

August 27, 1953

REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF SAN ANTONIO HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL ON THURSDAY, AUGUST
27, 1953 AT 10:00 A.M.

PRESENT:

SCHERLEN, STEVENS, SHEARER, A. C. WHITE, RUSSELL, R. N. WHITE, LESTER
CITY ATTORNEY JACK DAVIS AND ASSISTANT CITY CLERK J. H. INSELMANN

ABSENT: EASLEY, GONZALEZ

Mayor A. C. White Presiding.

Invocation by John M. Bell, Revival Temple

On motion of Mr. Lester 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, Lester; Nays, none; Absent,
Easley, Gonzalez.

AN ORDINANCE 19,497

ABANDONING AND CLOSING AN ALLEY IN NEW CITY BLOCK
2115 AND MAKING A DEED OF EXCHANGE BETWEEN THE CITY
OF SAN ANTONIO AND SAM JORRIE FOR THE RE-LOCATION THEREOF

(Full text in Ordinance Book L. page 197)

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

A RESOLUTION

DIRECTING THE CITY CLERK TO ADVERTISE FOR BIDS
FOR THE SALE OF CITY-OWNED SURPLUS JUNK TRACTOR
AND JUNK TRUCKS, SCRAP METAL, AND SCRAP TIRES,
FROM DEPARTMENT OF PUBLIC WORKS

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

AN ORDINANCE 19,498

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A
CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION
OF H. L. PARTAIN AND WIFE, BLANCHE AT 695 OVERHILL

(Full text in Ordinance Book Z. page 198)

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

AN ORDINANCE 19,499

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A
CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION
OF MRS. GEORGE W. JOHNSON AT 3622 SW MILITARY DRIVE

(Full text in Ordinance Book Z. page 199)

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

A RESOLUTION

RATIFYING AND CONFIRMING THE APPOINTMENT OF PERSONNEL
TO THE HISTORIC SITES EVALUATION COMMISSION

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

1. That the following named persons be and are hereby appointed, ratified and confirmed as members of the HISTORIC SITES EVALUATION COMMISSION created by Resolution of the City Council on the 11th day of August, A. D. 1953.

Mrs. John Bennett, Jr.
Mrs. Mark Upson
Reynolds Andricks
Colonel M. L. Crimmins
Mrs. Edgar Tobin
Mrs. Ernest Schuchard
Mrs. Josephine Henning
Henry Steinbomer
Mrs. Sam Bennett, Sr.
Mrs. Henry Guerra

2. The above named persons will serve as said Historic Sites Evaluation Commission, at the will of the City Council, and without compensation from the City of San Antonio.

3. PASSED AND APPROVED this 27th day of August A. D. 1953.

A. C. White
Mayor "

ATTEST:
J. H. Inselmann
Asst. City Clerk

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

AN ORDINANCE 19,500

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW
\$6,000,000.00 TO PAY CURRENT EXPENSES OF SAID
CITY DURING THE FISCAL YEAR 1953-4

(Full text in Ordinance Book Z. page 199)

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

A RESOLUTION

GIVING NOTICE OF A HEARING ON SEPTEMBER 17, 1953 OF
A PROPOSED AMENDMENT OF THE ORDINANCE ESTABLISHING ZONING
REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON
THE 3RD DAY OF NOVEMBER, 1938, FOR RE-ZONING OF: CASE NO.
310, PORTION OF NEW CITY BLOCK 8416, FROM "A" RESIDENTIAL
DISTRICT TO "F" LOCAL RETAIL DISTRICT; CASE NO. 312, PORTION
OF NEW CITY BLOCK 8417, FROM "A" RESIDENTIAL DISTRICT TO "J"
COMMERCIAL DISTRICT; AND, CASE NO. 313, PORTION OF NEW CITY
BLOCK 2998, FROM "D" APARTMENT DISTRICT TO "F" LOCAL RETAIL
DISTRICT

August 27, 1953

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

AN ORDINANCE 19,501

AUTHORIZING TRANSFER AND PAYMENT OF \$10,000.00 TO THE FIREMEN, POLICEMEN, AND FIRE ALARM OPERATORS' PENSION FUND OUT OF GENERAL FUND

(Full text in Ordinance Book Z. page 200)

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

AN ORDINANCE 19,502

ACCEPTING THE ATTACHED BID OF PRASSEL LUMBER COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS WITH CERTAIN ITEMS OF LUMBER FOR A TOTAL OF \$4,412.23

(Full text in Ordinance Book Z. page 200)

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

AN ORDINANCE 19,503

APPROVING AN EXCHANGE OF PROPERTIES, ACCEPTING DEED FROM C. W. FENSTERMAKER, TRUSTEE, L. W. FENSTERMAKER, TRUSTEE, AND A. H. FENSTERMAKER TO A PORTION OF LOTS 24 TO 29 INCLUSIVE, BLOCK 2, NEW CITY BLOCK 8290, AND A PORTION OF LOT 17, BLOCK 4, NEW CITY BLOCK 8292, AND AUTHORIZING CITY MANAGER TO EXECUTE A PROPER DEED OF CONVEYANCE TO A. H. FENSTERMAKER OF A PORTION OF APACHE CREEK RIGHT-OF-WAY IN BLOCK 4, NEW CITY BLOCK 8292, AND ALSO A PROPER DEED OF CONVEYANCE TO C. W. FENSTERMAKER, TRUSTEE, AND L. W. FENSTERMAKER, TRUSTEE, AND A. H. FENSTERMAKER OF A PORTION OF APACHE CREEK RIGHT OF WAY IN BLOCK 2, NEW CITY BLOCK 8290, AND APPROPRIATING THE SUM OF \$3,750.00 TO PAY C. W. FENSTERMAKER, TRUSTEE, L. W. FENSTERMAKER, TRUSTEE, AND A. H. FENSTERMAKER FOR THE DIFFERENCE IN EXCHANGE OF PROPERTIES - GENERAL CLEMENTS MC MULLEN DRIVE RIGHT-OF-WAY PROJECT

(Full text in Ordinance Book Z. page 201)

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

AN ORDINANCE 19,504

APPROPRIATING \$5.00 OUT OF ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO MORRIS B. KRAKOW, OF TOWING FEE COLLECTED IN ERROR

(Full text in Ordinance Book Z. page 201)

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

AN ORDINANCE 19,505

TRANSFERRING THE PERSONNEL, OPERATION AND CONTROL OF THE PLUMBING AND ELECTRICAL INSPECTION DIVISIONS FROM THE DEPARTMENT OF PUBLIC WORKS TO THE PLANNING DEPARTMENT

(Full text in Ordinance Book Z. page 202)

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

AN ORDINANCE 19,506

ABANDONING AND CLOSING THE ALLEY BETWEEN KARNE'S STREET AND AVENUE "A" THROUGH NEW CITY BLOCK 960, AND AUTHORIZING THE CITY MANAGER TO EXECUTE QUIT CLAIM DEED TO THE PEARL BREWING COMPANY, A TEXAS CORPORATION, TO SAID ABANDONED ALLEY

(Full text in Ordinance Book Z. page 202)

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

AN ORDINANCE 19,507

AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER THE SUM OF \$1,151.64 FROM THE 1953 GENERAL FUND TO THE INTEREST AND SINKING FUND FOR THE PURPOSE OF PAYING INTEREST AND PRINCIPAL ON OUTSTANDING BONDS; SUCH TRANSFER BEING NECESSARY DUE TO AN INSUFFICIENT TAX LEVY FOR THE YEAR 1952

(Full text in Ordinance Book Z. page 202)

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

AN ORDINANCE 19,508

ESTABLISHING CERTAIN POSITIONS UNDER THE DIRECT CONTROL, JURISDICTION AND SUPERVISION OF THE CITY MANAGER

(Full text in Ordinance Book Z. page 203)

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

AN ORDINANCE 19,509

TRANSFERRING GENERAL FUND APPROPRIATIONS FROM VARIOUS CITY DEPARTMENTS TO ADMINISTRATIVE POOL, CITY MANAGER, ACCOUNT 02-01-02

(Full text in Ordinance Book Z. page 204)

August 27, 1953

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

AN ORDINANCE 19,510

CONFIRMING THE APPOINTMENT OF FLOYD V. PRICE
AS A MEMBER OF THE FIREMEN'S AND POLICEMEN'S
CIVIL SERVICE COMMISSION OF THE CITY OF SAN ANTONIO

(Full text in Ordinance Book Z. page 204)

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

AN ORDINANCE 19,511

AUTHORIZING THE CITY ATTORNEY TO HAVE ENTERED
AN AGREED JUDGMENT IN FAVOR OF MORRIS KALLISON,
ET AL, PLAINTIFFS IN CAUSE NO. _____, MORRIS
KALLISON, ET AL, VS. CITY OF SAN ANTONIO, PENDING
IN THE DISTRICT COURT OF BEXAR COUNTY, TEXAS, FOR
THE SUM OF \$1,542.62 AND COURT COSTS, AND APPROPRIATING
SAID SUM OUT OF FUND OR ACCOUNT NO. 56-02-01 OUT OF FUND
OR ACCOUNT NO. 56-02-01 (CODE 4-10) TO PAY SAID JUDGMENT

(Full text in Ordinance Book Z. page 204)

The Clerk read the following ordinance in full and on motion of Mr. Russell, seconded by Mr. Shearer the ordinance was approved for publication in the Commercial Recorder by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Lester; Nays, none; Absent, Easley, Gonzalez.

AN ORDINANCE

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE
CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN
ADDITIONAL TERRITORY LYING ADJACENT TO AND SURROUNDING
THE BOUNDARIES OF THE CITY OF SAN ANTONIO, SAID
ADDITIONAL TERRITORY BEING 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

(INCLUDING GENERAL CLEMENTS MCMULLEN DRIVE FROM THE
PRESENT CITY LIMITS LINE SOUTHWARD TO THE NORTH LINE
OF LACKLAND ROAD; INCLUDING LORENZ ROAD BETWEEN BROADWAY
AND NACOGDOCHES ROAD; INCLUDING PORTION OF MADONNA VILLAGE
SUBDIVISION)

Hearing was then held on Zoning Case #303 to rezone from "B" Residential to "D" Apartment all of NCB 8507 which lies within the corporate limits of the City of San Antonio.

Mr. Herbert Schenker, Attorney for petitioner Mr. Ben F. Foster, Trustee, presented a map showing proposed area to be rezoned and showed a picture of proposed clinic which they intended to build on the property. He stated they needed the rezoning in order to provide additional parking and playground facilities for patients.

Mrs. Louise Windlinger, spokesman for a group of abutting property owners, stated that they were not opposed to rezoning if they were sure the clinic would be built and if it was rezoned, boarding houses or anything allowed in "D" Apartment could be built.

Mr. Shenker then answered that bids for construction of the clinic were to be called for on September 1st, that much money had already been spent on architectural fee and he showed the plans which had already been completed; That if it were possible to incorporate into the ordinance that a clinic would be built it was agreeable with him, and he felt that was assurance enough that the clinic would be built.

On motion of Mr. Scherlen seconded by Mr. Shearer, the recommendation of the Planning Commission to rezone was approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Lester; Nays, none; Absent, Easley, Gonzalez.

Hearing was then held on Zoning Case 306 to rezone Lots 4, 5, 6, 7, 8, 9 & 10, Block 25, NCB 2065 on the South Side of the 1000 block of Culebra Avenue from "C" Residential to "J" Commercial.

The petitioner, S. L. Deckard, addressed the council and stated he wanted to build a store and ice house.

On motion of Mr. R. N. White, seconded by Mr. Russell, the recommendation of the Planning Board to rezone was approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Lester; Nays, none; Absent, Easley, Gonzalez.

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.

- 8-18-53 Petition of Mrs. Hazel Abrams requesting the City to set aside funds for sewer laterals for the area northeast of East Commerce and a railroad tracks
- 8-19-53 Petition of Marcello A. Morris, et al, requesting the paving of St. Francis Street and offering to participate in paying for the cost of said paving.
- 8-19-53 Petition of Mrs. V. V. Mahar requesting refund of \$4.00 paid for building permit #1272.
- 8-20-53 Petition of Mr. Juan Loreda, et al, requesting a sanitary sewer line in the 700 block of S. San Augustine.
- 8-20-53 Petition Of Highland Hills, Inc. requesting that Subdivision Unit No. 14 be annexed to the city and that the previous request to annex Unit No. 15 be withdrawn.

Yours very truly,

/s/ J. H. Inselmann
Assistant City Clerk

Mr. Lester introduced the following resolution and moved its adoption.

A RESOLUTION

DECLARING THE INTENT OF THE SAN ANTONIO CITY COUNCIL TO ORDER A SPECIAL ELECTION FOR THE ELECTORS TO APPROVE OR DISAPPROVE THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING RIGHTS OF WAY FOR THE IMPROVEMENT OF STATE AND FEDERAL HIGHWAYS IN THE CITY OF SAN ANTONIO

WHEREAS, the Texas Highway Department has proposed to the City of San Antonio the improvement of State and Federal Highways within the City, providing the City will furnish the right of way required therefor; and

WHEREAS, the need for expanded and improved traffic facilities in the City of San Antonio is recognized and considered to be of major importance and urgent necessity; and

August 27, 1953

WHEREAS, the cost of acquiring rights-of-way for the improvements needed is much greater than can be provided by current revenues; now therefore,

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

1. That a special election be called, by ordinance to be passed at a later date, for the electors to approve or disapprove the issuance of bonds for the purpose of acquiring rights of way for the improvement of State and Federal Highways in the City of San Antonio.
2. That the ordinance calling such election be passed, and election date set, as soon as pending litigation relating to the boundaries of the city is adjudicated.
3. That the proposed bond election be called for the sole purpose of approving or disapproving the issuance of Highway right of way bonds, for projects to be constructed by the Texas Highway Department, and forming a part of the overall plan for Highway Development as approved by the City and State.
4. That the bonds be proposed for right-of-way for the following improvements:
 - (a) U. S. 81 Expressway from Martin Street to Guadalupe Street - Estimated \$1,500,000.
 - (b) U. S. 90 Grade Separation, West Commerce and Buena Vista Streets - Estimated \$1,000,000., including City's share of construction costs.
 - (c) Other sections of U. S. 81, U. S. 87, U. S. 90, U. S. 181, U. S. 281, and Loop 13, included in the overall plan, as approved by the State and city, to be improved in priority order as selected by the State in cooperation with the City on the basis of traffic needs - Estimated \$7,500,000.
5. That, if approved, the bonds be sold only in part as required to obtain right of way as requested by the State for immediate construction, and to protect necessary future right-of-way from improvements increasing its cost.

PASSED AND APPROVED this 27th day of August A. D. 1953.

A. C. White
Mayor

ATTEST:
J. H. Inselmann
Assistant City Clerk

The City Manager addressed the council and gave figures on the over all costs and cost to the city of the Martin to Guadalupe segment of the expressway and the Commerce Street Grade Separation.

Mr. Davis of the Texas State Highway Department gave information as to the long range program of the Department; That the department would provide information regarding right of way with the city and county protecting this r/o/w for future use. He spoke regarding the West Commerce Street Grade separation and that the State would join with the City and railroad in building it, if the City would furnish the r/o/w for the Martin to Guadalupe Street segment of the expressway by March 1954. He stated that both projects are ready to go and requested action. He stated the overall cost of the Martin to Guadalupe project would be \$2,500,000. and that the City's share would be \$1,500,000; the Commerce Street project would cost \$1,400,000 and the City share would be \$1,000,000. He recommended that the City provide not less than \$10,000,000 for right-of-way so that work will not stop as it has at the present time.

Then Mr. Leslie Neal, Chairman of the Highway Committee of the Chamber of Commerce, addressed the council and reviewed the program from the beginning. He stated that if we neglect this problem and don't provide our share the city will lose \$30,000,000 which is to be spent in this area in expressway projects. He also asked for a \$10,000,000 Bond Program as recommended by the Highway Department. He said that the City could count on the Chamber of Commerce to back it up.

Mr. Scherlen then stated he was in favor of the resolution and made a motion it be adopted, seconded by Mr. Shearer it was approved by the following vote:
Ayes, Scherlen, Stevens, Shearer, A. C. White, Russell, R. N. White, Lester; Nays, none;
Absent, Easley, Gonzalez.

August 27, 1953

At this time Mr. Scherlen brought up the question of the agreement of rotation of the office of Mayor Pro-tem and that since Mr. Gonzalez had served almost 4 months and Mr. R. N. White was next in line for Mayor Pro-tem, he moved that the following resolution designating R. N. "Dick" white as Mayor Pro-tem for a period of 3 months be passed, seconded by Mr. Shearer, it was approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Lester; Nays, Russell; Absent, Easley, Gonzalez.

A RESOLUTION

NOMINATING AND ELECTING R. N. "DICK" WHITE AS
MAYOR PRO-TEMPORE OF THE CITY OF SAN ANTONIO

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

1. That R. N. "Dick" White, a Councilman of the City of San Antonio, is hereby nominated and elected as Mayor Pro-Tempore of the City of San Antonio this the 27th day of August, 1953, for three months from the effective date hereof.

2. PASSED AND APPROVED this the 27th day of August A. D. 1953.

A. C. White
Mayor

ATTEST:
J. H. Inselmann
Assistant City Clerk

On motion of Mrs. Stevens, seconded by Mr. R. N. White, the meeting adjourned.

APPROVED:


M A Y O R.

ATTEST:

City Clerk

* * * * *