

REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF SAN ANTONIO HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL ON THURSDAY, AUGUST
25, 1955 AT 9:00 A.M.

PRESENT: FRIEDRICH, BAINES, PASSUR, CRUMRINE, WINTON, OLIVARES, DANIELS, GONZALEZ

ABSENT: KUYKENDALL

Mayor Pro-tem Crumrine presiding.

Invocation by Rev. Father Erwin Juraschek of the Catholic Chancery.

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

The following ordinances and resolutions were passed and approved by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Olivares, Daniels, Gonzalez; NAYS, none; ABSENT, Kuykendall.

AN ORDINANCE 21,601

APPROVING THE APPLICATION OF U. S. DEPARTMENT OF COMMERCE CIVIL AERONAUTICS ADMINISTRATION FOR A LEASE AND LICENSE FROM THE CITY OF SAN ANTONIO FOR THE PURPOSE OF ERECTING AND FURNISHING RADAR FACILITIES TO THE CITY OF SAN ANTONIO AT THE SAN ANTONIO INTERNATIONAL AIRPORT, AND DIRECTING THE CITY MANAGER TO EXECUTE WRITTEN LEASE SUBMITTED HEREWITH

(Full text in Ordinance Book BB page 346)

AN ORDINANCE 21,602

ACCEPTING THE BIDS OF JOE MARSHALL FOR THE PURCHASE OF HOUSES LOCATED ON THE EXPRESSWAY RIGHT OF WAY AND AUTHORIZING THE CITY MANAGER TO EXECUTE BILL OF SALE TO THE SAID JOE MARSHALL

(Full text in Ordinance Book BB page 346)

AN ORDINANCE 21,603

APPROPRIATING THE SUM OF \$57,500.00 OUT OF 1955 EXPRESSWAY BOND FUND, PAYABLE TO FRED HUNTRESS, COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF MAURICIO G. ZAMARRIPA, ET AL, SAID SUM BEING THE AWARD OF THE COMMISSIONERS IN CONDEMNATION IN CAUSE NO. 45,597, CITY OF SAN ANTONIO VS. MAURICIO G. ZAMARRIPA, ETAL, PENDING IN COUNTY COURT AT LAW NO. 2 OF BEXAR COUNTY, TEXAS, AND TO BE DEPOSITED IN THE REGISTRY OF SAID COURT SUBJECT TO THE CREDIT OF SAID MAURICIO G. ZAMARRIPA, ET AL

(Full text in Ordinance Book BB page 347)

AN ORDINANCE 21,604

ACCEPTING A DEED FROM JACOVA P. SALINAS, A FEME SOLE, AND CELIA P. GARZA, A FEME SOLE, CONVEYING TO THE CITY OF SAN ANTONIO THE SOUTH 27.6 FEET OF LOT 9, NEW CITY BLOCK 311, WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND APPROPRIATING THE SUM OF \$6,500.00 TO PAY FOR SAME

(Full text in Ordinance Book BB page 347)

AN ORDINANCE 21,605

ACCEPTING A DEED FROM ARTHUR D. BAKER AND WIFE, VIRGINIA JOSEPHINE BAKER CONVEYING TO THE CITY OF SAN ANTONIO 2.03 ACRES OUT OF NEW CITY BLOCK 7912, WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND APPROPRIATING THE SUM OF \$13,000 TO PAY FOR SAME

(Full text in Ordinance Book BB page 348)

August 25, 1955

AN ORDINANCE 21,606

AUTHORIZING PAYMENT OF \$981.25 FROM 1955 EXPRESSWAY AND STREET IMPROVEMENT BOND FUND FOR SALARIES FOR NEGOTIATORS IN ACQUIRING PROPERTY FOR EXPRESSWAY RIGHT-OF-WAY

(Full text in Ordinance Book BB page 348)

AN ORDINANCE 21,607

AUTHORIZING PAYMENT OF \$29.16 FROM 1955 EXPRESSWAY AND STREET IMPROVEMENT BOND FUND FOR SUPPLIES AND REPRODUCTION SERVICE FOR MONTH OF JULY IN ACQUIRING PROPERTY FOR EXPRESSWAY RIGHT-OF-WAY

(Full text in Ordinance Book BB page 348)

AN ORDINANCE 21,608

AUTHORIZING PAYMENT OF \$2,985.94 FROM 1955 EXPRESSWAY AND STREET IMPROVEMENT BOND FUND FOR SALARIES FOR NEGOTIATORS AND APPRAISERS IN ACQUIRING PROPERTY FOR EXPRESSWAY RIGHT-OF-WAY

(Full text in Ordinance Book BB page 349)

AN ORDINANCE 21,609

AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT TO CLAUDE ANIOL AND ASSOCIATES FOR CIVIC ADVERTISING IN THE AMOUNT OF \$5,361.82

(Full text in Ordinance Book BB page 349)

AN ORDINANCE 21,610

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$8,000,000.00 TO PAY CURRENT EXPENSES OF SAID CITY DURING THE FISCAL YEAR 1955-56

(Full text in Ordinance Book BB page 349)

AN ORDINANCE 21,611

GRANTING A PERMIT TO CONSTRUCT, INSTALL AND CONNECT A SEWER MAIN TO THE CITY SEWER SYSTEM AT THE EXPENSE OF PERMITTEE, AND GRANTING PERMISSION TO CHARGE FOR CONNECTIONS THERETO, AT ROANOKE AVENUE WEST ALONG CULEBRA TO ATWOOD LANE, NORTH ALONG ATWOOD TO LARK STREET, WEST ON LARK TO BROADVIEW, NORTH ON BROADVIEW TO A POINT APPROXIMATELY 330 FEET NORTH OF THE SOUTH LINE OF GLOBE AVENUE, AND WEST 400 FEET, MORE OR LESS, ON BROADVIEW, BEING A TOTAL OF APPROXIMATELY 3200 LINEAL FEET

(Full text in Ordinance Book BB page 351)

AN ORDINANCE 21,612

APPROVING THE CONTRACT WITH SARAH L. ASHLEY WHEREBY THE CITY OF SAN ANTONIO AGREES TO RELOCATE SEWER AND WATER MAINS THAT HAVE TO BE REMOVED TO MAKE WAY FOR THE EXPRESSWAY; APPROVING THE PROPOSAL OF THE CITY WATER BOARD FOR THE RELOCATION OF SAID WATER MAIN; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT WITH CITY WATER BOARD, SUBMITTED HERewith; APPROPRIATING THE SUM OF \$749.00 TO PAY THE EXPENSE OF RELOCATING SAID WATER MAIN

(Full text in Ordinance Book BB page 352)

AN ORDINANCE 21,613

ALTERING THE CONTRACT OF THE CITY OF SAN ANTONIO WITH H. B. ZACHRY COMPANY FOR SEWAGE PLANT IMPROVEMENT BY DELETING FROM THE PLANS AND SPECIFICATIONS ITEM 4b, ITEM 4c, AND ITEM 5, THEREFROM AND AUTHORIZING THE CITY ENGINEER BY WRITTEN ORDER APPROVED BY THE SIGNATURE OF THE MAYOR TO MAKE SAID ALTERATIONS AND MODIFICATIONS IN THE SPECIFICATIONS AND DRAWINGS FOR SAID WORK

(Full text in Ordinance Book BB page 353)

A RESOLUTION

DIRECTING THE CITY CLERK TO ADVERTISE FOR BID PROPOSALS FOR THE INSTALLATION OF AIR CONDITIONING IN THE COUNCIL CHAMBER AND OFFICES ON THE THIRD FLOOR OF THE CITY HALL IN SAN ANTONIO, TEXAS

AN ORDINANCE 21,614

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 29 THEREOF - TERRACE BUS LINE

(Full text in Ordinance Book BB page 353)

AN ORDINANCE 21,615

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 BB page 354)

AN ORDINANCE 21,616

ACCEPTING A DEED FROM LEILA HARRIS STEPHENS, ET AL, CONVEYING TO THE CITY OF SAN ANTONIO APPROXIMATELY 1.15 ACRES OF LAND OUT OF NCB 11682, AND DIRECTING THE DIRECTOR OF FINANCE TO PAY TO COMMERCIAL ABSTRACT AND TITLE COMPANY THE SUM OF \$1600.00 TO BE USED IN PAYING FOR SAID LAND

(Full text in Ordinance Book BB page 355)

AN ORDINANCE 21,617

ABANDONING A PORTION OF MARGIL STREET AND MANIFESTING A DEED CONVEYING TO ENRIQUE GARCIA ALL THE RIGHT TITLE AND INTEREST OF THE CITY OF SAN ANTONIO IN AND TO SAID ABANDONED PORTION OF SAID STREET

(Full text in Ordinance Book BB page 355)

A RESOLUTION

DIRECTING THE DIRECTOR OF FINANCE TO TRANSFER AND APPLY A DEPOSIT OF \$25.00 MADE BY FRANK W. BUTCHER A PLUMBER FOR PERMIT FOR EXCAVATION TO THE PARTIAL PAYMENT OF A DEBT WHICH THE SAID FRANK W. BUTCHER OWES THE CITY OF SAN ANTONIO

(Full text in Ordinance Book BB page

A RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 64-38 OF THE CITY CODE TO PRESCRIBE THE MINIMUM FRONT YARD IN AREAS ZONED "A" TO BE THIRTY FEET TO THE FRONT LINE OF THE BUILDING, SETTING THE DATE FOR HEARING ON SUCH PROPOSED AMENDMENT AND PROVIDING FOR GIVING NOTICE OF SUCH HEARING

AN ORDINANCE 21,618

AUTHORIZING THE PURCHASE OF A PORTION OF LOT 34, NCB 11315 FOR THE SUM OF \$590.00

(Full text in Ordinance Book BB page 356)

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AN ORDINANCE 21,619

AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE PIPE LINE AND CANAL CROSSING LICENSE BETWEEN WATER WORKS BOARD OF TRUSTEES, CITY OF SAN ANTONIO, AND THE CITY OF SAN ANTONIO, AS LICENSEE, AND GUY A. THOMPSON, TRUSTEE, INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY, DEBTOR, FOR 8-INCH WATER LINE AT ENGINEER'S CHAINING STATION 13454/36 I.C.C.

(Full text in Ordinance Book BB page 350)

AN ORDINANCE 21,620

AUTHORIZING PAYMENT OF \$909.69 FROM 1955 EXPRESSWAY AND STREET IMPROVEMENT BOND FUND FOR SALARIES FOR NEGOTIATORS AND ADMINISTRATIVE PAYROLL INCURRED IN ACQUIRING PROPERTY FOR EXPRESSWAY RIGHT-OF-WAY

(Full text in Ordinance Book BB page 350)

AN ORDINANCE 21,621

AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS FOR THE PURPOSE OF DETERMINING THE JOINT RESPONSIBILITIES OF THE CITY AND THE STATE FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF THE STREET ILLUMINATION SYSTEM ON EXPRESSWAY FROM TRAVIS STREET TO BROADWAY, THE ROUTE OF HIGHWAY NO. U. S. 81; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE

(Full text in Ordinance Book BB page 351)

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 referred to Mr. C. N. Pack, Building Inspector, for the necessary action.

Petition of M s. Antonia G. Anderson asking for permission to erect a fence seven feet high at 815 St. Anthony.

Yours very truly,

J. Frank Gallagher
City Clerk

A hearing was next called on Zoning Case #458 to rezone Lots A-11, 10 and 12, New City Block 367 on Cypress Street from "E" Apt. to "H" LOCAL RETAIL as recommended by the Planning Commission. Mr. Alex Fraser, Attorney for the petitioners explained to the council the desirability of making this change and at the same time he produced a restrictive covenant which he proposes to file limiting the use of this property under the "H" zoning.

Mr. August Sauer who owns adjoining property protested vigorously to the change because of the height of buildings permitted under "H" zoning but agreed to withdraw any objection if the change is made to "F" Local Retail. After much discussion in which a misunderstanding arose as to whether Mr. Sauer received a notice of the hearing before the Planning Commission. Mr. Baines moved to refer the matter back to the Planning Commission. Before the result of the vote on this motion was made final it was learned Mr. Sauer admitted receiving the notice and Mr. Baines moved to reconsider his motion. This latter motion was unanimously carried.

Mr. Baines then moved that the recommendation of the Planning Commission to change the zoning be approved only to permit "F" Local Retail business instead of "H" Local Retail. The motion carried by the following vote: AYES, Friedrich, Baines, Passur,

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Crumrine, Winton, Olivares, Daniels, Gonzalez; NAYS, none; ABSENT, Kuykendall.
The following ordinances was then passed by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Olivares, Daniels, Gonzalez; NAYS, none; ABSENT, Kuykendall.

AN ORDINANCE 21,622

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. 458, TO RE-ZONE LOTS A-11, 10 and 12, N.C.B. 362, AND LOTS 7 THRU 12, N.C.B. 367 FROM "E" APARTMENT DISTRICT to "F" LOCAL RETAIL DISTRICT

(Full text in Ordinance Book BB page 357)

Zoning Case #519 to rezone lots in NCB 3721. The Planning Commission recommended to change only Lots 18, 19, 20, 21 from "B" RESIDENCE to "J" COMMERCIAL with limitations. Mr. Gene Briscoe explained the motive of the change. No one else appeared. Mr. Gonzalez moved that the recommendation of the Planning Commission be approved by adoption of the following ordinance. The motion carried by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Olivares, Daniels, Gonzalez; NAYS, none; ABSENT, Kuykendall.

AN ORDINANCE 21,623

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. 519, TO RE-ZONE LOTS 18 THROUGH 21, NCB 3721 FROM "B" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT, WITH THE UNDERSTANDING THAT THERE WILL BE A FIFTY FOOT SETBACK FROM THE CURB LINE

(Full text in Ordinance Book BB page 358)

Zoning Case #536 to rezone all of Block 14, NCB 11780, all of Block 12, NCB 12362 and Lot 5, Block 11, NCB 12361 from "A" TEMPORARY RESIDENCE to "F" LOCAL RETAIL on Hillcrest Road and Glenview Drive. Mr. Charles Jackson presented the fact that this property while in the annexed area was laid out by the developer for this use and the change was to conform with the plan.

Mr. Elwood P. Bell protested the use of this property for the purpose stated stating it should be left as residential. Mr. Tips followed Mr. Bell.

Mr. Johnson responded by stating both Mr. Bell and Mr. Tips knew when they bought their lots that the intention was to have this property used for a community center as did the School Board who had bought a school site and also two churches were informed of the proposed use before they bought.

Mr. Daniels moved that the recommendation of the Planning Commission be approved by the passage of the following ordinance by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Olivares, Daniels, Gonzalez; NAYS, none; ABSENT, Kuykendall.

AN ORDINANCE 21,624

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. 536, TO RE-ZONE FROM "A" TEMPORARY RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT ALL OF BLOCK 14, NCB 11780, ALL OF BLOCK 12, NCB 12362; AND LOT 5, BLOCK 11, NCB 12361

(Full text in Ordinance Book BB page 358)

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There being no further business, the meeting adjourned.

APPROVED:

Charles R. Cummings
MAYOR Pro Tem

ATTEST:

Frank Gallozzi
City Clerk

ADDENDUM

At the pre-council meeting in the City Manager's office, before the above meeting, the Clerk read the following resolution of the West Side Voters League.

A RESOLUTION ADOPTED BY A UNANIMOUS VOTE OF THE WEST SIDE VOTERS' LEAGUE AT A REGULAR MEETING HELD THE 18TH DAY OF AUGUST, 1955; AND DIRECTED TO THE CITY COUNCIL OF THE CITY OF SAN ANTONIO

WHEREAS, we the members of the West Side Voters' League, at a regular meeting on the 18th day of August, 1955, have considered and discussed the proposed grade crossing at the Buena Vista and Commerce Street grade separation, and are of the opinion that the best interests of the city and people will be served by the immediate fulfillment of this project, and

WHEREAS, the City Council of the City of San Antonio, has approved the project, but is at present stalled in its negotiations with the railroad companies concerning their contribution to the construction of said grade crossing; and

WHEREAS, we believe the demands of the railroad company to have any street closed are not to the advantage of the property owners or business proprietors in the vicinity of said grade crossing, and

WHEREAS, we believe it is to the best interests of the residents of the western part of the city that traffic be allowed to flow unimpeded through Commerce and Buena Vista Streets; NOW, THEREFORE:

Be it resolved, that this organization, the West Side Voters' League be unanimously and firmly in favor of the construction of the grade crossing at Commerce and Buena Vista Streets, and urge the city to begin the purchasing of the necessary right of way; and be strongly opposed to the closing of any street, urging the city council to approve the termination of this project wholly at city expense, if necessary, in order to avoid any more delay and any disadvantageous compromises with the railroad companies.

PASSED AT THE REGULAR MEETING OF AUGUST 18, 1955, WEST SIDE VOTERS' LEAGUE

/s/ Pedro F. Ramirez
President.

/s/ Evaristo Gonzales
Secretary

The City Manager then presented the following letter which he asked the consensus of the Council. After the council approved the letter, it was signed by the Mayor Pro-tem.

Mr. F. E. Bates
Assistant Chief Executive Officer
Missouri Pacific Lines
Union Terminal Building
Houston, Texas

Dear Mr. Bates:

This is to advise you that the proposals made by your representatives, embodying the conditions upon which the Railroad would participate in the elimination of grade crossings at Commerce and Buena Vista Streets are not acceptable.

It is the consensus of the City Council of the City of San Antonio that unless the Railroad presents an acceptable proposition by September 15, 1955, the City must proceed to acquire necessary right of way. In such case, the City will proceed on the theory that West Commerce, Buena Vista, and Monterey Streets will not be closed.

MAYOR PRO-TEM

The Clerk read the following letter to the members of the Council.

Honorable Mayor and City Commissioners (Councilmen) of
City of San Antonio, Texas
City Hall
San Antonio, Texas

Re: Rufus K. Young
Appeal from order suspending license
(Taxi-cab driver)

Gentlemen:

Notice of appeal is hereby given, pursuant to the Code of the City of San Antonio, from an order suspending the driver's license of Rufus K. Young, a taxi-cab driver, by the taxi-cab inspector (Mr. Masters, Inspections and Investigations Division).

Such suspension resulted from certain criminal charges filed against Mr. Young and for which he has not been tried to date. The effect of the suspension is to deprive Mr. Young of his driver's license without a determination of his guilt or innocence. It is felt that Mr. Young has been deprived of his right of due process and of a speedy trial before a competent magistrate.

RUFUS K. YOUNG

By /s/ James D. Kennedy
Attorney for Appellant
816 Maverick Building

The City Attorney advised that the law provides that this man be entitled to the hearing asked for. The Clerk was instructed to set up a hearing for the next regular councilmeeting on September 1, 1955.

The Clerk then read a letter from Mr. Harold W. Keller, President of Taxpayers' League, relative to Water Board financing. It was ordered that it be forwarded to the City Attorney for an opinion.