

December 18, 1952

REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF SAN ANTONIO HELD IN THE
COUNCIL CHAMBER OF THE CITY HALL ON THURSDAY
DECEMBER 18, 1952 AT 9:00 A.M.

PRESENT:

WHITE, LOZANO, SCHMIDT, KELLER, SPIVEY, GERHARDT, CASSIDY, GREEMAN, STEVES
Mayor Sam Bell Steves presiding.

Invocation by Rev. Vernon Elmore - Baptist Temple

On motion of Mr. Cassidy seconded by Mr. Schmidt the reading of the minutes
of the previous meeting was dispensed with.

A letter from the City Manager was read recommending the following ordinances
be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,621

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY
A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE
PETITION OF LEONARD J. AND JOSEPHINE H. KOBERNAT
AT 1121 WILTSHIRE AVENUE

(Full text in Ordinance Book Y. page 309)

AN ORDINANCE 18,622

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY
A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE
PETITION OF J. K. STARK AT 640 RITTIMAN RD

(Full text in Ordinance Book Y. page 310)

AN ORDINANCE 18,623

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY
A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE
PETITION OF J. K. STARK AT 1024 CANTERBURY HILL

(Full text in Ordinance Book Y. page 310)

A letter from the City Manager was read recommending the following ordinance
be passed and the recommendation was unanimously approved by the Council.

APPRO. NO. 1952

AN ORDINANCE 18,624

APPROPRIATING \$1,562.46 OUT OF THE TRENCH MAINTENANCE
FUND TO PAY UVALDE ROCK ASPHALT CO. FOR ASPHALT

(Full text in Ordinance Book Y. page 310)

A letter from the City Manager was read recommending the following ordinance
be passed and the recommendation was unanimously approved by the Council.

APPRO. NO. 1953

AN ORDINANCE 18,625

APPROPRIATING \$95.43 OUT OF THE SANITARY SEWER
PLANT & SYSTEM A-47 FUND TO PAY THE SOUTHERN
COMPANY FOR MISCELLANEOUS SUPPLIES

(Full text in Ordinance Book Y. page 311)

A letter from the City Manager was read recommending the following ordinances
be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,626

ACCEPTING DEED FROM C. E. BORDERS AND WIFE
GRACE A BORDERS, TO THE EAST 5 FEET OF LOT 18,
BLOCK 15, NEW CITY BLOCK 9235 AND APPROPRIATING

THE SUM OF \$325. OUT OF ACCOUNT OR FUND NO. 63-05-03
CODE 5 STEPHENSON ROAD RIGHT OF WAY

(Full text in Ordinance Book Y. page 311)

AN ORDINANCE 18,627

ACCEPTING A DEED FROM REYNALDO RIOJAS AND WIFE, JULIA C. RIOJAS, CONVEYING TO THE CITY LOTS 29 AND 30 NCB 8225, WESTLAWN PARK ADDITION SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO AND AUTHORIZING PAYMENT OF \$2926.00 OUT OF ACCOUNT NOS. 63-05-03 (CODE 5) STEPHENSON ROAD RIGHT-OF-WAY AS CONSIDERATION FOR SAID CONVEYANCE

(Full text in Ordinance Book Y. page 311)

AN ORDINANCE 18,628

ACCEPTING A DEED TO CITY OF SAN ANTONIO FROM CLETO C. CASTILLO AND WIFE MANUELA F. CASTILLO CONVEYING LOTS 31 AND 32 IN BLOCK 20, NEW CITY BLOCK 8225 WESTLAWN PARK ADDITION AND APPROPRIATING THE SUM OF \$4300.00 TO PAY FOR SAME

(Full text in Ordinance Book Y. page 312)

AN ORDINANCE 18,629

AUTHORIZING THE PAYMENT OF \$6200. TO SECURITY TITLE COMPANY, FOR LAND TO BE CONVEYED TO THE CITY BY PEDRO C. CASTILLO, ET UX, FOR RIGHT-OF-WAY, STEPHENSON ROAD PROJECT

(Full text in Ordinance Book Y. page 312)

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,630

ACCEPTING THE BID OF KELLY CONSTRUCTION CO. FOR THE CONSTRUCTION OF A PARKING AREA TO BE LOCATED IN SAN PEDRO PARK

(Full text in Ordinance Book Y. page 312)

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A letter from the City Manager was read recommending the following resolution be passed and the recommendation was unanimously approved by the Council.

A RESOLUTION

DIRECTING THE CITY CLERK TO ADVERTISE FOR BIDS FROM PROSPECTIVE PURCHASERS OF CITY-OWNED PROPERTY, TO-WIT: LOTS 1 AND 2, NEW CITY BLOCK 205 EXCEPT THE NORTH 15 FEET OF SAID LOTS, AND LOT 23, NEW CITY BLOCK 778, ALL SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO

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A letter from the City Manager was read recommending the following resolution be passed and the recommendation was unanimously approved by the Council.

A RESOLUTION

AUTHORIZING THE TRANSFER OF \$878.00 FROM OPERATING RESERVE TO ACCOUNTS #11-02-31 AND #11-04-21

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,631

ESTABLISHING A SPECIAL FUND TO BE KNOWN AS "CENTRAL STORES ACCOUNT" AND AUTHORIZING THE CONTROLLER TO RECEIVE AND DISBURSE MONEY FOR THE OPERATION OF THIS FUND

(Full text in Ordinance Book Y. page 313)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,632

ACCEPTING A DEED FROM THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO FOR PROPERTY TO BE USED FOR STREET PURPOSES IN N.C.B. 8148 AND NCB 8139

(Full text in Ordinance Book Y. page 313)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

APPRO. NO. 1954

AN ORDINANCE 18,633

ACCEPTING A DEED FROM GEORGE W. FLANNERY ET AL AND APPROPRIATING \$1.00 OUT OF STATE OR STATE-AID HIGHWAY BOND A-49 FUND, FOR PAYMENT TO SAID GRANTORS, AS CONSIDERATION FOR THIS CONVEYANCE

(Full text in Ordinance Book Y. page 313)

Ord. # 18,634 and #18,635 - See page 565

A letter from the City Manager was read recommending the following resolution be passed and the recommendation was unanimously approved by the Council.

A RESOLUTION

DIRECTING THE CITY ATTORNEY TO BIND THE CITY BY AN AGREED JUDGMENT FOR DELINQUENT PROPERTY TAXES AGAINST CHILDREN'S SERVICE BUREAU

A letter from the City Manager was read recommending the following resolution be passed and the recommendation was unanimously approved by the Council.

A RESOLUTION

DIRECTING THE CITY ATTORNEY TO BIND THE CITY BY AN AGREED JUDGMENT FOR DELINQUENT PERSONAL PROPERTY TAXES AGAINST ALWINE BOOER

(Full text in Ordinance Book Y. page

A letter from the City Manager was read recommending the following resolution be passed and the recommendation was unanimously approved by the Council.

A RESOLUTION

DIRECTING THE CITY ATTORNEY TO BIND THE CITY BY AN AGREED JUDGMENT FOR DELINQUENT PERSONAL PROPERTY TAXES AGAINST MRS. R. T. PRUITT

A letter from the City Manager was read recommending the following resolution be passed and the recommendation was unanimously approved by the Council.

A RESOLUTION

GIVING NOTICE OF A HEARING ON JANUARY 8, 1953, OF A PROPOSED AMENDMENT OF THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON THE 3RD DAY OF NOVEMBER, 1938, FOR RE-ZONING AS FOLLOWS: PROPOSITION A: FROM "E" APARTMENT TO "H" LOCAL RETAIL PORTIONS OF LOTS 8, 9, 10, 2, 3 AND 4, BLOCK 23 OF NCB 377; PROPOSITION B: REZONE LOTS 272-273 NCB 9488 FROM "C" AND "J" SO THAT ALL PROPERTY WILL BE "C" PROPOSITION C: FROM "C" RESIDENTIAL TO "J" COMMERCIAL ON LOT 25-A, NCB 1482

A letter from the City Manager was read with regard to petition of Mr. Maury Maverick Sr. requesting certain capital improvements.

When the above letter from the City Manager was read Mr. Cassidy said he would like for the record to show that he was heartily in accord with Mr. Maverick's aims and wanted to compliment him on his continuous efforts for the La Villita Project.

Mayor Steves added his praise and said that Mr. Maverick deserved great credit.

Mr. Lozano moved and the motion was carried to thank Mr. Maverick and to say that it was the sense of the Council that they were behind his efforts.

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A letter from the City Manager was read with regard to petition of Mr. A. S. Witchell, et al, to prohibit the use and travel over Adams, Temple, Wickes, Mission E. Guenter and Cedar Streets by heavy trucks.

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A letter from the City Manager was read with regard to petition of Mrs. Minna Love requesting a nickelodian music from 1430 Culebra Ave. be abated.

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A letter from the City Manager was read with regard to petition of Mrs. Adele M. Behrendt requesting street repairs on Fitch Street.

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

APPRO. NO. 1955

AN ORDINANCE 18,636

AUTHORIZING AN AMENDMENT TO A CONTRACT WITH AYRES & AYRES ARCHITECTS, WHEREBY THE CITY AGREES TO PAY AN ADDITIONAL ARCHITECTURAL FEE OF \$5,000.00 AND RELINQUISHES ANY RIGHT TO A \$5,000.00 CREDIT GIVEN THE CITY BY AYRES & AYRES ON SAID CONTRACT

(Full text in Ordinance Book Y. page 314)

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

APPRO. NO. 1956

AN ORDINANCE 18,637

MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$225.00 OUT OF THE PARK REVENUE BOND-1945 FUND TO PAY WILLIAM BOUBLE FOR PERSONAL SERVICES DURING THE MONTH OF DECEMBER, 1952

(Full text in Ordinance Book Y. page 315)

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A letter from the City Manager was read recommending the petition of Mrs. Pearl Mason requesting a refund of fine paid in Corporation Court be denied and the recommendation was unanimously approved by the Council.

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A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

December 18, 1952

AN ORDINANCE 18,638

AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO
HIRE TRUCKS FOR STREET REPAIR AT THE REGULAR
ASSOCIATED GENERAL CONTRACTORS' RATES

(Full text in Ordinance Book Y. page 315)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,638-A

AUTHORIZING THE SALE OF A PORTION OF LOT 4
NEW CITY BLOCK 309 TO THE WESLEY COMMUNITY
HOUSE BOARD OF SAN ANTONIO AT A PRICE OF \$350.00

(Full text in Ordinance Book Y. page 315)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,639

ACCEPTING THE BID OF RODGERS & STEWART INC.
FOR RENOVATION OF CERTAIN TENNIS COURTS AT
A COST OF \$9186.00 AND AUTHORIZING A CONTRACT
THEREFOR

(Full text in Ordinance Book Y. page 316)

A letter from the City Manager was read regarding Actuarial Analysis, Firemen, Policemen and Fire Alarm Operators' Pension Fund.

A letter from the City Manager was read recommending the following ordinance be passed.

AN ORDINANCE 18,640

AUTHORIZING THE CITY MANAGER TO EXECUTE ON
BEHALF OF THE CITY A CONTRACT WITH LINE
CONSTRUCTION, INC. GRANTING TO THE LATTER A
PERMIT AND LICENSE TO CONNECT A SEWER LINE TO
AN EXISTING SANITARY SEWER LINE OWNED BY THE CITY

(Full text in Ordinance Book Y. page 316)

The letter from the City Manager regarding the above ordinance was read and then the ordinance after which Mayor Steves called upon Mr. H. B. Zachry to explain in detail the entire project and plan. Mr. Zachry went into great detail in fully explaining the proposed contract after which Mr. Leroy Arnold raised an objection on account of the lack of capacity of the Sewage disposal plant. It was explained that increase in volume would be gradual and the necessity for plant expansion would exist whether or not this sewer were built or others. Also we most certainly do not want that area covered with septic tanks.

When the vote was taken the approval was unanimous.

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,634

ACCEPTING TWO EASEMENTS THAT THE CITY REQUIRES FOR OUTFALL SEWER. SISTERS OF DIVINE PROVIDENCE; ROY L. RATHER, ET AL

(Full text in Ordinance Book Y. page 314)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,635

AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT RELEASE ON A PORTION OF LOT 12, NEW CITY BLOCK 3147

(Full text in Ordinance Book Y. page314)

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,641

APPROVING THE PLANS AND SPECIFICATIONS PROVIDING FOR THE CONSTRUCTION OF AN ACCESS ROAD PROJECT WITHIN THE CITY OF SAN ANTONIO, ON STEPHENSON ROAD, BETWEEN LACKLAND BOULEVARD AND BANDERA ROAD, AS PREPARED BY THE TEXAS HIGHWAY DEPARTMENT FOR THE BUREAU OF PUBLIC ROADS; AND AUTHORIZING THE CITY MANAGER OF THE CITY OF SAN ANTONIO TO SIGN SAID PLANS TO ATTEST THIS APPROVAL

(Full text in Ordinance Book Y. page 318)

Before the vote was taken on the above ordinance Mayor Steves asked the Director of Public Works when proceedings could start for building this road. He was informed that everything would depend on availability of funds from the Federal Government.

A letter from the City Manager was read recommending the following ordinance be passed and the recommendation was unanimously approved by the Council.

AN ORDINANCE 18,642

TRANSFERRING \$8345.00 FROM THE 1952 GENERAL FUND OPERATING RESERVE, TO THE DEPARTMENT OF PUBLIC WORKS TO BE USED FOR THE PAYMENT OF INSURANCE PREMIUMS

(Full text in Ordinance Book Y. page 319)

A letter from the City Manager was read, for council's information, revealing certain information to all city employees in regard to holidays, Christmas parties, and Christmas gifts.

A letter from the City Manager was read recommending the following resolution be passed and the recommendation was unanimously approved by the Council.

A RESOLUTION

DIRECTING THE CITY CLERK TO ADVERTISE FOR SEALED BIDS FOR THE RE-SURFACING OF CERTAIN STREETS LOCATED IN THE WESTERN SECTION OF THE CITY; BIDS TO BE OPENED JANUARY 9, 1953

The following resolutions were presented and were passed and approved by unanimous vote:

A RESOLUTION

CHANGING THE DATE FOR A PUBLIC HEARING TO BE HELD ON THE ADOPTION OF PROPOSED SUBDIVISION REGULATIONS FROM DECEMBER 24, 1952 TO 9:00 A.M. JANUARY 8, 1953; SAID HEARING TO BE HELD IN THE COUNCIL CHAMBER, CITY HALL

A RESOLUTION

APPOINTING MEMBERS OF THE BOARD OF TRUSTEES OF THE SAN ANTONIO PUBLIC LIBRARY
 Mrs. Harry Drought
 Mrs. Terrell Bartlett
 Mrs. E. H. Kifer
 Mr. William B. Arnold
 Dr. Johnson L. McMahon
 Rev. Kenneth W. Copeland
 Mrs. W. G. Fraser
 Dr. Harold Vagtborg
 (Period beginning January 1, 1953 and ending 4-30-53)

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 then referred to Mr. C. A. Harrell, City Manager, for his recommendation or action.

- 12-10-52 Petition of Mr. Norman M. Lowery regarding appointments to Planning Commission, Board of Equalization and Board of Adjustment
- 12-12-52 Petition of Most Rev. Robert E. Lucey, Archbishop of San Antonio, requesting tax exemption NCB 1206
- 12-13-52 Letter from Mr. Carlos Sandoval requesting a traffic light at Zarzamora and Durango Streets.

Yours very truly,

/s/ J. Frank Gallagher
 City Clerk

A hearing advertised for this time on the enhancement of value and benefits received by the Paving of South Flores Street from South Alamo Street to E. Cevallos Street was now called.

Mr. Bert Smith, Assitant City Attorney, called upon witness to testify as to the cost of the work done, the enhancement of values to abutting property occasioned thereby, and to the relative amounts to be assessed by property owners and the amount to be borne by the City.

The following were heard:

Mr. Thos. Coghill, Executive Assistant to Director of Public Works; Mr. Louis Lipscomb, Mr. P. L. Tschirhardt, Mr. David H. Dewhurst, all called by the City. The Mayor then called upon objectors wanting to be heard. No one appeared to be heard but Mr. William C. Church, Jr., Attorney for the Canton Realty Company stated that his Company was not objecting to the sum assessed but wanted it understood that payment would be made by his company at once and wanted no lien filed. This was agreed to.

After the hearing the following ordinance was passed unanimously.

AN ORDINANCE 18,643

LEVYING SPECIAL ASSESSMENTS FOR THE COST OF WIDENING AND IMPROVING SOUTH FLORES STREET, BETWEEN SO. ALAMO AND EAST CEVALLOS, AND PROVIDING FOR THE ISSUANCE OF ASSESSMENT CERTIFICATES

Mr. Cassidy then brought out the fact that the amount recovered to the City by the South Flores Street Assessment was over \$15,000.00 for which we could thank the City Manager and he also recited the fact that we are now receiving \$1000. to \$1200. per month from taxicabs serving the Municipal Airport where nothing was heretofore received, this also through the services of the City Manager.

The Clerk then filed with the Council a letter with regard to a petition filed with him for recall of councilmen Ruben R. Lozano, Harold Keller, Mike A. Cassidy, Nelson Greeman, and Sam Bell Steves. The report showed that all petitions were insufficient in that they did not have the 8,951 required names to make a recall election mandatory.

The report was ordered filed.

The Mayor then called upon any one in the audience to be heard.

Mr. Ed Marceau came forward to attack the City Clerk for his methods of checking the recall petitions and made a personal attack in general. He was called down by Mr. Keller after he had also attacked Mrs. Gerhardt and the council in general.

Councilman A. C. White also deplored the action of the clerk calling the checking a steal. He was abruptly and severely called down by Mr. Keller and other councilmen.

Mr. Robert Sawtelle then asked to be heard and he gave a graphic description of the schemes and frauds which were discovered by handwriting experts who inspected the petition.

After Mr. White's remarks the City Attorney most emphatically explained why the action of the Clerk was the only proper course due to the fact that various persons had made false affidavits to the genuineness of the signature thus invalidating the affidavit and since the affidavit is invalid then there is no affidavit thus no such sheet could be considered.

Mrs. Gerhardt then moved that a vote of thanks be given to all participants in the Christmas decorating and building of the tree and especially to Mr. Schmidt who at last Christmas time started the move to have the city do something about putting Christ back in Christmas.

Mr. White then called upon the City Manager, the Mayor and the Director of Public Works to look into the matter of cleaning, dredging, widening and deepening the river because he feared a heavy rain might do great damage. On motion of Mr. Lozano the matter was referred to the City Manager.

Mr. Schmidt then asked that Mrs. Gerhardt be congratulated on her excellent work.

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On motion of Mr. Keller seconded by Mr. Cassidy the meeting adjourned.

APPROVED:

James Bell Stives
MAYOR

ATTEST:

Frank Gallopin
City Clerk
