEEL MACHINERY CORPORATION TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH ONE TRACTOR DOZER AND TRANSFERRING \$29,240.00 FROM PUBLIC IMPROVEMENT FUND 30-01-01 TO SPECIAL PROJECTS ACCOUNT 09-21-01 FOR PAYMENT OF SAME.

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Full text in Ordinance Book 001, Page 49

It was the concensus of the Council that delivery time should be specified in future bids.

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The following ordinances were explained by members of the Administrative Staff, and on motion made and duly seconded, were passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 32,064

APPROPRIATING \$2,090.00 OUT OF STREET RIGHT OF WAY PURCHASE BONDS, 1957, ACCOUNT #479-12, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF JEANNE FORDHAM AND HUSBAND, OLIVER G. FORDHAM, BEXAR COUNTY TAX COLLECTOR AND CITY OF SAN ANTONIO TAX COLLECTOR, AS THEIR INTERESTS MAY APPEAR, SAID AMOUNT BEING THE AWARD OF SPECIAL COMMISSIONERS IN CONDEMNATION CAUSE NO. C-17 FOR THE PURCHASE OF 0.1231 OF AN ACRE OF LAND MORE OR LESS, LOCATED IN NCB 7676 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

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Full text in Ordinance Book 00, Page 50

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AN ORDINANCE 32,065

DIRECTING THE SALE OF PERSONAL PROPERTY, CONSISTING OF 73 VEHICLES, IN THE POSSESSION OF THE POLICE DEPARTMENT NOT OWNED OR CLAIMED BY THE CITY OF SAN ANTONIO.

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Full text in Ordinance Book 00, Page 50

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AN ORDINANCE 32,066

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY-OWNED REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, FOR PUBLIC PURPOSES, TO-WIT: THE ACQUISITION OF RIGHT OF WAY REQUIRED FOR U. S. 90 WEST HIGHWAY FROM WEST CITY LIMITS OF SAN ANTONIO TO INTERSTATE HIGHWAY 35 INTERCHANGE; AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION CONDEMNATION PROCEEDINGS TO ACQUIRE SO MUCH THEREOF AS CANNOT BE ACQUIRED BY PURCHASE.

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Full text in Ordinance Book 00, Page 51

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Mr. Art Troilo, representing the San Antonio Bar Association, informed the Council that a Committee of the Bar interested in municipal government has been visiting the Council meetings. The Committee is interested in being of service to the City, and offered its assistance to the Council.

The Mayor expressed appreciation for the attitude and spirit of service of the Bar Association.

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Mr. Charles Deerwester, Chairman of the South San Antonio Executive Committee for Community Development asked that the 200 acre area bounded by Fay Avenue, Laredo Highway, S. W. Military Drive and the Southern-Pacific Railroad Tracks be declared a blighted area and made an Urban Renewal project. He stated that he had made a similar request to the Planning Commission which had referred it to the Urban Renewal Agency, and this request to the Council is made in order to comply with the State Urban Renewal Law.

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Mayor McAllister read a letter of resignation from Mrs. Manfred Gerhardt which was accepted by the Council with regret. A citation commending her for her fine public service was ordered prepared for presentation to Mrs. Gerhardt.

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January 23, 1964

Report on Petitions:

1. Petition of Mr. Federico Saldivar, 1411 Olmos Drive West, requesting the City to close and sell to him that portion of the alley in NCB 7107 which abutts his property on both sides.

We have contacted Mr. Saldivar and explained to him that we can not process his request as presented since a dead-end alley would be created. We explained to him that he would have to be joined by the owners to the west in his request and the alley would have to be closed from one street to the other. He will attempt to have the other owners join him in his petition and if he is successful he will contact us further.

2. Petition of Earl J. Wentworth for the City to Quitclaim to his client Mr. Ray Armstrong a strip of land 6.15 feet wide out of Sam Houston plat as it abutts Lot 1, NCB 754.

The Director of Public Works, the Engineering Division Head, the Director of Planning and the Director of Traffic and Transportation were contacted to determine the feasibility of granting this request. All answers specifically request denial of the request. The street right-of-way is 33.3 feet wide with lots platted facing it and houses fronting thereon. Quitclaiming 6.15 feet out of this 33.3 foot right-of-way which is already substandard in width would worsen the problem which already exists.

It is therefore recommended that this petition be denied.

The Council approved the Staff's recommendation.

The Clerk read the following letter:

January 23, 1964

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

Gentlemen and Madam:

The following petitions were received and forwarded to the office of the City Manager for investigation and report to the City Council.

1-15-64 Petition of R. L. White Company, requesting the City to close and quitclaim a portion of Booker Alley in New City Block 558.

1-20-64 Petition of Strauder G. Nelson, et al, requesting the City to extend the storm sewer from the corner of West Travis and North Medina Streets, north to Morales Street with laterals from the west side of Medina and Travis, Salinas and Martin Streets, in order to drain the water which continually stands on these streets making pedestrian traffic impossible.

Sincerely,

/s/ J. H. Inselmann
City Clerk

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There being no further business, the meeting adjourned.

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A P P R O V E D :



MAYOR

A T T E S T :



C i t y C l e r k