

June 17, 1954

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER OF THE CITY HALL
ON THURSDAY, JUNE 17, 1954 AT 10:00 A.M.

PRESENT: Scherlen, Stevens, Shearer, Russell, Easley, Lester, Gonzalez

ABSENT: A. C. White, R. N. White Mayor Pro-tem R. L. Lester presiding.

Invocation by Mr. Scherlen.

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

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

AN ORDINANCE 20,288

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY
A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE
PETITION OF MR. F. K. STEGER AT 500 MORNINGSIDE

(Full text in Ordinance Book AA page 79)

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

AN ORDINANCE 20,289

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A
CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION
OF WALTER LEISE AT 600 RITTIMAN ROAD

(Full text in Ordinance Book AA page 80)

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

AN ORDINANCE 20,290

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A
CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION
OF MR. & MRS. O. C. COMPTON AT 134 GITTINGER

(Full text in Ordinance Book AA page 80)

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

AN ORDINANCE 20,291

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A
CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION
OF LEON W. LUKSA AT 219 SUNNY CREST

(Full text in Ordinance Book AA page 80)

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

AN ORDINANCE 20,292

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF CLARENCE THORNE AT 134 CITY VIEW

(Full text in Ordinance Book AA page 81)

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

AN ORDINANCE 20,293

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF S. POGUE AT 1313 WILTSHIRE

(Full text in Ordinance Book AA page 81)

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

AN ORDINANCE 20,294

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF E. B. GARCIA AT SAMS DRIVE

(Full text in Ordinance Book AA page 81)

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

AN ORDINANCE 20,295

AMENDING CHAPTER 60, ARTICLE 4, ENTITLED "PARKING" OF THE SAN ANTONIO CITY CODE BY ADDING AND INCLUDING A NEW SECTION WHICH DESIGNATES AREAS PERMITTING PARALLEL PARKING ONLY AND DESIGNATED AS SECTION 60-55.1 ENTITLED "PARALLEL PARKING ONLY"

(Full text in Ordinance Book AA page 81)

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

AN ORDINANCE 20,296

ACCEPTING THE PROPOSED CONTRACT OF FRIDEN CALCULATING MACHINE AGENCY FOR THE SERVICING OF FOURTEEN (14) CALCULATING MACHINES FOR A PERIOD OF ONE (1) YEAR ENDING NOVEMBER 6, 1954, AT A TOTAL COST OF \$452.28

(Full text in Ordinance Book AA page 82)

June 17, 1954

The following ordinance was passed and approved by the following vote:

Ayes, Scherlen, Stevens, Shearer, Russell, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, R. N. White.

AN ORDINANCE 20,297

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE TEXAS HIGHWAY DEPARTMENT, FOR RENTAL OF A CITY-OWNED BUILDING AT 520 WEST ELMIRA STREET, FOR A TERM OF FOUR YEARS

(Full text in Ordinance Book AA page 83)

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The following resolution was passed and approved by the following vote:

Ayes, Scherlen, Stevens, Shearer, Russell, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, R. N. White.

A RESOLUTION

AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION TO THE STATE DEFENSE AND DISASTER RELIEF OFFICIALS TO SECURE MATCHING FUNDS ON A FIFTY-FIFTY BASIS FROM THE FEDERAL CIVIL DEFENSE ADMINISTRATION TO PURCHASE ADDITIONAL AIR RAID WARNING EQUIPMENT, IN THE AMOUNT OF APPROXIMATELY \$97,000.00 TO BE USED IN THE LOCAL CIVIL DEFENSE PROGRAM

(Full text in Ordinance Book AA page 82)

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The following ordinance was passed and approved by the following vote:

Ayes, Scherlen, Stevens, Shearer, Russell, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, R. N. White.

AN ORDINANCE 20,298

ACCEPTING THE PROPOSAL OF R. J. JEFFERDS TO PREPARE AND SERVICE ALL VOTING MACHINES TO BE USED IN THE ELECTION ON JULY 10, 1954

(Full text in Ordinance Book AA page 83)

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The following ordinance was passed and approved by the following vote:

Ayes, Scherlen, Stevens, Shearer, Russell, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, R. N. White.

AN ORDINANCE 20,299

ACCEPTING THE PROPOSAL OF TALLEY TRANSFER COMPANY FOR THE TRANSPORTATION OF VOTING MACHINES FOR THE ELECTION TO BE HELD ON JULY 10, 1954

(Full text in Ordinance Book AA page 84)

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The following ordinance was passed and approved by the following vote:

Ayes, Scherlen, Stevens, Shearer, Russell, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, R. N. White.

AN ORDINANCE 20,300

MAKING A CONTRACT WITH THE COUNTY OF BEXAR FOR RENTAL OF VOTING MACHINES

(Full text in Ordinance Book AA page 84)

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

AN ORDINANCE 20,301

EXTENDING THE PERIOD OF CONTRACT WITH G. C. WOLFE, JR., TO TAKE WATER FROM MITCHELL LAKE FOR IRRIGATION PURPOSES, FOR ONE YEAR, FROM MAY 1, 1954 TO APRIL 30, 1955

(Full text in Ordinance Book AA page 85)

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

AN ORDINANCE 20,302

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

(Full text in Ordinance Book AA page 86)

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

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING OF A PROPOSED AMENDMENT TO THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION DESCRIBED HEREIN (CASE NOS. 374, 377, 378 - HEARING TO BE HELD JULY 8, 1954)

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

AN ORDINANCE 20,303

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

(Full text in Ordinance Book AA page 86)

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

A RESOLUTION

AUTHORIZING AND DIRECTING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE SALVAGE RIGHTS AT ALL CITY DUMPS FOR A PERIOD OF ONE YEAR

June 17, 1954

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

AN ORDINANCE 20,304

AMENDING SECTION 41-4, AS AMENDED JULY 10, 1952, OF THE SAN ANTONIO CITY CODE PERTAINING TO THE DISCHARGE OF WATER OR ANY FLUID ON OR INTO CITY STREETS

(Full text in Ordinance Book AA page 87)

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

AN ORDINANCE 20,305

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; AND REPEALING ORDINANCE NO. 20,282, PASSED AND APPROVED ON THE 10TH DAY OF JUNE, 1954

(Full text in Ordinance Book AA page 87)

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

AN ORDINANCE 20,306

AUTHORIZING THE CITY MANAGER TO EXECUTE TRANSFER AGREEMENT ON BEHALF OF THE CITY OF SAN ANTONIO WITH THE COUNTY OF PRESIDIO, TEXAS

(Full text in Ordinance Book AA page 88)

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

A RESOLUTION

EXPRESSING THE INTENT ON THE PART OF THE CITY COUNCIL TO FURTHER INVESTIGATE AND STUDY THE MOST FEASIBLE ROUTE TO BE DESIGNATED FOR EXPRESSWAY U. S. HIGHWAY 87 NORTH

(Full text in Ordinance Book AA page 88)

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.

6-9-54 Petition of Jay Sam Levey, in behalf of property owners in Monticello Heights Addition requesting the city to grade and gravel the alley between their properties between Babcock Road and Loma Linda.

6-9-54 Petition of K. M. Fisher for approval of transfer of forty taxicab permits or certificates of convenience and necessity to M. L. Fisher.

- 6-9-54 Petition of Mrs. Albertene Bonn requesting permission to close an alley in NCB 7800.
- 6-10-54 Petition of Rolla S. Taylor, Chairman State Association of Texas Pioneers, protesting against the Witte Museum for encroaching upon the recreation grounds in the rear of the Memorial Building.
- 6-10-54 Petition of Charles E. Muench protesting certain conditions in San Pedro Park.
- 6-10-54 Petition of Wayne McAfee, Trustee, Church of God, requesting tax exemption of Lots 1 to 10 incl., NCB 8249.
- 6-11-54 Petition of Home Mission Board of the Southern Baptist Convention requesting tax exemption of the middle one-third of Lot 35, Block 1, NCB 8725
- 6-14-54 Petition of Mrs. Elvira G. Benavides requesting the city to close, abandon and quit claim part of an alley in NCB 2909.
- 6-14-54 . Petition of Jimmy R. Flores, et al, requesting the repair of the 700, 800 and 900 blocks of Milvid Street.
- 6-14-54 Petition of Rudolph Rubin, Sr., et al, requesting that 30 mile per hour signs be placed on Sunshine Drive East, between Dickinson and St. Cloud Roads.

Yours very truly,

J. Frank Gallagher
City Clerk

Zoning Case #367 was next called up for a continued hearing after having been recessed. On the petition of William A. Bedell for rezoning property at southwest corner of San Pedro Avenue and Jackson Keller Road - Lot A3, NCB 10047 - from "A" Residential to "F" Local Retail. Mr. John Peace, Attorney for the petitioner, addressed the council and showed the aspects of the case by maps and charts, showing business encroaching and no possibility of this property being residential and the growth of the area beyond making the change advisable. No one appeared in protest but a petition had previously been filed with the Clerk purporting to contain names of owners of 20% of the immediate adjacent property owners thus necessitating a vote of 3/4 of the council "in esse" for approval. Mr. Shearer disqualified himself because of personal interest in adjacent property making the number of votes necessary to approve, 6.

On motion of Mr. Scherlen, seconded by Mr. Gonzalez, the recommendation of the Planning Commission was approved by the following vote: Ayes, Scherlen, Stevens, Russell, Easley, Lester, and Gonzalez; Nays, none; Absent, A. C. White, R. N. White; Disqualified, Shearer.

Zoning Case #371 to rezone property on Hildebrand Avenue, which was recessed from last week, was next called. Mr. Ben Lucas, representing the petitioner appeared and stated he did not see need for further taking time of the council since the case was thoroughly discussed last week. Mrs. J. V. Cook appeared again, as did Mr. Steele and others. After discussion, a motion by Mr. Scherlen, seconded by Mr. Shearer to approve the recommendation of the Planning Board to rezone this property failed passage by the following vote: Ayes, Scherlen, Shearer, Lester; Nays, Stevens, Easley, Gonzalez. Absent, A. C. White, R. N. White; Disqualified, Russell.

June 17, 1954

Mr. Gonzalez next asked for permission to read the following three resolutions:

AN ORDINANCE

CREATING A COMMISSION FOR COMMUNITY
INTERRELATIONS

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

Section 1. That there is hereby created a Commission of fifteen members, all residents of the City of San Antonio, to be known as the COMMISSION FOR COMMUNITY INTERRELATIONS.

Section 2. The members of this commission shall be appointed by the City Manager subject to the approval of the City Council, the members of this Commission being appointed to a term of office not to exceed two years. The members of this Commission shall be appointed as nearly as practicable from the various sections of the City so as to represent a cross section of the community.

Section 3. This Commission shall be primarily created for the purpose of evolving a constructive pattern of community interrelations.

PASSED AND APPROVED this 17th day of June, A. D. 1954.

RESOLUTION OF THE CITY COUNCIL
OF SAN ANTONIO, ADOPTED AS A
RESOLUTION, AND PRESENTED AS A
MEMORIAL TO CITIZENS AND INTERESTED
OFFICIALS

CONSIDERING:

The City of San Antonio, like all cities of America, is composed of persons of all racial backgrounds, creeds, and religions. All have lived in peace and harmony to a far greater extent than in less happier communities, for which all God-fearing citizens thank our Lord Creator for his Grace thus shed upon us and our City. San Antonio as a whole has worked towards the goal of equalizing opportunity for all, irrespective of race, color or creed, using always the traditional American democratic processes to realize this ideal.

In two major world wars within the past thirty seven years, every able bodied citizen, regardless of race, color or creed was called upon to serve his country. The gallant deeds performed by those men, in particular, of the Negro race, are now indelibly recorded. In the Korean war, not too long ago terminated, their record of achievement was the same. Outstanding among our patriots, many of whom made the supreme sacrifice, are those, called by some, of the Negro race.

We are now calling attention to the recent Supreme Court decisions, reflecting the thinking of the great majority of our people, that are in effect obliterating the concept of First, second and third class citizens, except in war. Thus ushering in a new social landscape rooting out discrimination, the practice of the equality as set out in our Declaration of Independence should become a reality. Our challenge to the whole world must be fairness and equality and no discrimination for any people within our country.

NOW THEREFORE BE IT RESOLVED:

1. That all municipally owned and operated golf courses be opened completely, without any restrictions to any user because of color, creed, or racial extraction, to the full use and enjoyment by all citizens.
2. That it is further resolved that we disapprove of discrimination against any American.

AN ORDINANCE

CREATING A CITY FINANCE 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 six members, all residents of the City of San Antonio, to be known as the City Finance Study Commission.

Section 2. The members of this Commission shall be appointed by the City Manager subject to the approval of the Council, the members of this Commission being appointed to a term of office not to exceed two years. It is expected that the persons thus chosen to serve shall be well versed and experienced in municipal, financial tax, or business matters.

Section 3. The increase of municipal services, with the resulting need for increased revenues to finance these activities, is the reason for the creation of this Commission.

The main purpose of the Commission shall be to weigh and analyze the various factors affecting San Antonio Municipal finances and taxes, in order to seek out ways and means of securing a broader revenue base.

After the reading, Mr. Russell moved that all three be laid on the table subject to call when the council meets in special session to consider the subjects referred to; seconded by Mrs. Stevens, the motion was carried: Ayes, Scherlen, Stevens, Shearer, Russell, Easley, Lester; Nays, none; Absent, A. C. White, R. N. White; Not voting, Gonzalez.

Mrs. Betty Aigner of 149 Smallwood Avenue addressed the council and read in person a lengthy petition complaining of lack of services and asking to be given full service or de-annexed. The petition containing 103 names was filed with the Clerk.

Mr. Seymour Flatow appeared before the council to protest a charge made for services to a non profit charitable organization. He claimed the fee quoted was \$400.00 whereas the bill was \$463.00. Mr. Sol Wolf, Manager of the Auditorium, explained the matter fully and the whole matter of auditorium rates was fully discussed. Mr. Easley made a motion to accept \$400. and cancel the remaining \$63.00. The motion was lost by the following vote: Ayes, Scherlen, Stevens, Easley, Lester; Nays, Shearer, Russell, Gonzalez; not being the necessary five votes.

Mr. Shearer then agreed to donate \$63.00 to cerebral palsy fund to take care of the charge.

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

APPROVED: *R. L. Lester*
MAYOR

ATTEST:
Frank Belloz
City Clerk

June 17, 1954

ADDENDUM

At the informal meeting of the council held in the City Manager's Office a letter from YMCA signed by Hector Diaz was read asking for a waiver of all permit fees in the construction of a YMCA building at 4955 W. Commerce. The Manager was instructed to issue an order waiving these fees.

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The question was brought up by Mr. Easley as to whether or not the route for Freeway, 87 North heretofore adopted was the best route. After discussion the City Attorney was instructed to draw a resolution calling for a further study of the matter.

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A letter from Howard T. Harris on the above subject was read by the Clerk.

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A letter from Mrs. Preston H. Dial, President of the Council of International Relations, asking for a scroll to be issued to Athanaseus Delikostopoulos as Alcalde of La Villita. The issuance was approved.

Mr. Russell moved that hereafter the Mayor or Mayor Pro-tem be allowed to use his judgment and issue such scroll as he deemed wise. All present agreed.

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A committee of citizens appeared in behalf of an ordinance to change the regulations regarding the washing of filling station driveways. After discussion it was decided to pass an amending ordinance.