

REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF SAN
ANTONIO, HELD IN THE CITY
COUNCIL CHAMBER, CITY HALL,
ON THURSDAY JUNE 16TH, 1960,
AT 8:30 A.M.

The meeting was called to order by the presiding officer Mayor J. Edwin Kuykendall. The following members of Council answered the roll call:

KUYKENDALL

DIETERT

PASSUR

JOHNSON

SIMPSON

OLIVARES

PINSON and

DE LA GARZA;

ABSENT: McMAHON.

On motion of Dr. Johnson, the Council dispensed with the reading of the minutes of the previous meeting.

The invocation was by the Rev. Harold W. Moench, Pastor of the Christ Lutheran Church.

Mayor Kuykendall read the following letter from the Fiesta San Jacinto Commission, Inc.

June 13th, 1960

To The Members of the City Council,
City Manager,
City Clerk.

Gentlemen:

We are pleased to transmit the following resolution which was unanimously adopted at the first annual membership meeting of the Fiesta San Antonio Commission, Inc., expressing the community's gratitude for your cooperation in staging the 1960 Fiesta:

"WHEREAS, San Antonio's 1960 Fiesta was one of the most successful in history, and

"WHEREAS, a major part of the credit for the Fiesta's success can be attributed to the generous and wholehearted cooperation received from the public officials of the City of San Antonio, and

"WHEREAS, the members of the Fiesta San Antonio Commission, Inc., and the Commissions's representatives from its 12 member organizations are grateful for the excellent cooperation provided by the officials of the City of San Antonio, therefore

"BE IT RESOLVED, that the members of the Fiesta San Antonio Commission, Inc., at their first annual meeting on May 31st, 1960, formally express their thanks to the members of the City Council, to the City Manager and all members of the official family for their invaluable part in Fiesta 1960."

Sincerely yours

/s/ Ellis Shapiro
Executive Secretary

ES/cf

First heard was Zoning Case No. 1207 to rezone Lot 3, NCB 11710, located on the northwest corner of San Pedro Avenue and Maplewood Lane, from "B" Residence District to "F" Local Retail District. The Planning Director briefed the Council on the change. No one appeared in opposition. On motion of Mr. Dietert, seconded by Mr. Olivares, the recommendation of the Planning Commission to grant the change was approved by passage of the following ordinance by the following vote: AYES: Kuykendall, Dietert, Passur, Johnson, Simpson, Olivares, Pinson and de la Garza; NAYS: None; ABSENT: McMahon.

AN ORDINANCE 28, 562

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 3, NCB 11710, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book J.J. Page 354

Next heard was case No. 1307 to rezone Lots 43 and 44, Blk. 3, NCB 8675 located on the south side of Helm Road approximately 255' east of Slavin Dr. from "A" Residence District to "E" Office and "JJ" Commercial Districts. The Planning Director explained the change. No one appeared in opposition. On motion of Mr. Passur, seconded by Mr. Olivares, the recommendation of the Planning Commission to grant the change was approved by passage of the following ordinance by the following vote: AYES: Kuykendall, Dietert, Passur, Johnson, Simpson, Olivares, Pinson and de la Garza; NAYS: None; ABSENT: McMahon.

AN ORDINANCE 28, 563

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 43, BLK. 3, NCB 8675 FROM "A" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT AND LOT 44, BLK. 3, NCB 8675, FROM "A" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Full text in Ordinance Book J.J. Page 355

June 16th, 1960

Next heard was case no. 1308 to rezone Lot 42, Blk. 3, NCB 8675, located on the south side of Halm Road and 343' east of Slaving Avenue from "A" Residence District to "JJ" Commercial District. The Planning Director explained the zoning change. No one appeared in opposition. On motion of Mr. Johnson, seconded by Mr. Simpson, the recommendation of the Planning Commission to grant the change was approved by passage of the following ordinance by the following vote: AYES: Kuykendall, Dietert, Passur, Johnson, Simpson, Olivares, Pinson and de la Garza; NAYS: None; ABSENT: McMahon.

AN ORDINANCE 28, 564

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 42, BLK. 3, NCB 8675 FROM "A" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Full text in Ordinance Book J.J. Page 355

Next heard was Case No. 1311 to rezone Lots 6 thru 14, inclusive, NCB 12517 located on the west side of Sagebrush approximately 280' East of Nacogdoches and 410' North of Military Drive (Zercher Road) and Lot 4, NCB 12522 located on the Northwest corner of Sagebrush and Old Moss Road from "B" Residence District to "A" Residence District. The Planning Director explained that this request had been initiated by the Planning Commission because the property in question is zoned "B" but is improved with new \$20,000 and up single family residences, and "A" Resident zoning would be the appropriate zoning. No one appeared in opposition. On motion of Mr. Olivares, seconded by Dr. Johnson, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: Kuykendall, Dietert, Passur, Johnson, Simpson, Olivares, Pinson and de la Garza; NAYS: None; ABSENT: McMahon.

AN ORDINANCE 28, 565

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 6 THRU 14, INC., NCB 12517, AND LOT 4, NCB 12522.

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Full text in Ordinance Book J.J. Page 356

Next heard was case No. 1177 to rezone Lot 32, NCB 8695, the "D" Apartment and "A" Residence part of the lot to "F" Local Retail District. The Planning Director explained that this case was heard previously on May 19th and referred back to the

June 16th, 1960

Planning Commission for further study. The Planning Commission again heard the case on June 1, and reaffirmed its previous recommendation for approval in this case. Mr. Frank J. Cooper, applicant, stated that the property in question was an island surrounded by his own property, and to the best of his knowledge only Mrs. Athens, owner of Lot 9 & 10 was in opposition. He stated that he would not use Lots 7 & 8 as a roadway to his property. He asked the Council to grant the change. Mr. Athens asked that the hearing be continued for 2 weeks in order to notify all interested parties. After discussion on motion of Mr. de la Garza, the hearing was continued for 2 weeks, seconded by Mr. Passur, the motion carried by the following vote: AYES: Kuykendall, Dietert, Passur, Johnson, Simpson, Olivares, Pinson and de la Garza; NAYS: None, ABSENT: McMahon.

The Clerk read the following ordinance.

AN ORDINANCE 28, 566

ACCEPTING THE LOW BID OF GUIDO BROTHERS CONSTRUCTION COMPANY IN THE AMOUNT OF \$1,284,229.00 FOR THE CONSTRUCTION OF THE POLICE HEADQUARTERS FACILITIES AND CORPORATION COURT BUILDING; AUTHORIZING THE CITY MGR. TO EXECUTE A CONTRACT AND APPROPRIATING \$1,284,229.00 OUT OF FUND NO. 479-15, POLICE HEADQUARTERS BUILDING BONDS, PAYABLE TO GUIDO BROTHERS CONSTRUCTION COMPANY IN CONNECTION WITH SAID CONTRACT.

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Full text in Ordinance Book J.J. Page 356
 * For Ordinances 28, 567 and 28, 568 see page 201.

Public Works Director explained that it was the recommendation of the architect and the administrative staff that the base bid and alternative 4 of Guido Brothers be accepted. After discussion, on motion of Mr. Passur, seconded by Mr. de la Garza, the ordinance was passed and approved by the following vote: AYES: Kuykendall, Dietert, Passur, Johnson, Simpson, Olivares, Pinson and de la Garza; NAYS: None; ABSENT: McMahon.

The Clerk read the following ordinance:

AN ORDINANCE

REJECTING ALL BIDS RECEIVED ON JUNE 13, 1960, FOR THE CITY STREET OVERLAY PROGRAM FOR 1960; AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS ON SAID SAME PROJECT.

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The City Manager stated that the bid of Killian-House was low but that it was found that he did not comply with bid requirements as he did not submit a list of equipment available for this job, and experience record. He recommended rejecting all bids

* FOR ORD 28567 see Page 201

June 16th, 1960

and readvertising for bids and thereby, not costing \$24,000 by awarding the contract to the second low bidder, H. B. Zachry Company. The City Attorney gave his opinion of possible legal problems that might be encountered if the contract was awarded to either Killian House or H. B. Zachry Company. He stated that the City would be within its rights if it were to reject all bids. Mr. M. B. Killian, Partner of Killian House stated that he read the requirements and called the City for a list of the streets that were to be worked on and which he was unable to obtain. This made it difficult for him to submit the required information and he failed to submit the equipment list. He stated that under the "Mother Hubbard" clause the City could award the bid to him. He asked that if the Council did not award the bid to him that it allow him to withdraw his bid. After consideration on the matter on roll call the ordinance failed by the following vote: AYES: Johnson and Olivares; NAYS: Kuykendall, Dietert, Passur, Simpson, Pinson and de la Garza; ABSENT: McMahon.

Mr. Pinson then moved that an ordinance be drawn accepting the low bid of Killian House. Seconded by Mr. de la Garza the motion carried by the following vote: AYES: Kuykendall, Dietert, Passur, Simpson, Pinson, and de la Garza; NAYS: Johnson and Olivares, ABSENT: McMahon.

AN ORDINANCE 28, 569

ACCEPTING THE LOW BID OF KILLIAN HOUSE COMPANY IN THE AMOUNT OF \$348,602.35 FOR THE 1960 STREET OVERLAY PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT; AND APPROPRIATING \$348,602.35 OUT OF UNAPPROPRIATED SURPLUS, 1959-60 GENERAL FUND PAYABLE TO KILLIAN HOUSE COMPANY IN CONNECTION THEREWITH.

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Full text in Ordinance Book J.J. Page 357

Mr. Walter Miller and the Junior Council of the Harlandale School District commended the City Council for the work it is doing, especially in the Southwest Quadrant of the City and offered their cooperation in community improvement projects.

Mr. Henry Lee Taybr and Mr. Earl Wentworth, representing the Taxpayer League, asked the Council to set aside some of the money to be received from the City Public Service Board for a reduction of 12 or 14 cents in the ad valorem tax rate. They were told the Council had already gone on record by having the Manager prepare the budget based on a tax rate of \$1.82, a reduction of 18 cents.

Mr. Taylor stated the taxpayers League passed a resolution supporting the proposed Expressway Bond issue and commended the Council for its work.

Mr. Richard Louis Birch spoke regarding the election, the sewer charge and publishing financial statements.

Mr. Benjamin J. Carson asked the Council to approve payment of \$72.11 for damage to his car adlegedly caused by failure to maintain proper barricades on a street under construction. The Assistant City Manager was asked to make a report on the matter at the next week's Council meeting.

There being no further business the meeting adjourned.

A P P R O V E D:

William Kuykendall
M A Y O R

A T T E S T:

Frank Gallogher
C i t y C l e r k

The following ordinances were passed and approved by the following vote: AYES: Kuykendall, Dietert, Passur, Johnson, Simpson, Olivares, Pinson and de la Garza; NAYS: None; ABSENT: McMahon.

AN ORDINANCE 28, 567

APPROPRIATING \$1,100.00 OUT OF STREET IMPROVEMENT BONDS 1955 - ACCT. #479-01 - NEBRASKA STREET MISCELLANEOUS CONTINGENCY FUND FOR THE ACQUISITION OF A TRACT OF LAND TO BE USED FOR THE WIDENING OF NEBRASKA STREET AND AUTHORIZING THE CITY MANAGER TO ACCEPT A DEED TO SAME. * * * * *

(Full text in Ordinance Book J.J. Page 357)
AN ORDINANCE 28, 568

APPOINTING BILL FINCK AS SUBSTITUTE OR ALTERNATE JUDGE OF THE CORPORATION COURTS.

(Full text in Ordinance Book J.J. Page 357)