

May 27, 1954

REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF SAN ANTONIO HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL ON THURSDAY, MAY 27,
1954 AT 10:00 A.M.

PRESENT: STEVENS, A. C. WHITE, RUSSELL, R. N. WHITE, EASLEY, LESTER, GONZALEZ

ABSENT: SCHERLEN, H. J. SHEARER

Mayor Pro-tem Raymond Russell, Jr. presiding.

Invocation by Rev. Edward Garrett

On motion of Mr. Easley seconded by Mr. Lester the reading of the minutes of the previous meeting was dispensed with.

The following ordinance was introduced by Councilman Easley and was passed and approved by the following vote: Ayes, Stevens, A. C. White, R. N. White, Easley, Lester; Nays, Russell, Gonzalez; Absent, Scherlen, Shearer.

AN ORDINANCE 20,210

AUTHORIZING, INSTRUCTING AND EMPLOYING AN INVESTIGATOR TO INVESTIGATE AND INQUIRE INTO THE CONDUCT OF THE FINANCE DEPARTMENT OF THE CITY OF SAN ANTONIO AND ANY OTHER DEPARTMENT OR OFFICE OF SAID CITY AND TO REPORT TO THE COUNCIL ANY AND ALL FINDINGS MADE WITH REFERENCE THERETO, AND APPROPRIATING THE MONEY THEREFOR

(Full text in Ordinance Book Z. page 27)

After the passage of the above ordinance and before the regular order of business was taken up, Mr. Thurman Barrett asked permission to address the council on what he termed a vitally important matter. He then proceeded to read a prepared statement which follows and he interjected numerous side remarks.

"Mr. Mayor and Members of the City Council
of the City of San Antonio, Texas

I would not take up your valuable time and attention but for the fact that your action is necessary to correct a very serious situation which you cannot further overlook or avoid.

No person has a higher regard for our City's good name, its welfare, and a sincere interest in its present and future betterment than I have. Its history from its early founding down to this good hour has been a source of much study and interest to me. I first became the owner of property in this city in 1909-- my latest purchase a short few weeks ago. The tax records will disclose that both in the old city limits and in the de-annexed area my family and our coporate holdings are in area greater than the combined areas of the satelittes of Alamo Heights, Olmos Park and Terrell Hills Combined.

Hundreds of miles of streets, water mains, thousands of homes exist within the area that we have developed.

As a young attorney I learned San Antonio's history in the examination of Abstracts--the Higginbotham Survey--the Leal Survey--the Harris Survey--the Bustillos Survey--the Rodriguez Survey--the Leslie Survey--Many thousands of acres are today designated on our City Maps as subdivisions.

I have prefaced my remarks with these facts, because there is an apparent effort being made to charge those who would defend the good name of the city, and

ending May 31, 1954, the alleged assessments of Lawrence Dillon, or Mrs. Emma Dillon, his widow, and that like action shall be taken in cases of all other property owners in the de-annexed area similiarly situated. That said resolution shall further instruct the City Manager to refrain from all action and expenditures the purpose of which is to make assessments of property in said de-annexed area for the tax year beginning June 1, 1954, until there is a final decision of the Appellate Courts as to the validity of the de-annexation ordinance passed by the City Council August 11th, 1953. And further, that if the appellate courts finally decide that said de-annexation ordinance is void, that the City Manager promptly cause to be back assessed, or re-assessed all property in said de-annexed area and collect taxes from the owners of such property in accordance with the law."

Mr. Barrett then was questioned by certain members of the council at length. Mr. Clyde Wantland then addressed the council and complained bitterly about the assessment of de-annexed property and accused someone unknown to him of altering the City records without authority. When asked whom he referred to he asked Mr. Winton if certain records were not changed yesterday. Mr. Winton asked the Clerk to read the minutes of the Board of Equalization's final meeting which are copied below.

MINUTES OF A MEETING OF THE BOARD OF
EQUALIZATION OF THE CITY OF SAN ANTONIO
HELD ON THE 26TH DAY OF MAY, 1954

The Board of Equalization, meeting in a duly constituted session called by the Chairman of the Board for the purpose of making a final inspection of the assessments delivered to the Board by V. E. Ballard, Assessor and Collector of Taxes for the City of San Antonio, and upon examining the same and prior to signing the final certificate the Board having found from an inspection of the records that there was no evidence that 359 Pd property owners who duly rendered their property under oath for taxation for the year 1953 were mailed notices to appear before the Board with regard to the change of the valuations of said properties, and the Board being advised by the City Attorney and being of the opinion that as a matter of law such properties must be assessed at the value which was placed on said properties at the time same was duly rendered, for the reason that there was no evidence that such property owners were mailed a notice as required by law, the Board, therefore, proceeded to correct said assessments to conform to the valuations placed on said properties at the time the same were rendered for taxation by the respective property owners, or their agents, and the Board having made such corrections and having re-stamped and initialed each correction as of this date, and the Board having examined the tax rolls or books, consisting of 28 volumes, the Board finds that all the surveys and parts of surveys of the land and all lots and blocks of the City of San Antonio and all personal property, in as far as the Board was able to ascertain, has been assessed for taxation for the tax year 1953 at its true and full market value, or if it had no market value, then at its real value.

The Board then having examined the final certificate of approval of the assessment rolls submitted to the Board by V. E. Ballard, Tax Assessor and Collector, found that the same was true and correct, to the best of the Members' knowledge and belief, and the Board of Equalization, and each member thereof, duly signed and acknowledged the same, according to the certificate attached thereto.

May 27, 1954

That the following members of the Board of Equalization and Revision for the City of San Antonio for the fiscal year 1953 hereby approve the foregoing Minutes for that body and subscribe our signatures.

There being no further business to come before the Board, the meeting was adjourned.

/s/ R. C. Booton
Chairman

/s/ Paul F. Dawson

/s/ Henry Lee Taylor

Sworn to and subscribed before me, this 26th day of May, 1954.

/s/ William E. Gibson
Notary Public in and for Bexar County,
City of San Antonio, Texas

Mr. R. N. White then moved that if any alterations are now being made or contemplated they be stopped at once; seconded by Mrs. Stevens it was unanimously voted.

Mr. William K. Huth then appeared and read a prepared statement which follows:

City Council
City Hall
San Antonio, Texas

Dear Sirs:

In regard to the urgent question of "The taxation program in the annexed and de-annexed areas of the city", the elected city council - whose platform promised correction of the taxation problem in the Annexed area - should pass the following ordinance:

1. Cancel all taxes on the annexed and de-annexed areas for the year 1953 as assessed; and,
2. Amend the City Charter to conform with the Constitution of the United States, by amending the Charter to read that all areas to be considered for annexation be given the right to hold elections and after such proper elections, if by 2/3 majority vote approving the annexation, then and then only may they be joined to the City of San Antonio.

I believe that the taxes assessed can be equitably cancelled as the amount of benefit that should have been obtained in the form of reduced water and phone rates, along with bus transportation and utilities extensions, not performed more than balance the 12 garbage collections and the little if any police and fire protection given us during that period.

Sincerely yours,

/s/ William K. Huth

He then questioned the City Attorney about the matter of obtaining a decision in Court regarding the city boundary lines. He asked that a moratorium be declared on all tax matters in that area until a final decision is reached regarding their status.

Mr. Park Street, an Attorney, then addressed the council about the difficulty encountered by GI's who have FHA homes in the disputed area. He asked the council, the City Manager, and City Attorney to do anything possible to find a way to notify

ask justice for its tax payers, with an attempt to discredit and harm San Antonio.

My purpose is to seek justice for thousands of our citizens who have been unfortunately caught in the schemes of selfish and ruthless individuals in their attempts to impose their will, regardless of the law or of plain honesty and right and justice.

Without going into all of the details, let me say that when I discovered that a wholesale falsification of the records in the Tax Assessor's office existed, on Tuesday, May 19th, I immediately called Mr. Winton and made an appointment to meet him in his office on the next morning at 9:30 A.M.; Present at this meeting was Mr. Ballard, Mr. Aldridge, Mr. Brite, Mr. Winton, and at my request, Col. Henry Lee Taylor, and Mr. Travis Moursund, Jr.

Facts were presented to this gathering, which were uncontroverted, and cannot be controverted, that the law was not complied with in the assessment of properties in the de-annexed area.

I demanded that the records be corrected. That demand has been complied with in part. The assessments rendered by property owners in the de-annexed area, including those of my family and corporated interests, have been corrected.

I stated to Mr. Winton and the group that my demand included all of the properties in the de-annexed areas. My neighbors and friends are entitled to the protection which the law gives to every citizen.

Here are the facts briefly:

1. NO TAX COLLECTOR CAN LEGALLY DEMAND OF ANY PROPERTY OWNER THE PAYMENT OF AD VALOREM TAXES UNLESS AND UNTIL A VALID ASSESSMENT OF THE PROPERTY HAS BEEN MADE IN THE MANNER AND WITHIN THE TIME FIXED BY LAW.

2. The Charter of the City of San Antonio and the Laws of Texas clearly set out the limitations placed upon the power of City officials to levy, assess and collect Taxes from its citizens. The Members of this Council are under solemn oaths to uphold and abide by these charter provisions. These laws are so clear that any layman can understand the meaning and purpose of these charter provisions.

I hold in my hand purported tax statements under the name of V. E. Ballard, addressed to Lawrence Dillon, et al, covering property owned by the widow of Lawrence Dillon, my friend of almost a life time, Emma Dillon, and her family. This property is located near Bergs Mill in the vicinity of the extreme southern portion of the so-called De-Annexed area. This property consists of a dairy farm, and pasturage land, and a tract along the San Antonio River; some 160 acres total. The City Assessor and Collector of taxes, Mr. Ballard demands that she pay into the city the sum of some \$1073.00 dollars, that she does not legally owe to the city. In addition, Mrs. Dillon is presented with a tax statement from the Tax Collector of the San Antonio Independent School District for an additional \$500.00 dollars in round numbers.

UNDER THE PLAIN LANGUAGE OF OUR CHARTER WE FIND THE FOLLOWING Plain Language, in Par. 1, of Section 89, of our City Charter: "Between the first day of June, and the thirty-first day of August of each year - - - -" the owners of property must assess, or in their failure the City Assessor shall assess, within this time all property owned by them, real and personal.

Mrs. Dillon, like most property owners in the de-annexed area were not aware of this requirement, or failed to heed it. Mr. Ballard did not heed it either.

AND AGAIN:

May 27, 1954

Paragraph 1, of Section 97 of our City Charter, expressly requires that the City Board of Equilization "SHALL COMPLETE ITS WORK ANNUALLY BY THE 15TH OF JANUARY". No one contends that this was done, in fact it was only completed yesterday.

No opportunity was afforded Mrs. Dillon to appear before the Board of Equilization because there was no assessment of her property made until after the time fixed by the charter had expired for the Board to act. IN FACT THE BOARD OF EQUILIZATION, in spite of demands made by its members to Mr. Ballard and in Mr. Winton's presence, were never furnished the assessments for the de-annexed area. Mr. Taylor and Mr. Dawson, two of its members, have so stated and been quoted in the Public prints. Each time Mr. Ballard was asked for them by the Board of Equilization for these assessments, Mr. Ballard informed the Board, in Mr. Winton's presence on at least three occasions, that he did not have time to get them up, and that he would have to "Back Assess them", or re-assess them the following tax year. I believe, Mr. Taylor has stated that the Billy Mitchell Village property in the de-annexed area was considered, and that he only got this assessment after repeated demands, and it was not considered until after January 15th, 1954.

AND AGAIN:

Paragraph 2, of Sec. 89, of our City Charter reads in part as follows:

"AFTER JUNE 1, 1952, the assessment rolls and tax receipts shall be made up and filed in the Finance Department annually, on or BEFORE THE FIRST DAY OF MARCH." Some one placed the seal of the Board of Equalization on the de-annexed property dated March 9, 1954.

Some sort of attempted compliance of this provision or rather parts of it, were filed under date of March 9, 1954, By Mr. Ballard, under a heading of "CERTIFICATION OF ASSESSMENT ROLL FOR 1953. BUT I see from today's papers, that it was only yesterday, May 26, 1954, that these rolls and tax receipts were filed.

THUS IT IS UNQUESTIONABLY CERTAIN THAT NO VALID ASSESSMENT OF PROPERTY HAS BEEN MADE IN THE DE-ANNEXED AREA. THE LAW IS PLAIN AND BEFORE THIS HONORABLE COUNCIL ARE THE UNDISPUTED FACTS.

Our Charter and the law provides a way for the City of San Antonio to collect legally any taxes due by property owners in the de-annexed area for the year of 1953. It is the remedy which Mr. Ballard told your Board of Equilization that he would follow.

Paragraph 2, of Section 89, of the City Charter provides:

"The Assessor and Collector of Taxes shall assess the property which has been omitted from Assessment during the past years upon the next Assessment roll after discovering the fact and shall have the same authority as county assessors and collectors of taxes in Texas to make reassessments, all at the same rate such property should have been assessed for past years, giving the year for which it is assessed and the taxes thereon shall be collected in the same manner as taxes on other assessments."

There can be no escape from the Facts, and I here and now ask that this council immediately adopt a resolution, reciting the facts relating to the alleged assessment of the property of Mrs. Dillon, and all other property owners of the de-annexed area similiarly situated, and in such resolution direct the City Manager to strike from the assessment rolls for the tax year,

Mortgagee's that no delinquency will be incurred until the boundary is settled. He stated the he knows the council inherited a mess and are not all to blame.

The Council then recessed until 1:30 P.M.

The meeting continued at 1:30 P.M. after recess.

PRESENT: STEVENS, RUSSELL, R. N. WHITE, LESTER, GONZALEZ

ABSENT: SCHERLEN, SHEARER, A. C. WHITE, EASLEY

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

AN ORDINANCE 20,211

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF FRANK J. BROWN AT 808 RIDGEMONT

(Full text in Ordinance Book AA page 28)

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

AN ORDINANCE 20,212

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF J. K. STARK AT 912 CANTERBURY

(Full text in Ordinance Book AA page 28)

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

AN ORDINANCE 20,213

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF FRANCIS W. POE AT 114 ROLLING GREEN DRIVE

(Full text in Ordinance Book AA. page 29)

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

AN ORDINANCE 20,214

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF T. E. BARNES, JR. AT 335 GITTINGER

(Full text in Ordinance Book AA page 29)

May 27, 1954

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

AN ORDINANCE 20,215

DECLARING VOID TAX ASSESSMENTS AGAINST W. 50 FT. OF CIR. 13, ARB. A-16, BLOCK 27, N.C.B. 399, FOR CERTAIN YEARS WHILE OWNED BY CONGREGATION AGUDAS ACHIM, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 29)

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

AN ORDINANCE 20,216

DECLARING VOID TAX ASSESSMENTS AGAINST LOT 4, BLOCK 19, N.C.B. 395, FOR CERTAIN YEARS WHILE OWNED BY CONGREGATION AGUDAS ACHIM, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 29)

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

AN ORDINANCE 20,217

GRANTING THE PETITION OF MOST REV. ROBERT E. LUCEY ARCHBISHOP, FOR EXEMPTION FROM CITY TAXES ON LOTS 22, 23, 24 AND 25, BLOCK 1, N.C.B. 8226, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 30)

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

AN ORDINANCE 20,218

GRANTING THE PETITION OF ELLISON EADS TEMPLE METHODIST CHURCH FOR EXEMPTION FROM CITY TAXES ON LOT 11, BLOCK 2, N.C.B. 1518, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 30)

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

AN ORDINANCE 20,219

GRANTING THE PETITION OF SAN ANTONIO UNION JUNIOR COLLEGE DISTRICT FOR EXEMPTION FROM CITY TAXES ON LOT 11, AND N. 25 FEET OF 10, BLOCK 4, N.C.B. 1906, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 30)

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

AN ORDINANCE 20,220

CHANGING THE NAMES OF CERTAIN STREETS, WITHIN THE CITY OF SAN ANTONIO

Q (Full text in Ordinance Book AA page 31)

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

AN ORDINANCE 20,221

AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AGREEMENT WITH THE SOUTHWEST RADIO & SOUND EQUIPMENT COMPANY TO SERVICE THE PAGING AND MUSIC DISTRIBUTION SYSTEM AT THE INTERNATIONAL AIRPORT AT A PRICE OF \$426.50 PER YEAR.

(Full text in Ordinance Book AA page 31)

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

AN ORDINANCE 20,222

APPROPRIATING \$5.00 OUT OF 1953 GENERAL FUND-ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN PAYMENT TO B. S. MCGOWAN OF REFUND OF IMPOUNDING FEE IMPROPERLY ASSESSED

(Full text in Ordinance Book AA page 32)

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

AN ORDINANCE 20,223

APPROPRIATING THE SUM OF \$30.00 OUT OF FUND 59-01-02, STEPHENSON ROAD, PAYABLE \$10.00 TO WALTER GOODWIN, \$10.00 TO BERT FRY AND \$10.00 TO JOE LUCCHESI FOR SERVICES RENDERED.

(Full text in Ordinance Book AA page 32)

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

AN ORDINANCE 20,224

CLOSING PARTS OF SAN LUIS AND S.W. 25TH STREET AND AUTHORIZING CONVEYANCE OF SAME TO THE CONGREGATION OF THE SISTERS OF DIVINE PROVIDENCE FOR THE SUM OF \$3,000.00 TO BE USED IN THE PAVING AND CURBING OF A PORTION OF S.W. 24TH STREET

(Full text in Ordinance Book AA page 32)

May 27, 1954

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

AN ORDINANCE 20,225

AUTHORIZING BEXAR COUNTY TO ACQUIRE RIGHTS OF WAY FOR STATE AND FEDERAL HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO

(Full text in Ordinance Book AA page 33)

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

AN ORDINANCE 20,226

ACCEPTING A DEED FROM ROY E. QUILLIN AND WIFE, HELEN CURTIS QUILLIN, CONVEYING TO THE CITY OF SAN ANTONIO TWO TRACTS OF LAND; PARCEL "A" BEING A TRACT 50 FEET WIDE OUT OF THE H. L. MISKIMIN SUBDIVISION, OUT OF M. G. DE ALANIZ SURVEY NO. 20, COUNTY BLOCK 5131; AND TRACT "B" BEING A STRIP 6 FEET WIDE OUT OF SAME AS ABOVE, AND APPROPRIATING THE SUM OF \$1100.00 TO PAY FOR SAID TWO TRACTS

(Full text in Ordinance Book AA page 33)

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

AN ORDINANCE 20,227

ACCEPTING THE DEED FROM E. J. FRAZER, MARY M. KIRBY, JOINED HEREIN BY HER HUSBAND, J. C. KIRBY, JR., CONVEYING TO THE CITY OF SAN ANTONIO LOTS 1 AND 2, N.C.B. 2017, AND APPROPRIATING THE SUM OF \$2700.00 TO PAY FOR SAME

(Full text in Ordinance Book AA page 34)

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

AN ORDINANCE 20,228

APPROPHATING \$1490.00 OUT OF THE FLOOD CONTROL CHANNEL RIGHT OF WAY FUND TO ALAMO TITLE COMPANY IN PAYMENT FOR LAND TO BE CONVEYED BY RAYMON WHITEHEAD, ET UX, TO THE CITY OF SAN ANTONIO FOR RIGHT OF WAY IN THE WIDENING OF MARTINEZ CREEK

(Full text in Ordinance Book AA page 34)

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

AN ORDINANCE 20,229

ACCEPTING A RELEASE TO THE CITY OF SAN ANTONIO FROM ALFONS H. GROTHEUS, MARIE PAULINE GROTHEUS AND WILLIAM GROTHEUS, WHEREBY THE CITY, FOR A CONSIDERATION OF \$250.00, IS RELEASED FROM ITS OBLIGATION UNDER THE CONTRACT OF MAY 15, 1953 TO FURNISH THE ABOVE NAMED PARTIES WITH A CONCRETE CROSSING ON STEPHENSON ROAD, AND APPROPRIATING \$250.00 THE CONSIDERATION FOR SAID RELEASE

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

AN ORDINANCE 20,230

ACCEPTING THE ATTACHED BID OF PEASLEE GAULBERT COMPANY TO FURNISH THE CITY OF SAN ANTONIO VARIOUS DEPARTMENTS WITH THEIR REQUIREMENTS OF LAMPS FOR PERIOD BEGINNING JUNE 1, 1954 - TERMINATING MAY 31, 1955

(Full text in Ordinance Book AA page 35)

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

AN ORDINANCE 20,231

ACCEPTING THE ATTACHED BID OF VALLEY STEEL PRODUCTS COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS, TRAFFIC ENGINEERS WITH 10,000 FEET USED PIPE FOR A NET TOTAL OF \$2150.00

(Full text in Ordinance Book AA page 35)

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

AN ORDINANCE 20,232

ACCEPTING THE ATTACHED BID OF DULANEY SERVICE COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERS WITH ONE PAVEMENT MARKING MACHINE FOR A NET TOTAL OF \$973.75.

(Full text in Ordinance Book AA page 36)

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

AN ORDINANCE 20,233

ACCEPTING THE ATTACHED BIDS OF SOUTHERN COMPANY, W. H. WINTERBORNE & SONS, ALAMO IRON WORKS AND SAN ANTONIO MACHINE AND SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH CERTAIN ITEMS OF SEWER PIPE, ETC. AS SPECIFIED FOR CONTRACT PERIOD.

(Full text in Ordinance Book AA page 36)

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

AN ORDINANCE 20,234

AN ORDINANCE AMENDING SECTION 2 OF AN ORDINANCE DATED THE 1ST DAY OF DECEMBER, 1921, ENTITLED "AN ORDINANCE FOR THE PURPOSE OF REGULATING LOCAL STREET TRANSPORTATION OF PERSONS BY JITNEYS, MOTOR BUSES AND OTHER VEHICLES, AND PROHIBITING THE USE OF JITNEYS, MOTOR BUSES AND OTHER VEHICLES FOR SUCH TRANSPORTATION ON THE STREETS OF THE CITY OF SAN ANTONIO, EXCEPT AS HEREIN PROVIDED FOR, AND PROVIDING PENALTIES", AS AMENDED BY AMENDING PARAGRAPH 31 THEREOF

(NEW BRAUNFELS)

(Full text in Ordinance Book AA page 37)

May 27, 1954

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

AN ORDINANCE 20,235

AN ORDINANCE GRANTING THE SAN ANTONIO TRANSIT COMPANY A PERMIT TO OPERATE CINCINNATI SHUTTLE BUS LINE

(Full text in Ordinance Book AA page 37)

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

AN ORDINANCE 20,236

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF DAN C. ALLENSWORTH AT 412 S. VANDIVER RD.

(Full text in Ordinance Book AA page 38)

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

AN ORDINANCE 20,237

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF E. H. JAROSZEWSKI AND WIFE AT 118 ROLLING GREEN DRIVE

(Full text in Ordinance Book AA page 39)

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

AN ORDINANCE 20,238

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF MILTON A. RYAN AT 801 RIDGEMONT

(Full text in Ordinance Book AA page 39)

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

AN ORDINANCE 20,239

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF NETTIE LEE DINN AT 113 SARGENT

(Full text in Ordinance Book AA page 239)

May 27, 1954

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

AN ORDINANCE 20,240

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF NETTIE LEE DINN AT 117 SARGENT

(Full text in Ordinance Book AA page 39)

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

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 AND RE-ZONING CERTAIN PROPERTY DESCRIBED HEREIN. (CASE NO. 373, NCB 982)

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

AN ORDINANCE 20,241

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO PROCEED WITH CONDEMNATION TO ACQUIRE CERTAIN PRIVATE PROPERTY TO BE USED FOR A PUBLIC PURPOSE, TO-WIT, CHANGING THE CHANNEL OF THE SAN ANTONIO RIVER FOR FLOOD PURPOSES AND TO BE USED ALSO FOR BRIDGE PURPOSES MADE NECESSARY BY THE CHANGE IN THE CHANNEL

(Full text in Ordinance Book AA page 39)

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

AN ORDINANCE 20,242

ACCEPTING THE PROPOSAL OF AND CREATING CONTRACT WITH THE SAN ANTONIO DEALERS TO SUPPLY THE CITY ZOO AND RABIES CONTROL WITH HORSE MEAT FOR THE PERIOD ENDING MAY 31, 1955

(Full text in Ordinance Book AA page 40)

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

AN ORDINANCE 20,243

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 THEREIN. (Lots 27, 28, 29, New City Block 1771, located on the south side of Hildebrand Avenue in the 1200 block)

(Full text in Ordinance Book AA page 40)

May 27, 1954

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

A RESOLUTION

AUTHORIZING AND DIRECTING THE CITY PURCHASING AGENT TO ADVERTISE FOR BIDS TO FURNISH THE CITY OF SAN ANTONIO WITH REQUIRED RADIO EQUIPMENT AND SUPPLIES FOR COMMUNICATION FACILITIES FOR THE FIRE AND POLICE DEPARTMENTS OF THE CITY OF SAN ANTONIO, TO BE USED IN THE LOCAL CIVIL DEFENSE PROGRAM

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

A RESOLUTION

DESIGNATING MONDAY, MAY 31, 1954, MEMORIAL DAY, AND DECLARING A HOLIDAY

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

AN ORDINANCE 20,244

GRANTING THE SAN ANTONIO UNION JUNIOR COLLEGE DISTRICT A PERMIT TO BUILD A PEDESTRIAN PASSAGEWAY ABOVE AND ACROSS THE 400 BLOCK OF WEST DEWEY PLACE

(Full text in Ordinance Book AA page 41)

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 referred to Mr. Ralph H. Winton, City Manager, for his recommendation or action.

- 5-17-54 Petition of Henry B. Dielmann and residents in the King William area, protesting against the granting of any permit permitting the location of any dead or embalming room in connection with an undertaking business proposed by the Akers Funeral Home at S. St. Mary's and King William Street.
- 5-18-54 Petition of Randle Taylor, filed in behalf of the Yates Laundry, protesting the erection of a funeral home at S. St. Marys and King William Street
- 5-20-54 Petition of Mrs. J. A. Oslin, protesting the decision of the City Council in Zoning Case 356, being property on the east side of Jackson Street between Laurel and West Park Avenue, and requesting the Council to re-open the case.
- 5-21-54 Petition of Most Rev. Robert E. Lucey requesting tax exemption of Tract A, Plaza Mission San Jose
- 5-24-54 Petition of YMCA requesting tax exemption of 17.45 acres New City Block 10749.
- 5-24-54 Petition of Most Rev. Robert E. Lucey requesting tax exemption of W. 260' of E 690.57' of S 335' of N 350' of Lot 1, NCB 6075.

Yours very truly,

J. Frank Gallagher
City Clerk

Mrs. Stevens moved that Mr. R. N. White be granted a leave of absence for military duty until July 5th. Seconded by Mr. Gonzalez, the motion was unanimously carried.

A hearing was set at this time to change the zoning laws and place farming, truck gardening, nurseries and green house so that they would be permitted only in Commercial areas. The recommendation of the Planning Commission to make the change was unanimously voted against and the change was refused.

Mr. Krystjen Bredvad then addressed the council on the subject of juvenile delinquency.

Mr. I. H. Kessler then came before the council with a complaint against the Planning and Public Works Department and the City Manager and City Attorney for the manner in which they treated his application for plat approval and sewage connections.

It was shown that Mr. Kessler has never complied with the conditions to get his sewer line approved or his plat either. The discussion went to great length but nothing was accomplished. He was told to comply with the rules and then if he could not get satisfaction to come back.

Mr. Gonzalez then introduced the following ordinance:

AN ORDINANCE

CREATING A YOUTH CONSERVATION AND STUDY COMMISSION

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

Section 1. That there is hereby created a Commission consisting of not less than nine nor more than eighteen members, all residents of the City of San Antonio, except three who may be residents of Bexar County, to be known as the San Antonio Youth Conservation and Study Commission.

Section 2. The members of this Commission shall be appointed by the City Manager subject to the approval of the Council, six members of said Commission being appointed to a term of office not to exceed two years and the remaining members of said Commission to a term not to exceed one year.

Section 3. This Commission is created for the purpose of mobilizing scientific research in order to inquire into the causes of child delinquency, suggest methods of coordinating the work of public and private city agencies engaged in the work of combatting juvenile crime, as well as to study methods of marshalling the community's resources in behalf of the cause of youth conservation for effective citizenship. It is recognized that this Commission shall be primarily a study and educational group set up for the purpose of suggesting effective social action, technical services and social organization on a city wide basis.

Mr. S. Lester having left the meeting, there was no quorum present and the ordinance was ordered recorded and to be brought up later.

On motion of Mr. Gonzalez, seconded by Mrs. Stevens, the meeting adjourned.

APPROVED:

Raymond R. Russell Jr.
MAYOR

ATTEST:

Frank Gallagher
City Clerk

May 27, 1954

ADDENDUM

The Clerk read the following opinion regarding the proposed de-annexation of Coker Estate.

"In regard to the de-annexation of Coker Estates, it is my opinion that the City Council may proceed to de-annex said area by approving the final passage of the ordinance without being in any manner in contempt of court.

The judgment of the District Court in the Criner de-annexation case has been appealed and is not a final judgment and will not be so until decision has been handed down by the appellate courts.

Of course, if the judgment in the Criner case is affirmed by the appellate courts, then the ordinance de-annexing Coker Estates will also be invalid and would place Coker Estates in the same position as the other de-annexed areas."

/s/ Ralph W. Brite
City Attorney

The Clerk read a letter from Senator Price Daniel regarding the proposal for additional funds for airport construction.

The Clerk then read a letter from Mr. Mel Hughes resigning as a member of the Zoning Board of Adjustment. The resignation was accepted with regret.

The Clerk read a letter from the City Water Board submitting a copy of a proposed reorganization of the Water Department as suggested by the Southwest Research Institute. The information required having been noted therefrom, the Clerk was instructed to return it with thanks.

The Clerk read a letter from the City Water Board submitting a copy of their audit for 1953.

The Clerk read a letter from the City Water Board in response to a request from the City as to the desires of the Board regarding the continuance of that part of the Water Conservation Ordinance, regarding lawn sprinkling, in force. Although the Board feels the law should be continued in force the council voiced the opinion that it should be stopped. The City Attorney was instructed to draw up an amendment discontinuing that part of the ordinance and instructed the Clerk to tell the Water Board that if they wanted to oppose it to send their objectors to the council meeting to be held Monday, May 31st. at 8:00 A.M.

Petitions presented by various parties and organizations protesting against a mortuary which is contemplated at S. St. Marys and King William, were ordered filed until needed.

A request from the Chief of the Fire Department for permission to close Villita Street between S. Alamo and S. Presa Street from 4:00 P.M. until midnight on June 9th was granted.

ADDENDUM, Cont'd.

A petition filed by Col. S. M. Crim and 158 others protesting against a fireworks display on July 4th was read. Since a permit has already been approved by the council and a license granted it was deemed too late to take any action.

A request of Downtown Motors for a permit to erect a fence above the 6 ft. height was ordered denied.

Mr. Paul Dawson, a member of the Board of Equalization, presented the first minutes of the Board meeting and also the recapitulation of the roll together with the Certificate of Approval and Assessors oath to be filed after the approval of the Mayor Pro-tem.

Councilman Easley read to the council an ordinance, which he proposes to present to the council when it convenes in regular session, providing for an investigation of the Finance Department and especially the Assessing Department. It provides for the appointment of an investigator to be hired by the council and to report to the council.

The reading of this ordinance brought on heated discussion between the members and the City Manager and the calling on the City Attorney for his opinion as to the legality of certain acts of the Board of Equalization.

After protests from the City Manager that the investigator would be unnecessary and after Mr. Russell asked that the ordinance be held up until after a Special Meeting to be held on Monday, May 31st., Mr. Easley insisted that he would ask for the passage of the ordinance at the regular meeting. He explained that if no irregularities exist and nothing is wrong it will give the Assessor and the Finance Department a clean bill of health and will be better for all concerned.

Councilman R. N. White then announced his resignation as the chairman and as a member of the committee appointed to report on the feasibility of a Freeway Bond Issue. He further asked that the matter be referred to the Planning Commission. Action was deferred until the May 31st meeting.

The council was next presented a certificate from the Chamber of Commerce of the U. S. giving recognition to the City of San Antonio for its excellent record in the Inter-Chamber National Fire Waste contest. The Clerk was instructed to draw a resolution commending the Fire Department and the Fire Marshal on the record made.