

September 19, 1957

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD ON
THURSDAY, SEPTEMBER 19, 1957 AT 9:30
A.M. IN THE COUNCIL CHAMBER, CITY HALL

PRESENT: KUYKENDALL, DIETERT, PASSUR, MCMAHON, WINTON, GAYOSO, OLIVARES, DANIELS, SAN MARTIN

Mayor J. Edwin Kuykendall presiding.

Invocation by Rev. Noel S. Wilkinson.

On motion of Mr. Passur, seconded by Mr. Winton, the reading of the minutes of the previous meeting was dispensed with.

The following ordinances were passed and approved as follows: AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS, None.

AN ORDINANCE 25,536

ACCEPTING THE ATTACHED QUALIFIED BID OF DOBBINS METAL PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO PARKS DEPARTMENT WITH FOUR CEMETERY TRAILERS FOR A TOTAL OF \$1,580.00

(Full text in Ordinance Book ~~FF~~ page 20)

AN ORDINANCE 25,537

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF MODERN ELECTRONICS COMPANY TO FURNISH THE CITY OF SAN ANTONIO POLICE RADIO MAINTENANCE WITH CERTAIN RADIO TUBES FOR A TOTAL OF \$5,613.77

(Full text in Ordinance Book ~~FF~~ page 20)

AN ORDINANCE 25,538

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF CART-WRIGHT PRINTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO TAX ASSESSOR AND COLLECTOR WITH 350,000 PRINTED ENVELOPES FOR A TOTAL OF \$2,296.00

(Full text in Ordinance Book ~~FF~~ page 20)

The Council, at this time, decided to hear several zoning appeals before proceeding with the rest of the agenda. Zoning Case No. 865 to rezone property at Callaghan Road, Babcock Road and Cambray Drive from "A" RESIDENTIAL DISTRICT to "F" LOCAL RETAIL DISTRICT, WAS called up for hearing. The Council was briefed on the subject by the Planning Director. No one appeared to be heard. On motion of Mr. Olivares, seconded by Gayoso, the recommendation of the Planning Commission was approved by passage of the following ordinance. AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS, None.

AN ORDINANCE 25,539

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 865, TO REZONE ALL OF BLOCK A, NCB 12789, Lot 1 BLK. 8, NCB 12788, AND LOT 13, BLK. 1, NCB 12781 FROM "A" RESIDENTIAL DISTRICT to "F" LOCAL RETAIL DISTRICT

(Full text in Ordinance Book ~~FF~~ page 21)

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Zoning Case No. 867 to rezone property on Holbrook Drive and MK&T Railroad from "LL" MANUFACTURING DISTRICT to "B" RESIDENCE DISTRICT, was next called up for hearing. After briefing by the Planning Director and questioning by various council members, the recommendation of the Planning Commission was approved by passage of the following ordinance; on motion of Mr. Passur, seconded by Winton. AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS, None.

AN ORDINANCE 25,540

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HERE IN CASE NO. 867; TO RE-ZONE FROM "LL" MANUFACTURING DISTRICT TO "B" RESIDENCE DISTRICT, AS FOLLOWS: ALL OF ARB. TRACT J & K, N.C.B. 12175, AND NW PORTION OF LAND OUT OF ARB. TRACT "L" N.C.B. 12175

(Full text in Ordinance Book FF page 21)

Zoning Case No. 860 to rezone Lot 8, NCB 394 on Laurel Street from "E" APARTMENT to "F" LOCAL RETAIL WAS next called up for hearing. Mr.

gave the reasons for the desired change and explained the situation with regard to adjoining property and reasons why his client feels she is entitled to the rezoning. Mr. Henry L. Erhardt, 318 E. Laurel registered strong objection. Mr. Martin, the Planning Director went over the Planning Commission reasons for recommending that the change be denied.

It was moved by Passur, seconded by Dietert, that the recommendation of the Planning Commission denying the change be approved; AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS, None.

Zoning Case No. 848-848-A to rezone property at N. W. W. White Road and Lila Mae Drive from "TEMPORARY "A" and "B" RESIDENCE DISTRICT to "LL" MFG. was next called up for hearing.

After briefing by the Planning Director, Mr. R. L. House, Attorney for the petitioners, gave the Council reasons for desiring that this property which is now used for purposes such as "LL" MFG. under non-conforming rights be permanently changed so that improvements may be made.

Mrs. Helen VanderPorten, owner of Lot 7, NCB 10611, which is across the street from the property in question opposed the change because of the noise, and the spray painting operations which got paint on their cars, trees and laundry. The owner of Lot 17, N.C.B. 10612 opposed the change and stated she would like to keep the area residential and that she was in the area before the plant was built. Mr. Winton asked the City Attorney that in view of the fact that the plant is already built and has a non-conforming use, whether the Council rezoned or did not rezone would make any difference because it would not interfere with their operations. The City Attorney agreed that they could continue their operation under the non-conforming use but could not make any structural changes in their operation. As to the paint operations he stated that if the company was careless in this operation they could be found negligent and liable for damages.

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After all were heard, on motion of Mr. Winton, seconded by Passur, the recommendation of the Planning Commission was approved by passage of the following ordinance; the vote being AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS, None.

AN ORDINANCE 25,541

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 848 AND 848-A, TO REZONE TRACT 17, N.C.B. 10612, FROM "B" RESIDENCE DISTRICT AND "A" TEMPORARY RESIDENCE TO "LL" MANUFACTURING DISTRICT

(Full text in Ordinance Book FF page 22)

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with
The Planning Director next took up the council the question of amending the city ordinances relating to a quorum for Planning Commission meetings. The following ordinance was read and passed and approved as follows: AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS, None.

AN ORDINANCE 25,542

AMENDING ORDINANCE NUMBER 21,391, ESTABLISHING RULES AND REGULATIONS FOR THE PLANNING AND ZONING COMMISSION PURSUANT TO SECTION 122 OF THE CITY CHARTER

(Full text in Ordinance Book FF page 22)

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Zoning Case No. 868 to rezone property at West Avenue and T&NO RR tracks was next called for hearing. After briefing by the Planning Director and no one appeared to be heard the recommendation of the Planning Commission was approved by passage of the following ordinance; the vote being as follows: AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS' None.

AN ORDINANCE 25,543

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: CASE NO. 868, TO REZONE LOTS 1, 2, AND 3, BLOCK 8, N.C.B. 12775, FROM "D" APARTMENT DISTRICT TO "F" LOCAL RETAIL DISTRICT

(Full text in Ordinance Book FF page 22)

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The following ordinances and resolutions were passed and approved as follows:
AYES, Kuykendall, Dietert, Passur, McMahon, Winton, Gayoso, Olivares, Daniels, San Martin; NAYS, None.

AN ORDINANCE 25,544

ACCEPTING THE ATTACHED BID OF RODRIGUEZ BROS. MEMORIALS TO FURNISH NECESSARY MATERIALS AND ERECT STATUE IN COLUMBUS PARK FOR THE CITY OF SAN ANTONIO PARKS DEPARTMENT FOR A TOTAL OF \$1,398.00

(Full text in Ordinance Book FF page 23)

AN ORDINANCE 25,545

TRANSFERRING THE SUM OF \$1,398.00 FROM ACCOUNT NO. 11-02-01, AND AUTHORIZING PAYMENT OF SAID SUM FROM THE LATTER ACCOUNT FOR A GRANITE BASE FOR A STATUE OF COLUMBUS

(Full text in Ordinance Book FF page 23)

AN ORDINANCE 25,546

ACCEPTING CERTAIN BIDS FOR THE PURCHASE AND REMOVAL OF BUILDINGS LOCATED ON CITY OWNED PROPERTY, AND MAKING AND MANIFESTING A BILL OF SALE TO SUCCESSFUL BIDDERS; KAY BREEN, PARCEL 2069, 2150; WALTER KRAUSE, PARCEL 2370

(Full text in Ordinance Book FF page 24)

AN ORDINANCE 25,547

ACCEPTING A DEED FROM GEORGE RIOS, JR., AND WIFE, LUCY SANCHEZ RIOS, CONVEYING TO THE CITY OF SAN ANTONIO THE EAST 9.0 FEET OF LOT 60-A, NEW CITY BLOCK 7895, FOR HARLAN STREET DRAINAGE PROJECT, AND APPROPRIATING THE SUM OF \$4,400.00 TO PAY FOR SAME

(Full text in Ordinance Book FF page 24)

AN ORDINANCE 25,548

ACCEPTING A DEED FROM GEORGE RIOS, SR., AND WIFE, PETRA RIOS, CONVEYING TO THE CITY OF SAN ANTONIO, PARTS OF LOT 60, NEW CITY BLOCK 7895, FOR HARLAN STREET DRAINAGE PROJECT, AND APPROPRIATING THE SUM OF \$800.00 TO PAY FOR SAME

(Full text in Ordinance Book FF page 25)

AN ORDINANCE 25,549

ACCEPTING A DEED FROM MATTIE EDGE RUBINSKY, JOINED BY HUSBAND, HARRY RUBINSKY, AND FANNIE EDGE, A SINGLE WOMAN, CONVEYING TO THE CITY OF SAN ANTONIO THE SOUTH 80 FEET OF LOT 84, NEW CITY BLOCK 7895, MELROSE GARDENS FOR THE HARLAN STREET DRAINAGE PROJECT, AND APPROPRIATING THE SUM OF \$2,600.00 TO PAY FOR SAME

(Full text in Ordinance Book FF page 25)

AN ORDINANCE 25,550

ACCEPTING A DEED FROM HARRY RUBINSKY AND WIFE, MATTIE LOU RUBINSKY, CONVEYING TO THE CITY OF SAN ANTONIO THE SOUTH 80 FEET OF LOT 59, NEW CITY BLOK 7895, FOR THE HARLAN STREET DRAINAGE PROJECT, AND APPROPRIATING THE SUM OF \$400.00 TO PAY FOR SAME

(Full text in Ordinance Book FF page 26)

AN ORDINANCE 25,551

ACCEPTING A DEED FROM WILLIE W. HURD AND WIFE, ELISA M. HURD, CONVEYING TO THE CITY OF SAN ANTONIO THE EAST 20 FEET OF LOT 1, BLOCK 1, NEW CITY BLOCK 3068, AND APPROPRIATING THE SUM OF \$5,000.00 TO PAY FOR SAME

(Full text in Ordinance Book FF page 26)

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AN ORDINANCE 25,552

APPROPRIATING THE SUM OF \$460.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 49,952 H. C. WAITS, ET AL

(Full text in Ordinance Book FF page 26)

AN ORDINANCE 25,553

APPROPRIATING THE SUM OF \$325.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 50,003 HENRY LEE TAYLOR, ET UX

(Full text in Ordinance Book FF page 27)

AN ORDINANCE 25,554

REPEALING ORDINANCE NO. 25025, DATED MAY 16, 1957, ACCEPTING A DEED FROM J. C. RUSSELL, ET UX, WHICH APPROPRIATED THE SUM OF \$7500.00

(Full text in Ordinance Book FF page 27)

AN ORDINANCE 25,555

APPROVING AND ADOPTING A CONTRACT FOR APPRAISAL SERVICES; AND APPROPRIATING FUNDS THEREFOR (JOE LUCCHESI)

(Full text in Ordinance Book FF page 27)

AN ORDINANCE 25,556

ACCEPTING A DEDICATION OF 0.05 ACRES OF LAND OUT OF NEW CITY BLOCK 12621, FROM BELLAIRE HEIGHTS PROPERTIES, A TEXAS CORPORATION, TO THE CITY OF SAN ANTONIO FOR SEWER LIFT STATION

(Full text in Ordinance Book FF page 27)

AN ORDINANCE 25,557

ACCEPTING THE LOW BID OF COLGLAZIER CONSTRUCTION COMPANY IN THE AMOUNT OF \$92,490.31, FOR THE IMPROVEMENT OF SOUTH NEW BRAUNFELS AVENUE FROM NORTH OF HIGHLAND BOULEVARD TO FAIR AVENUE AND FROM DAUCHY ROAD TO HOT WELLS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR; AND APPROPRIATING FUNDS TO PAY FOR SAME

(Full text in Ordinance Book FF page 28)

A RESOLUTION

CONFIRMING FINAL ACCEPTANCE OF THE IMPROVEMENTS ON GUADALUPE STREET FROM ZARZAMORA STREET TO S. W. 19TH STREET AND ON CASTROVILLE ROAD FROM S. W. 19TH STREET TO ACME ROAD

A RESOLUTION

CONFIRMING FINAL ACCEPTANCE OF THE CONSTRUCTION OF STORM DRAINAGE PROJECT NO. 16, ON BLUM, BONHAM AND EAST COMMERCE STREETS

AN ORDINANCE 25,558

CREATING AND ESTABLISHING THE POSITION OF AUTOMOTIVE SHOP FOREMAN, PAY RANGE 24, IN THE ADMINISTRATIVE POOL, PERSONNEL DEPARTMENT

(Full text in Ordinance Book FF page 28)

AN ORDINANCE 25,559

AMENDING SECTION 60-81 OF THE SAN ANTONIO CITY CODE, ENTITLED "PARKING METER ZONES" AS AMENDED, BY ADDING TO PARAGRAPH (B) ENTITLED "SIXTY MINUTE PARKING" THE 300 BLOCK OF FIFTH STREET

(Full text in Ordinance Book FF page 28)

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AN ORDINANCE 25,560

GRANTING THE PETITIONS OF THE ST. MARK BAPTIST CHURCH, HIGHLAND TERRACE METHODIST CHURCH, PATTON HEIGHTS CHURCH OF CHRIST AND THE BLANCO ROAD BAPTIST CHURCH FOR EXEMPTION FROM CITY TAXES ON VARIOUS CHURCH PROPERTIES

(Full text in Ordinance Book FF page 29)

AN ORDINANCE 25,561

ACCEPTING THE AUDIT REPORT OF ROY L. POPE AND SPILLERS COMPANY OF THE CITY OF SAN ANTONIO RECORDS FOR THE FISCAL YEAR ENDED JULY 31, 1957 AND AUTHORIZING THE FINAL PAYMENT

(Full text in Ordinance Book FF page 29)

AN ORDINANCE 25,562

CHANGING THE NAME OF SALADO ROAD TO CREEKVIEW DRIVE

(Full text in Ordinance Book FF page 30)

AN ORDINANCE 25,563

CLOSING WEST LOCUST STREET BETWEEN MAVERICK STREET AND LEWIS STREET, CLOSING MAVERICK STREET BETWEEN WEST LOCUST STREET AND WEST MYRTLE STREET, CLOSING ALL ALLEYS IN NEW CITY BLOCK 1911, RESERVING AND GRANTING CERTAIN EASEMENTS TO THE CITY OF SAN ANTONIO AND PROVIDING FOR ACCESS TO ABUTTING LANDOWNERS

(Full text in Ordinance Book FF page 30)

A RESOLUTION

DIRECTING THE CITY CLERK TO ADVERTISE FOR THE SALE OF \$2,220,000.00 GENERAL OBLIGATION BONDS OF THE CITY OF SAN ANTONIO

(Full text in Ordinance Book FF page 32)

A RESOLUTION

REJECTING ALL BIDS RECEIVED FOR SALE OF 1957 PECAN CROP

AN ORDINANCE 25,564

AMENDING SEC. 12-12 OF THE SAN ANTONIO CITY CODE, SUCH SECTION BEING SEC. 307, SUBSECTION (D) OF THE UNIFORM BUILDING CODE PROVIDING FOR THE REFUND OF BUILDING PERMIT FEES

(Full text in Ordinance Book FF page 32)

AN ORDINANCE 25,565

AMENDING SECTION 23-121 OF THE SAN ANTONIO CITY CODE AND PROVIDING PERSONS APPLYING FOR A HEALTH CERTIFICATE MAY PRESENT A VALID UNITED STATES GOVERNMENT HEALTH CERTIFICATE ISSUED WITHIN TWELVE (12) MONTHS PRECEDING DATE OF APPLICATION IN LIEU OF THE EXAMINATION CERTIFICATE GIVEN BY THE CITY HEALTH OFFICER; AMENDING SECTION 23-124 OF THE SAN ANTONIO CITY CODE AND PROVIDING FOR A THREE DOLLAR (\$3.00) FEE FOR THE REGISTRATION AND ISSUANCE OF A HEALTH CERTIFICATE; AMENDING SECTION 23-126 OF THE SAN ANTONIO CITY CODE AND PROVIDING THAT THE HEALTH CERTIFICATE SHALL BE VALID FOR TWELVE (12) MONTHS; AND AMENDING SECTION 23-127 OF THE SAN ANTONIO CITY CODE AND PROVIDING THAT THE HOLDER OF A HEALTH CERTIFICATE MUST BE RE-EXAMINED AT THE EXPIRATION OF TWELVE (12) MONTHS AND IF A RE-EXAMINATION IS MADE WITHIN TWELVE (12) MONTHS OF PREVIOUS EXAMINATION, NO FEE IS TO BE CHARGED

(Full text in Ordinance Book FF page 33)

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING OF A PROPOSED AMENDMENT TO THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION DESCRIBED HEREIN: CASE NO. 864; CASE NO. 870; CASE NO. 871; HEARING TO BE OCTOBER 10, 1957

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AN ORDINANCE 25,566

GRANTING PERMITS TO MISSION BROADCASTING COMPANY
TO INSTALL VHF POLICE RADIO RECEIVING SETS IN
TWO MOTOR VEHICLES

(Full text in Ordinance Book FF page 34)

AN ORDINANCE 25,567

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:
FOR PUBLIC DRAINAGE AND FLOOD PREVENTION IN ACCORDANCE WITH
PROJECT #69, A PROJECT NECESSARY AND INCIDENTAL TO THE
CONSTRUCTION OF HIGHWAY #81 SOUTH EXPRESSWAY, AND DIRECTING
THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION
CONDEMNATION PROCEEDINGS TO ACQUIRE SO MUCH THEREOF AS CANNOT
BE ACQUIRED BY PURCHASE

(Full text in Ordinance Book FF page 34)

AN ORDINANCE 25,568

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY
OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL
TERRITORY ADJACENT TO THE PRESENT SOUTH AND SOUTHEAST
CITY LIMITS OF SAN ANTONIO

(Full text in Ordinance Book FF page 35)

A RESOLUTION

EXPRESSING THE COUNCIL'S APPRECIATION FOR THE EXCELLENT
WORK PERFORMED BY THE ADMINISTRATIVE STAFF ON THE
PROPOSED BOND PROGRAM

The following letter from the City Clerk was read:

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

Gentlemen:

The following petition was received by this office and forwarded to the department
concerned for any necessary action.

9-12-57 Petition of Donaciano M. Ozuna, et al, requesting an arc light in the
500 block of Saltillo Street, was referred to the Traffic Engineer, Mr.
Stewart Fischer.

Yours very truly,

J. FRANK GALLAGHER
City Clerk

The Mayor then asked if anyone in the audience wished to be heard.

Mrs. Ninfa ^{ganga} of 2818 Ruiz Street, complained of the drainage condition in
her area; That during rainy weather the street was impassable and the children could
not get to school. She presented a petition containing approximately 150 signatures
requesting some action be taken to correct the drainage. She was asked by the Council
to come to the Bond Committee Meeting on drainage to be held on Wednesday at 9 A.M.
in the Council Chamber and present her problem at that time, so that it may be included
in the proposed Bond Election.

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There being no further business, the meeting adjourned.

APPROVED:

William W. Kendall
MAYOR

ATTEST:

Frank Gallozzi
City Clerk