

FEBRUARY 13, 1947

REGULAR MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO,
HELD IN THE COUNCIL CHAMBER OF THE CITY HALL, AT TEN O'CLOCK,
A. M., ON THURSDAY, THE THIRTEENTH DAY OF FEBRUARY, A. D. 1947.

PRESENT: Mauermann, Hein, Steffler and Anderson; ABSENT: Callaghan; Mayor Mauermann presiding.

Comm. Hein said he understood Comm. Callaghan had gone to New Orleans. Mayor Mauermann remarked that the Commissioner had chosen a very inopportune time to leave the city. He said he believed that when the Council had as important business as was before this meeting that a Commissioner should consult with the Mayor and the other Commissioners before absenting himself.

On motion of Comm. Hein, seconded by Comm. Steffler and carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent), the Council excused Comm. Callaghan from the meeting.

Pursuant to motion of Comm. Steffler, duly seconded and carried, the reading of the minutes of the previous meeting was postponed to the last order of business, due to the great amount of business before the Council.

PETITIONS PRESENTED:

Harlandale Presbyterian Church, for exemption from taxes on Lots 1, 2 and 3, NCB 7774; referred to Comm. of Taxation.

D. B. McLain, for approval of subdivision plat of 10-acre tract in County Block 4287; referred to Comm. of Streets.

Marcos H. Medrano, and others, for extension of bus service and street repairs on Guadalupe St. from Zarzamora St. to Cupples Rd.; referred to Comm. of Streets.

Miss Elsie B. Jordt, and others, for traffic signal light at intersection of Michigan Ave. and W. French Pl, in vicinity of Fredericksburg Rd.; referred to Comm. of Fire & Police.

R. A. Kurts, and others, for street light at Brooklyn Ave. and E. Quincy St.; referred to Comm. of Fire and Police.

Woodlawn Methodist Church, for permission to erect three temporary structures at 1711 W. Woodlawn Ave., referred to Building Inspector.

Petition of Mrs. Janet DeSha, and others, protesting the building and operating of a business at 24th and Morales Sts.; referred to City Attorney.

Mrs. DeSha discussed this petition at length. Comm. Anderson explained a building permit had been issued for a two-story house at that address, and that he had stopped all building because a retail liquor license was secured for that address. He said there was also a petition before the Zoning Board of Adjustment for a community center in that location. He said the City had done everything it could.

Mrs. DeSha it would be "all right" if no more work was done on the building until the Zoning Board of Adjustment acts, and the protesting group has an opportunity to be heard by the Board of Adjustment.

Comm. Anderson moved that the City Attorney be instructed to proceed to cancel the City liquor license issued for the disputed location, or any other license issued in a residential district. After a second by Comm. Hein, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

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The Clerk read a Resolution unanimously adopted by the Board of Directors of the San Antonio Bar Assn. on Feb. 11, 1947, recommending and requesting the City Council to proceed forthwith to cause the City Charter and Ordinances to be codified, digested and indexed; that the organization chosen to do the work be carefully selected and bonded in an amount not less than \$10,000, and pledging the assistance of the San Antonio Bar Assn. in carrying out this project.

Mr. L. E. Fite, President, Planning Board, addressed the Council as the spokesman for a delegation representing the Chamber of Commerce, Planning Board and S.A. Real Estate Board. He reviewed the history of the Planning Board and then reviewed the Inter-Regional Highway project and the work done by John E. Zeller, at great personal sacrifice, in acquiring right-of-way for the first section of the Highway at the behest of the Planning Board and with the assistance of the Real Estate Board. He said that now that the bond money is available and the City has signed a contract with the State for the first segment of the Highway, the Planning Board, Chamber of Commerce and Real Estate Board had worked out and were ready to recommend to the City a plan for acquisition of the remainder of the right-of-way. He said the plan recommended that the City enter into contract with a realtor or firm or realtors, on the basis of the standard 5% commission, to proceed as soon as possible to acquire the right-of-way. He said this involved a terrific amount of work and would require the efforts of a group of men -- an organization with a good director; that it would ~~not~~ include attorney's fees where the realtor needed an attorney/for title matters, but that the party purchasing the property could not assume the costs of condemnation.

Mr. Alex Thomas, Chamber of Commerce President, endorsed the plan for his organization, and explained further that the condemnation would be handled by the City Legal Dept. but the expense of obtaining information and witnesses would come under the man hire^d to acquire the property. He said he did not believe the City could do the job itself by hiring employees to acquire the property, since all qualified men in this line of work are gainfully employed.

Mr. John O. Flannery, Real Estate Board President, endorsed the plan for his organization and spoke in explanation of it. He said his Board of Directors has passed a Resolution to the effect that they considered Mr. Zeller a competent man to head the purchase of the right-of-way and so recommended to the City Council.

MOTION: Comm. Anderson moved that the Mayor and Commissioners go on record that the City Council is agreed in principle on this plan. After a second by Comm. Steffler, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

MOTION: Comm. Anderson moved that the Mayor and the Commissioner of Streets and Public Improvements be empowered to negotiate with the San Antonio Real Estate Board, the Planning Board, and the Chamber of Commerce in this matter, and to continue negotiations and enter into an agreement in line with the principle adopted by the City Council. After a second by Comm. Steffler, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent), and the following Resolution was passed and approved:

A RESOLUTION (4585)

ACCEPTING PROPOSAL OF SAN ANTONIO REAL ESTATE BOARD AND AUTHORIZING THE MAYOR AND COMMISSIONER OF STREETS TO ENTER NEGOTIATIONS ON CONTRACT FOR ACQUISITION OF RIGHTS-OF-WAY FOR THE INTERREGIONAL HIGHWAY. (Full text in Ord. Bk. "O", Page 624.)

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Bids to purchase \$5,700,000.00 City of San Antonio Public Improvement Bonds were opened and publicly read and ordered tabulated for later consideration by the Mayor and Commissioners. Representatives of the bidders retired with the City Auditor and the City Attorney to tabulate the bids.

Following tabulation of the bids, the tabulation was presented to the Council by the City Auditor, and after due consideration it was determined that the best bid was the bid of The National City Bank of New York and Associates, by M. E. Allison, agent. The Auditor said representatives of all the bidders agreed that the proposal of The National City Bank of New York and Associates was the best bid.

Mr. Allison stated to the Council that the syndicate he represented would, as purchasers of this issue, under the terms of their contract, pay all cost of re-printing said bonds, together with any additional legal expense, etc., and for the opinion of approval by Chapman & Cutler, Attorneys-at-law, of Chicago, Ill.

Pursuant to motion of Comm. Anderson, seconded by Comm. Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent), the Council accepted the bid of The National City Bank of New York and Associates, subject to the approval of the City Attorney, and subject to the inclusion of the statement of Mr. Allison in regard to cost of re-printing and additional legal expense.

Pursuant to motion of Comm. Steffler, seconded by Comm. Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent), the City Clerk was authorized to return all checks of the unsuccessful bidders on the bonds, retaining the check of The National City Bank of New York and Associates.

Comm. Hein introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

APPRO. NO. 686 AN ORDINANCE (4586)
 APPROPRIATING \$25,011.41 OUT OF 1946 GENERAL FUND TO PAY ONE NOTE NO. 54 AND INTEREST.

APPRO. NO. 687 AN ORDINANCE (4587)
 APPROPRIATING \$115,526.51 OUT OF 1946 GENERAL FUND FOR SEMI-MONTHLY PAYROLLS.

APPRO. NO. 688 AN ORDINANCE (4588)
 APPROPRIATING \$1,756 OUT OF COMMERCE BLDG. FUND FOR PAYROLL.

APPRO. NO. 689 AN ORDINANCE (4589)
 APPROPRIATING \$83.81 OUT OF 1946 GENERAL FUND, BRACKENRIDGE GOLF COURSE DEPT., TO PAY STANDARD PRODUCTS CO. FOR TWO STANDARD GOLF TEE MATS.

APPRO. NO. 690 AN ORDINANCE (4590)
 AUTHORIZING PURCHASE AND PAYMENT OF ONE CRAWLER-TYPE TRACTOR, SURPLUS PROPERTY, AND APPROPRIATING \$1393.80 OUT OF 1946 GENERAL FUND, FLOOD REPAIRS DEPT., IN PAYMENT TO TREASURER OF THE U.S., WAR ASSETS ADMIN.

APPRO. NO. 691 AN ORDINANCE (4591)
 APPROPRIATING \$448 OUT OF 1946 GENERAL FUND, BRACKENRIDGE GOLF COURSE DEPT., TO PAY WALLS ROOFING CO. FOR ROOF REPAIRS ON BRACKENRIDGE GOLF CLUB HOUSE.

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APPRO. NO. 692

AN ORDINANCE (4592)

APPROPRIATING \$210.47 OUT OF 1946 GENERAL FUND, RECREATION DEPT., TO PAY GENERAL AMERICA COMPANIES FOR INSURANCE PREMIUM INSTALLMENT, DUE FEBRUARY 4, 1947.

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A RESOLUTION (4593)

INVITING PROPOSALS TO PURCHASE 9 JUNK GARBAGE TRUCKS.

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A RESOLUTION (4594)

DIRECTING THE ADVERTISEMENT FOR SALE OF CERTAIN PROPERTY IN NEW CITY BLOCK 928 ON MARTINEZ STREET.

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Mayor Mauermann requested Comm. Hein to "go a little slow" on the Martinez St. property, asking that he bear in mind that this property may be needed in the proposed widening and extension of streets through the Arsenal property. Comm. Hein explained that he was advertising the property just to see what sort of proposition would be received.

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Comm. Hein stated he wanted to call public attention to two proposed ordinances which he intended to introduce at a later date: 1. Establishing new rules and regulations for the City Market, and 2. Setting a \$100 annual license fee for wholesalers of Vegetables and Fruits. He said these ordinances had been suggested by groups interested in the Market and he would place copies where they would be open to public inspection, and he would like to hear from any interested parties concerning them.

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Comm. Steffler introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

APPRO. NO. 693

AN ORDINANCE (4595)

ACCEPTING PROPOSAL OF WAR ASSETS ADMINISTRATION TO FURNISH ONE MACK TRUCK, AUTHORIZING THE EMERGENCY PURCHASE AND APPROPRIATING \$2309.40 OUT OF 1946 GENERAL FUND, STREET MAINTENANCE, IN PAYMENT FOR SAME.

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AN ORDINANCE (4596)

MAKING A CONTRACT FOR A TRUCK WITH MARTIN CARMONA.

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AN ORDINANCE (4597)

MAKING A CONTRACT FOR A TRUCK WITH IGNACIO PEREZ.

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AN ORDINANCE (4598)

ACCEPTING A SANITARY SEWER MAIN CONSTRUCTED BY V. F. BUCHEK EXTENDING FROM UNIVERSITY PARK SUBDIVISION TO RUIZ STREET AND 25TH STREET.

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Comm. Steffler explained the following three ordinances accepted deeds to an alley in order that utilities can go in.

AN ORDINANCE (4599)

ACCEPTING DEED OF FRED L. MAY, SR., AND WIFE, INEZ MAY.

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AN ORDINANCE (4600)

ACCEPTING DEED OF C. W. YUNGMEYER AND WIFE, HILDRETH L. YUNGMEYER, FOR PROPERTY OUT OF O.C.L. 1, RANGE 4, DISTRICT 4, CITY BLOCK 8103.

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AN ORDINANCE (4601)

ACCEPTING DEED OF THE RICHARD GILL CO. FOR PROPERTY OUT OF NCB 8103.

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A RESOLUTION (4602)

CALLING FOR BIDS FOR IMPROVEMENTS ON THORAINE BOULEVARD BETWEEN SAN PEDRO AVENUE AND McCULLOUGH AVENUE.

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AN ORDINANCE (4603)

REPEALING AN ORDINANCE "DIRECTING THE CITY ATTORNEY TO CONDEMN CERTAIN PROPERTY OF R. R. SAUNDERS FOR PUBLIC PURPOSES", PASSED AND APPROVED ON THE 31ST DAY OF JANUARY, A.D. 1946; AND DIRECTING THE CITY ATTORNEY TO CONDEMN CERTAIN PROPERTY OF R.R. SAUNDERS FOR PUBLIC PURPOSES.

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AN ORDINANCE (4604)

PERMITTING T&NORRICO TO CONSTRUCT AND OPERATE A SPUR TRACK UPON AND ALONG CULEBRA AVENUE (FORMERLY GRANADA STREET), AND UPON AND ACROSS NORTH SAN JACINTO STREET.

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Pursuant to recommendation and motion of Comm. Anderson, in each case, duly seconded and carried, the Council granted the following petitions:

Magnolia Petroleum Co., 3 petitions, for gasoline installation permits at 149 Durango St., at 735 Victoria St., and at 210 S. Flores St.

Texas Co., 4 petitions, for gasoline installation permits at 2323 W. Commerce St., at 3820 S. Presa St., at Broadway and Casa Blanca Sts., and at 1848 E. Commerce St.

Gulf Oil Corp., petition for gasoline installation permit at 1801 Blando Road.

Julian Torres & Jose Villarreal, petition for permit for barbecue pit at 313 San Gabriel Street (re-submitted).

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Comm. Anderson introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

APPRO. NO. 694

AN ORDINANCE (4605)

APPROPRIATING \$22 OUT OF 1946 GENERAL FUND, VARIOUS DEPTS., PAYABLE TO DAN QUILL, POSTMASTER, FOR POSTAGE STAMPS.

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APPRO. NO. 695

AN ORDINANCE (4606)

APPROPRIATING \$113.61 OUT OF 1946 GENERAL FUND, POLICE DEPT., TO PAY P. L. ANDERSON FOR EXPENSES INCURRED ON TRIPS MADE FROM JAN. 4, 1947, TO FEB. 7, 1947, BY VARIOUS MEMBERS OF POLICE DEPT. ON OFFICIAL BUSINESS.

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APPRO. NO. 696

AN ORDINANCE (4607)

TRANSFERRING \$21,000 FROM 1946 GENERAL FUND, PARKING METER ACCOUNT, TO POLICE & FIREMEN'S PENSION FUND.

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APPRO. NO. 697

AN ORDINANCE (4608)

APPROPRIATING \$420.75 OUT OF 1946 GENERAL FUND TO PAY CITY'S SHARE OF GROUP INSURANCE FOR FEBRUARY, 1947, COVERING VARIOUS EMPLOYEES IN POLICE & FIRE DEPTS.

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Mayor Mauermann introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

APPRO. NO. 698

AN ORDINANCE (4609)

ACCEPTING PROPOSAL OF HACKNEY PAINT & DECORATING CO. TO PAINT TRAFFIC CONTROL TOWER, MUNICIPAL AIRPORT, AND APPROPRIATING \$731.50 OUT OF 1946 GENERAL FUND, S.A. MUNICIPAL AIRPORT DEPT., IN PAYMENT OF SAME.

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APPRO. NO. 699

AN ORDINANCE (4610)

APPROPRIATING \$1,394.08 OUT OF COMMERCE BLDG. FUND FOR MATERIAL, SUPPLIES AND MISCELLANEOUS EXPENDITURES FOR MONTH OF JANUARY, 1947.

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APPRO. NO. 700

AN ORDINANCE (4611)

APPROPRIATING \$235.12 OUT OF ADVERTISING FUND TO PAY FOR ENGRAVING AND SPECIAL PHOTOGRAPHS FOR USE IN CITY ADVERTISING AND BOOKLETS.

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APPRO. NO. 701

AN ORDINANCE (4612)

APPROPRIATING \$761.84 OUT OF 1946 GENERAL FUND, STINSON FIELD DEPT., TO PAY BIARD-STRUNK CO. INSURANCE PREMIUM INSTALLMENT DUE FEB. 1, 1947.

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AN ORDINANCE (4613)

EXTENDING FUEL OIL CONTRACT BETWEEN CITY AND STEPHENS FUEL OIL CO. FOR PERIOD FEB. 16 to MARCH 15, 1947, AT INCREASED PRICE OF .05 FROM THE PRESENT PRICE OF \$1.80 PER BARREL TO \$1.85 PER BARREL.

Purchasing Agent Siebrecht explained this extension and increase in market price was in accordance with the bid accepted by the City, adding that only a very few City buildings still use fuel oil.

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AN ORDINANCE (4614)

AMENDING AN ORDINANCE (being Council Appropriation No. 87).

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AN ORDINANCE (4615)

AUTHORIZING THE MAYOR OF THE CITY OF SAN ANTONIO TO CONDUCT NEGOTIATIONS FOR PURCHASE FROM WAR ASSETS ADMINISTRATION OF STRUCTURES AND FIXTURES LOCATED AT STINSON FIELD, SAN ANTONIO, TEXAS.

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AN ORDINANCE (4616)

GRANTING A PERMIT TO CHARLES BENSON, DBA BENSON AEROMOTIVE, AS AN INDEPENDENT CONTRACTOR, TO CARRY ON AN AIRCRAFT MECHANICAL REPAIR SERVICE AT SAN ANTONIO MUNICIPAL AIRPORT.

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A RESOLUTION (4617)

ACCEPTING GENERAL AUDIT OF THE CITY ACCOUNTS FOR THE FISCAL YEAR 1945.

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AN ORDINANCE (4622)

AUTHORIZING MAYOR TO EXECUTE CONTRACT WITH THE UNITED STATES OF AMERICA FOR QUARTERS IN BUILDING 623 AT STINSON FIELD, FOR OFFICE SPACE FOR SAFETY REGULATION DISTRICT OFFICE, CIVIL AERONAUTICS ADMINISTRATION.

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The Mayor then announced the Council would proceed with the hearing on the budget, set for this date and so advertised, and called for discussion. There was no response. The Mayor commented that this was probably the first time in history that no citizen had come forward to discuss or even look at the public copy of the budget. The Council then passed and the Mayor approved the following ordinances, adopted by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

AN ORDINANCE (4618)

ADOPTING A BUDGET FOR THE EXPENDITURES FOR OPERATING EXPENSES OUT OF THE 1946 GENERAL FUND OF THE CITY OF SAN ANTONIO DURING THE CURRENT FISCAL YEAR 1946.

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AN ORDINANCE (4619)

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW AN ADDITIONAL \$757,000 TO PAY CURRENT EXPENSES OF SAID CITY DURING THE FISCAL YEAR 1946.

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AN ORDINANCE (4620)

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW AN ADDITIONAL \$50,000 TO PAY CURRENT EXPENSES OF SAID CITY FOR PUBLIC LIBRARIES FOR THE FISCAL YEAR 1946.

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AN ORDINANCE (4621)

CREATING THE CONTRACT BETWEEN THE NATIONAL BANK OF COMMERCE OF SAN ANTONIO AND THE CITY OF SAN ANTONIO TO MAKE LOANS TO THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1946.

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Bids to construct bridge over Apache Creek at South Laredo St. were opened and publicly read and, pursuant to motion duly made and carried, referred to the City Engineer.

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One bid, the only bid received, to construct a sewer on Tennessee Ave., etc., was opened and publicly read.

Charles Duke, attorney representing the Southern Co., stated to the Council that it was the contention of the Southern Co. that if an alternate bid is accepted it will be a violation of the contract between the City and the Southern Co.

George Brombaugh also registered a protest against an alternate bid.

Comm. Steffler stated that he contended the City's requirements for pipe are for City use, and the contractors are not required to buy pipe from any one man.

Mayor Mauermann said he could understand that Brombaugh, in earlier bidding on the same project, had been exposed and was not told of the alternate proposition.

Pursuant to motion duly made and carried, the bid was referred to Comm. Steffler.

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Pursuant to motion duly made and carried, the meeting was recessed until 10:00 o'clock, A.M., Friday, February 14, 1947.

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PURSUANT TO THE RECESS of the meeting of February 13, the Council reconvened in the Council Chamber at 10:00 o'clock, A.M., on Friday, February 14, 1947.

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PRESENT: Mauermann, Hein, Steffler and Anderson; ABSENT: Callaghan; Mayor Mauermann presiding.

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Comm. Hein introduced the following ordinance, which was passed and approved by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

APPRO. NO. 702

AN ORDINANCE (4623)

APPROPRIATING \$48,601.25 OUT OF VARIOUS SINKING FUNDS TO PAY MARCH 1, 1947, INTEREST COUPON MATURITIES.

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Mayor Mauermann introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan (absent).

AN ORDINANCE (4624)

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE ACCEPTING THE PROPOSAL OF PHELPS, FENN & COMPANY AND RAUSCHER, PIERCE & COMPANY AND ASSOCIATES, TO PURCHASE \$5,700,000.00 CITY OF SAN ANTONIO PUBLIC IMPROVEMENT BONDS", PASSED AND APPROVED ON THE 18TH DAY OF OCTOBER, A.D. 1946. (Full text in Ord. Bk. "P", Page 1.)

Before the vote on this ordinance, the Mayor explained that it was necessary to rescind this previous contract in order to clear the record on the sale of the bonds.

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Pursuant to the action taken by the City Council in regular session on the previous day, February 13, 1947, Mayor Mauermann introduced the following ordinance, which was read in full, with attachments, by the City Clerk. The City Attorney explained and approved the ordinance, which was introduced in writing and captioned as follows: