

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE CITY COUNCIL CHAMBER, CITY HALL,  
ON THURSDAY MARCH 10, 1960, AT 8:30  
A.M.

The meeting was called to order by the presiding officer Mayor J. Edwin Kuykendall. The following members were present:

Kuykendall, Dietert, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin.

The invocation was given by Rev. Reginald Hardy, Pastor of Los Angeles Heights Methodist Church.

On motion of Dr. San Martin the Council dispensed with the reading of the minutes of the previous meeting.

The City Clerk read the following letter:

CITY PUBLIC SERVICE BOARD  
of  
San Antonio, Texas  
March 9, 1960

The Honorable J. Edwin Kuykendall  
and the City Council of the City of  
San Antonio, Texas

Gentlemen:

In the light of the letter dated March 8, signed by Mayor Kuykendall, the Trustees of the City Public Service Board are agreeable to a joint meeting with the City Council to discuss the question of the diversion of additional electric and gas revenues to general City purposes.

However, the suggested date of Tuesday, March 15, is not a convenient date for most of the members of the Board. Mr. Holmgren and General Bennett have an important bank directors meeting on this same date which will prevent their attendance. Mr. Denman has an annual meeting of the stockholders of the King Ranch Corporation on this same date at Kingsville.

It is, therefore, our suggestion that the meeting be held either on Wednesday, March 16, or some subsequent date which will be mutually agreeable to the City Council and the members of the Board.

As indicated in our letter of March 4, the Trustees of the Board consider this a most important matter which vitally affects the future economy and development of the City. We hope that the questions can be discussed in a way that will enable both the members of the Board and the City Council to fully appreciate all of the basic economic factors bearing on this matter

Sincerely yours,

/s/ James H. Calvert, Chairman

JHC:mhb

Dr. Johnson then moved that the special meeting called for Tuesday, March 15, be reset for Wednesday March 16, at 1:00 P.M. and that a letter be written the City Public Service Board notifying it of the meeting. The motion was seconded by Dr. McMahon.

On Roll Call the motion carried by the following vote:

All Ayes: Kuykendall, Dietert, Passur, McMahon, Johnson, Simpson, Olivares, Pinson Jr. San Martin.

Nays: None.

Absent: None.

The following ordinances were passed and approved by the following vote:

Ayes: Kuykendall, Dietert, Passur, McMahon, Johnson, Simpson, Olivares, Pinson Jr., and San Martin.

Nays: None.

Absent: None.

AN ORDINANCE 28341

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF SAN ANTONIO ARMATURE WORKS TO REPAIR ALLIS-CHALMERS MOTOR FOR SEWAGE TREATMENT PLANT FOR A TOTAL OF \$1,214.60.

\* \* \* \*

(FULL TEXT IN ORDINANCE BOOK JJ PAGE 180)

AN ORDINANCE 28342

ACCEPTING THE ATTACHED QUALIFIED BID OF THE STECK COMPANY TO FURNISH THE CITY OF SAN ANTONIO CIVIC ADVERTISING WITH CERTAIN COLOR RACK FOLDERS FOR A TOTAL OF \$5,760.85.

\* \* \* \* \*

(FULL TEXT IN ORDINANCE BOOK J J PAGE 181)

AN ORDINANCE 28343

AN ORDINANCE GRANTING PERMISSION TO STANLEY KUENSTHER AND WIFE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS.- (701 GARRATY ROAD, TERRELL HILLS)

\* \* \* \* \*

(FULL TEXT IN ORDINANCE BOOK JJ PAGE 181)

AN ORDINANCE 28344

APPROPRIATING AN ADDITIONAL \$1,003.00 OUT OF STREET IMPROVEMENT BOND FUND NO. 479-01, 1956 SERIES, PAYABLE TO BERETTA, GREENSLADE & ASSOCIATES FOR ENGINEERING SERVICES IN CONNECTION WITH THE DONALDSON PROJECT (FROM ST. CLOUD ROAD TO WILSON).

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 182)

AN ORDINANCE 28345

APPROPRIATING AN ADDITIONAL \$34.42 OUT OF SANITARY SEWER IMPROVEMENT BOND FUND 479-14, 1957 SERIES, PAYABLE TO IRVING S. SELIGMANN FOR ENGINEERING SERVICES ON SANITARY SEWER PROJECT ST-35C.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 183)

A RESOLUTION

ACCEPTING A LICENSE FROM THE MISSOURI PACIFIC RAILROAD COMPANY TO THE CITY OF SAN ANTONIO TO BE USED FOR THE INSTALLATION OF DRAINAGE PIPES IN CONJUNCTION WITH THE SOUTH ZARZAMORA STREET RECONSTRUCTION PROJECT.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 183)

March 10, 1960

AN ORDINANCE 28346

AMENDING ORDINANCE NO. 27,761, WHICH MANIFESTED A CONTRACT BETWEEN THE CITY AND FRANK T DROUGHT, ENGINEER, TO INCLUDE AN ADDITIONAL PROJECT AT INTERNATIONAL AIRPORT THEREIN (TAXIWAY BY-PASS), AND APPROPRIATING \$2,307.15 OUT OF INTERNATIONAL AIRPORT BOND AND CONSTRUCTION FUND #803-04 IN CONNECTION THEREWITH.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE184)

AN ORDINANCE 28347

APPROPRIATING CERTAIN SUMS IN CONNECTION WITH THE CITY LAND ACQUISITION PROGRAM.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE184)

A RESOLUTION

ACCEPTING THE DEDICATION OF A CERTAIN SANITARY SEWER EASEMENT.

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(Full text in Ordinance Book J.J. Page 185)

A RESOLUTION

ACCEPTING THE DEDICATION OF CERTAIN SANITARY SEWER EASEMENTS.

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(Full text in Ordinance Book J.J. Page 185)

AN ORDINANCE 28348

CREATING THE CONTRACT BETWEEN THE NATIONAL BANK OF COMMERCE OF SAN ANTONIO AND THE CITY OF SAN ANTONIO, TEXAS, TO MAKE LOANS AND PAY INTEREST ON DEPOSITS TO THE CITY OF SAN ANTONIO, TEXAS FOR THE FISCAL YEAR 1959-60.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 186)

ORDINANCE 28349

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$120,000.00 TO PAY CURRENT EXPENSES OF CITY COUNTY TUBERCULOSIS FUND DURING THE FISCAL YEAR 1959-60.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE189)

March 10, 1960

AN ORDINANCE 28350

AUTHORIZING CERTAIN FINANCE DEPARTMENT PERSONNEL TO SIGN CITY CHECKS AND WARRANTS AND HAVE ACCESS TO LOCK BOXES IN THE CITY DEPOSITORY.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 191)

AN ORDINANCE 28351

EXTENDING THE CONTRACT BETWEEN THE CITY AND NIK-O-LOK COMPANY FOR THE MAINTENANCE OF TOLIET LOCKS ON THE PREMISES AT MUNICIPAL AUDITORIUM FOR A FIVE(5) YEAR PERIOD.

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(FULL TEXT ORDINANCE BOOK JJ PAGE 192)

AN ORDINANCE 28352

CHANGING THE NAME OF A PORTION OF CLAVEL STREET TO AMIRES PLACE.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 192)

AN ORDINANCE 28353

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY AND BRANIFF AIRWAYS, INC., FOR THE LEASE OF ADDITIONAL SPACE IN THE TERMINAL BUILDING AT INTERNATIONAL AIRPORT.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 193)

AN ORDINANCE 28354

AUTHORIZING PAYMENT OF THE SUM OF \$650.93 OUT OF THE GENERAL FUND, ACCOUNT NO 50-03-01, IN FULL AND FINAL SETTLEMENT OF CAUSE NO. F-117,138, WILLIAM L. CONDIE VS. CITY OF SAN ANTONIO TO BE PAID IN ACCORDANCE WITH THE COURTS JUDGMENT RENDERED APRIL 13, 1959.

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(FULL TEXT IN ORDINANCE BOOK JJ PAGE 194)

AN ORDINANCE 28355

DIRECTING THE SALE OF PERSONAL PROPERTY, CONSISTING OF 69 BICYCLES, 28 FRAMES, 12 WHEELS, 5 FENDERS, 2 CARRIERS AND 2 GUARDS, IN THE POSSESSION OF THE POLICE DEPARTMENT NOT OWNED OR CLAIMED BY THE CITY OF SAN ANTONIO.

\* \* \* \* \*

(FULL TEXT IN ORDINANCE BOOK JJ PAGE 194)

March 10, 1960

The Clerk read the following Resolution:

A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE  
FOR BIDS FOR THE PROVIDING OF WRECKER  
SERVICE TO THE CITY POLICE DEPARTMENT.

(Full text in Ordinance Book J.J. Page 195)

Police Chief Bichsel stated this will provides for a supplemental service to the service now operated by the city. He stated that during peak traffic hours the City wreckers are busy hauling in parked cars and if an accident occurs at the expressway the wreckers have to be pulled to take care of the accident. He stated City operates six wreckers and has eleven drivers over a 24 hour period. Two work in the morning, five from 4 to 12 pm and 2 all night and there are usually 2 off-duty. He said the city only hauls cars to the police pound. He recommended this supplemental service be awarded on a contract basis rather than having a rotation system or some other system. After discussion of the matter Dr. Johnson moved that the resolution to advertise for bids be approved. Seconded by Dr. San Martin the resolution was passed and approved by the following vote:

All Ayes: J. Edwin Kuykendall, Reuben O Dietert, Mike Passur, Dr. John L McMahon, Dr. Max E. Johnson, Wayne C Simpson, Joe Olivares, Theo W Pinson Jr. Dr Jose San Martin.

NAYS: None.

Absent: None.

Mr. Passur introduced the following resolution.

A RESOLUTION

WHEREAS, this City Council has been deeply shocked and grieved to learn of the untimely passing of a fellow official of the City of San Antonio, Inspector of Police, E. P. Bogasch, and

WHEREAS, during his tenure with the City of San Antonio, Inspector Bogasch has made many valuable improvements to the law enforcement system, of the City and has contributed greatly to the safety of the entire populace, and

WHEREAS, in the loss of Inspector Bogasch the City has lost an officer of sterling worth and a lovable character which this Council realized with great sorrow, THEREFORE,

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

That the family of Inspector E. P. Bogasch be tendered the warm felt sympathy of this body and of its individual members, and

BE IT FURTHER RESOLVED, that this resolution be adopted by a rising vote and that a minute of silent prayer be observed by all present.

BE IT FURTHER RESOLVED, that a signed copy of this resolution be sent to the members of the family of the deceased officer.

PASSED AND APPROVED THIS 10th day of March 1960.

/s/ J. Edwin Kuykendall  
M A Y O R

ATTEST:

/s/ J. Frank Gallagher  
CITY CLERK

Mr. Passur then moved that it be passed. The resolution was passed by a standing vote of the Council, which was followed by a minute of silent prayer.

March 10, 1960

At this time City Manager Andrews called on the Directors of Housing and Inspections, Mr. George Vann regarding amusement carnivals in community centers.

Mr. Vann stated the City had been receiving complaints from citizens against carnivals at Terrell Plaza and Las Palmas Community Centers. He stated these centers are zone F Local Retail, and his inspectors had issued notices of zoning violations, as the zoning law requires property to be zoned J. for carnivals. Dr. San Martin stated that about a year ago the Council instructed the City Manager that where a new supermarket or center is opened the City would allow carnivals for about a week only. The City Manager said they move around from week to week to different locations and this was another round of the carnival at the same location. He said he was bringing this matter up to let the Council know the City is enforcing the zoning laws. Mr. Rudy C. Wildenstein spoke in favor of the carnivals to help attract people to these centers. Mr. James Johnson, operator of the Playland Park stated he was not apposed to carnivals but they should be made to comply with the zoning laws and other regulations the same as he. After discussion, Dr. McMahon moved that the Council reaffirm its policy regarding carnivals on Roll Call the policy was reaffirmed by the following vote:

All Ayes: Kuykendall, Dietert, Passur, McMahon, Johnson, Simpson, Olivares, Pinson Jr., and San Martin.

Absent: None.

Nays: None.

The Mayor announced that a hearing was set for this time on the matter of establishing a sewer service charge. He stated that after reading of the ordinance, the City Manager would explain it; after which those in favor would be asked to speak and then those opposed.

The Clerk then read the sewer service charge ordinance in full.

City Manager Lynn Andrews stated that at the request of the City Council he and his staff had conducted extensive studies on the matter of a sewer service charge in order to solve an urgent community problem, that effects the health and welfare of every citizen in San Antonio. He stated that \$16,000,000 will be needed during the next ten years to improve the sanitary sewer system.

He explained that there are people who use City water but have septic tanks and do not use the sewers, however, this is a service charge and if these people do not use the sewers they will not be required to pay the fee. He said allowance had been made for water used in lawn watering. Regardless of the amount of water used, the residential charge would not exceed \$1.25. It was estimated the charge would produce \$1,750,000 gross and he hoped for a net of \$1,600,000.

The only complaints he has had was with non-paying tax exempt institutions, who did not want to pay the service charge. He pointed out this was a service charge and has no connection with ad volorem tax. He stated the monthly charge for the Baptist

Memorial Hospital would be \$75 or \$80 per month which amounted to less than 1 cent per bed per day. The Santa Rosa Hospital with 600 beds would have a charge of approximately \$171 a month. He also gave the estimated charges for schools and churches. He also gave the estimated charges for laundries, stating he had met with representatives of the industry who presented the peculiar problems of the laundry business.

The City Attorney was asked if tax exempt institutions could be exempted from the service charge. The City Attorney replied that the problem is a matter of discrimination. You can discriminate on Ad Valorem tax because it is provided for in our State Constitution, but if we exempt them from the service charge it will be discrimination and the validity of the ordinance would be questionable. To a question of whether it is legal to classify the charges, he said it was legal if the charges are made on a fair estimate.

The Reverend Clarence Leopold representing the Catholic Archdiocese of San Antonio read a statement protesting the service charge, and asked that the ordinance be amended to exempt tax-exempt organizations from the service charge.

Mr. Orval A. Slater, representing the laundry industry in San Antonio read a prepared statement in which he stated they have no quarrel or criticism with the need for the sewer service charge but only wanted to state the industry's position in the matter.

Mr. Jack Larned, President of the San Antonio Police Officers Association, stated the association had voted in favor of the sewer service charge and urged the Council to adopt the ordinance.

Mr. Theo Weiss asked that tax-exempt associations be omitted from the sewer service charge and stated that the discriminatory effect, as mentioned by the City Attorney, could be worked out. Also protesting the charge against tax-exempt institutions were John P. Pheiffer, Ralph Garza and Al Heck.

Mr. Charles Duke, representing the St. Anthony Hotel, asked the Council to delay action on the ordinance until they had a chance to study it.

Also opposing the sewer charge was Mr. Max Fuentes and Rudy Wildenstein.

After further discussion of the matter, Dr. McMahon moved that the Council postpone action until the next regularly scheduled Council meeting on March 17th. Seconded by Dr. San Martin, the motion carried by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

The City Clerk was instructed to have copies of the ordinance available for the public.

Mr. Edgar Pace asked what happened to the funds of the Water Improvement District in South San Antonio when the City took over the district. He was told the City had paid the indebtedness of the district and after paying all the debts of the district took over the funds in the district account because it was being spent on salaries for the

district board members. He said he would have a report made on the question.

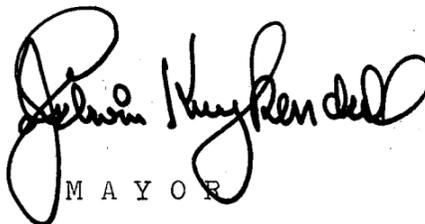
Mrs. Rudolph Martinez, President of the Frank Johnson Elementary School, 1811 S. Laredo Street presented a petition requesting sidewalks leading to and from the school.

Mrs. F. L. Studley, principal of the school, described the conditions and asked that at least the asphalt sidewalk which existed prior to the widening of S. Laredo Street be repaired.

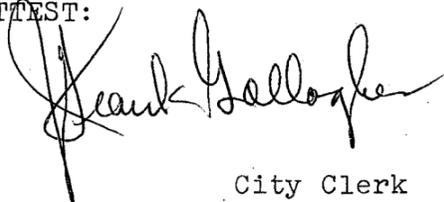
They were told the City would look into the matter and see what could be done to alleviate the condition.

There being no further business, the meeting adjourned.

APPROVED:

  
MAYOR

ATTEST:

  
City Clerk