

May 28, 1959

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 28, 1959 AT 8:30 A.M

PRESENT: KUYKENDALL, DIETERT, PASSUR, MCMAHON, JOHNSON, SIMPSON, OLIVARES, SAN MARTIN

ABSENT: PINSON (ARRIVED LATER)

Mayor J. Edwin Kuykendall presiding.

Invocation by Rev. S. H. James, Second Baptist Church.

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

The following ordinances and resolutions were passed and approved as follows: AYES, Kuykendall, Dietert, Passur, McMahon, Johnson, Simpson, Olivares, San Martin; NAYS, None; ABSENT, Pinson.

AN ORDINANCE 27,590

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF JOHN DOLLINGER, JR., INC. TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN GALVANIZED CHANNEL IRON POSTS FOR A TOTAL OF \$6,100.00

(Full text in Ordinance Book I.I. page 165)

AN ORDINANCE 27,591

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF SARGENT-SOWELL, INC. TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF CIVIL DEFENSE WITH 650 EVACUATION SIGNS FOR A TOTAL OF \$3,802.50

(Full text in Ordinance Book I.I. page 166)

AN ORDINANCE 27,592

APPROPRIATING THE SUM OF \$300.00 IN CONNECTION WITH THE CITY'S LAND ACQUISITION PROGRAM - (PAYABLE TO ESTHER K. DALKOWITZ, NATHALIE M. DALKOWITZ, J. GLADYS DALKOWITZ, AND S. GODFRY DALKOWITZ)

(Full text in Ordinance Book I.I. page 166)

AN ORDINANCE 27,593

ABANDONING AND CLOSING THE CITY'S RIGHT-OF-WAY TO A PORTION OF BARRERA STREET AND A TRIANGULAR PARCEL OF LAND LOCATED AT THE CORNER OF LAVACA AND LABOR STREETS AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED THEREFOR TO THE SAN ANTONIO HOUSING AUTHORITY IN EXCHANGE FOR CERTAIN PROPERTY WHICH IS TO BE DEDICATED TO THE CITY BY RESUBDIVISION PLAT FOR RIGHT-OF-WAY PURPOSES

(Full text in Ordinance Book I.I. page 166)

AN ORDINANCE 27,594

APPROVING THE LOCATION OF RIGHT-OF-WAY FOR STORM DRAINAGE PROJECT NO. 85, A 1957 GENERAL IMPROVEMENT BOND PROJECT EXTENDING FROM WEIZMANN BOULEVARD TO WILDWOOD DRIVE: ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF SUCH RIGHT-OF-WAY LOCATION; AND DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR CERTAIN WORK THEREIN

(Full text in Ordinance Book I.I. page 167)

A RESOLUTION

ACCEPTING THE AGREEMENT FROM THE TEXAS & NEW ORLEANS RAILROAD COMPANY, GRANTING TO THE CITY OF SAN ANTONIO, THE RIGHT AND PERMISSION TO ENTER UPON ITS PROPERTY UNDER THE TERMS AND CONDITIONS SET FORTH IN SUBJECT AGREEMENT (STORM DRAINAGE PROJECT)

(Full text in Ordinance Book I.I. page 167)

AN ORDINANCE 27,595

APPROPRIATING CERTAIN FUNDS IN CONNECTION WITH THE CITY LAND ACQUISITION PROGRAM AND ACCEPTING CERTAIN PERMANENT AND TEMPORARY EASEMENTS (STORM DRAINAGE \$313. PAYABLE TO GUARANTY ABSTRACT & TITLE CO. AS ESCROW AGENT FOR JOSEPH FRANCIS NEUGEBAUR, ET UX; \$246. TO GUARANTY ABSTRACT & TITLE CO. AS ESCROW AGENT FOR MARION D. BEADLES, ET UX; \$600. TO GUARANTY ABSTRACT & TITLE CO. AS ESCROW AGENT FOR PAUL COLAO ET UX;

(Full text in Ordinance Book I.I. page 168)

A RESOLUTION

ACCEPTING RIGHT-OF-WAY AND EASEMENT TO THE CITY OF SAN ANTONIO, TO TWO PARCELS OF LAND, FROM SAN ANTONIO BELT & TERMINAL RAILWAY COMPANY; SAID PROPERTY BEING ACQUIRED FOR STORM DRAINAGE LINE

(Full text in Ordinance Book I.I. page 168)

A RESOLUTION

ACCEPTING AN EASEMENT 20' WIDE EXTENDING FROM THE EAST END OF THE RAILROAD CULVERT LOCATED BETWEEN NEBRASKA & COMMERCE STREETS TO THE EAST LINE OF THE MK&T RIGHT-OF-WAY, A DISTANCE OF 15.68 FEET, FOR THE PURPOSE OF CONSTRUCTING A DRAINAGE STRUCTURE TO RECEIVE STORM WATER FLOWING THROUGH AN MK&T RAILROAD CULVERT LOCATED BETWEEN NEBRASKA STREET UNDERPASS IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS (FROM SAN ANTONIO BELT & TERMINAL RAILWAY CO. - STORM DRAINAGE PROJECT)

(Full text in Ordinance Book I.I. page 169)

AN ORDINANCE 27,596

CLOSING A CERTAIN ALLEY BETWEEN NCB 13151 AND 11869, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED THEREFOR TO TOM MCGOVERN IN EXCHANGE FOR TOM MCGOVERN'S DEDICATION AND CONSTRUCTION OF THE NEW ALLEY

(Full text in Ordinance Book I.I. page 169)

AN ORDINANCE 27,597

APPROPRIATING THE SUM OF \$140.00 OUT OF INTERNATIONAL AIRPORT BOND AND CONSTRUCTION FUND #803-01, FEDERAL AIRPORT AID PROJECT 9-41-080-5608 FOR EXPENSES INCURRED IN CONNECTION WITH THE ACQUISITION OF CERTAIN PROPERTIES FOR AIRPORT EXPANSION PROJECT BY CONDEMNATION PROCEEDINGS

(Full text in Ordinance Book I.I. page 170)

AN ORDINANCE 27,598

TERMINATING THE LEASE BETWEEN THE CITY AND EDMUND SEKULA FOR TRACT 5 OF THE WESTFALL PROPERTY WHICH LEASE CONTRACT WAS PROMULGATED BY ORDINANCE NO. 26041, PASSED AND APPROVED BY THE CITY COUNCIL ON JANUARY 30, 1958

(Full text in Ordinance Book I.I. page 170)

A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE APPLICATION OF ASPHALT SEAL COAT ON STREETS IN THE EAST AND WEST AREAS OF THE CITY OF SAN ANTONIO (BIDS TO BE OPENED JUNE 9, 1959)

May 28, 1959

AN ORDINANCE 27,599

AMENDING SECTION 60-75 OF THE CITY CODE, ENTITLED "STREETS WHERE PARKING PROHIBITED AT CERTAIN PERIODS", AS AMENDED, BY PROHIBITING PARKING ON THE NORTHWEST SIDE OF BROADWAY BETWEEN 7:00 A.M. AND 9:00 A.M. FROM NEWELL STREET TO THE EXPRESSWAY

(Full text in Ordinance Book I.I. page 171)

AN ORDINANCE 27,600

AMENDING SECTION 60-74A OF THE CITY CODE, AS AMENDED, BY PROHIBITING PARKING AT ALL TIMES ON THE EAST SIDE OF NORTH SAN SABA STREET BETWEEN WEST COMMERCE STREET AND WEST HOUSTON STREET; AND AMENDING SECTION 60-81(C) OF THE CITY CODE, AS AMENDED, WHICH PROVIDES FOR ONE HUNDRED TWENTY MINUTES PARKING IN DESIGNATED PARKING METER ZONES, BY ADDING THERETO THE WEST SIDE OF NORTH SAN SABA STREET BETWEEN WEST COMMERCE STREET AND WEST HOUSTON STREET

(Full text in Ordinance Book I.I. page 171)

AN ORDINANCE 27,601

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MONTH TO MONTH LEASE AGREEMENT WITH V. L. BEAVERS, ENGINEERS, FOR THE LEASE OF BUILDING NO. 170 AT INTERNATIONAL AIRPORT

(Full text in Ordinance Book I.I. page 172)

AN ORDINANCE 27,602

REIMBURSING THE GENERAL FUND FOR EXPENSES INCURRED IN CONNECTION WITH THE SALE OF \$2,600,000.00 TRANSIT SYSTEM REVENUE BONDS SOLD MARCH 26, 1959

(Full text in Ordinance Book I.I. page 174)

AN ORDINANCE 27,603

REIMBURSING THE GENERAL FUND FOR EXPENSES INCURRED IN CONNECTION WITH THE SALE OF \$10,750,000.00 GENERAL OBLIGATION BONDS SOLD FEBRUARY 24, 1959

(Full text in Ordinance Book I.I. page 174)

AN ORDINANCE 27,604

APPROPRIATING THE SUM OF \$15,739.88 OUT OF INTERNATIONAL AIRPORT BOND AND CONSTRUCTION FUND NO. 803-01, FEDERAL AIRPORT AID PROJECT NO. 9-41-080-5608 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF HERBERT M. SHELTON AND WIFE, IDA J. SHELTON AS FINAL JUDGMENT IN CONDEMNATION CAUSE NO. 1055

(Full text in Ordinance Book I.I. page 175)

AN ORDINANCE 27,605

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY-OWNED REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, FOR PUBLIC PURPOSES, TO-WIT: FOR PUBLIC DRAINAGE AND FLOOD CONTROL (STORM DRAINAGE PROJECT NO. 58A); AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION CONDEMNATION PROCEEDINGS TO ACQUIRE SO MUCH THEREOF AS CANNOT BE ACQUIRED BY PURCHASE

(Full text in Ordinance Book I.I. page 175)

AN ORDINANCE 27,606

AMENDING SEC. 53-25 OF THE CITY CODE TO AUTHORIZE SUBDIVIDERS, IN LIEU OF FILING A PERFORMANCE BOND, TO DEPOSIT WITH THE CITY 10% OF THE COST OF REQUIRED SITE IMPROVEMENTS WITHIN THE PROPOSED SUBDIVISION

(Full text in Ordinance Book I.I. page 175)

AN ORDINANCE 27,607

GRANTING AND CONFIRMING TAX EXEMPTIONS OF CERTAIN PROPERTIES OWNED BY VARIOUS CHURCH, SCHOOL AND CHARITABLE ORGANIZATIONS (SEE NAMES BELOW)

(Full text in Ordinance Book I.I. page 177)

- Bexar County Hospital District
- Episcopal Church Corporation in West Texas
- First Baptist Church
- General Board of the Church of the Nazarene
- Grace English Evangelical Lutheran Church
- Los Angeles Heights Methodist Church
- New Light Baptist Church
- Congregation of the Sisters of Divine Providence
- Union Baptist Church
- Woodlawn Methodist Church
- Lake Garden Baptist Church

A RESOLUTION

DECLARING IT TO BE THE POLICY OF THE CITY OF SAN ANTONIO TO EXERCISE ITS EXCLUSIVE RIGHT TO SERVE ALL AREAS OF THE CITY WITH WATER SERVICE, AND TO CONTINUE TO PRESCRIBE STANDARDS AND CRITERIA FOR DESIGN, CONSTRUCTION AND INSTALLATION OF ALL UTILITIES SERVICE AND SYSTEM BOTH WITHIN AND WITHOUT THE CITY LIMITS, IN ACCORDANCE WITH THE LAWS OF TEXAS

(Full text in Ordinance Book I.I. page 179)

AN ORDINANCE 27,608

AUTHORIZING EXECUTION OF A CONTRACT FOR THE REPAIR OF CITY VEHICLES AT THE SERVICE SHOPS OF THE SAN ANTONIO TRANSIT SYSTEM

(Full text in Ordinance Book I.I. page 180)

The following ordinance was read and ordered published:

AN ORDINANCE

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE NORTH CENTRAL CITY LIMITS OF SAN ANTONIO (Harmony Hills)

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Mr. Pinson arrived at this time.

The following ordinances were then passed and approved as follows: AYES, Kuykendall, Dietert, Passur, McMahon, Johnson, Simpson, Olivares, Pinson, San Martin; NAYS, None.

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AN ORDINANCE 27,609

ACCEPTING THE STREET IMPROVEMENTS TO CERTAIN STREETS AND AVENUES OR PORTIONS THEREOF IN PAVING PROJECT "A" HEREIN DESCRIBED AND WITHIN THE LIMITS HEREIN DEFINED AS HAVING BEEN COMPLETED UNDER THE TERMS OF THE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND H. B. ZACHRY COMPANY, DATED JUNE 21, 1957; APPROVING THE CERTIFICATE OF COMPLETION AND THE FINAL STATEMENT OF THE CITY ENGINEER AS TO THE IMPROVEMENT UNITS IN WHICH SUCH IMPROVEMENTS HAVE BEEN COMPLETED; PROVIDING THAT ASSIGNABLE CERTIFICATES OF SPECIAL ASSESSMENTS SHALL BE ISSUED TO FIRST OF TEXAS CORPORATION, THE ASSIGNEE OF CONTRACTOR; PROVIDING THAT SUCH ASSESSMENT CERTIFICATES SHALL BE DATED AS OF THE DATE OF THIS ORDINANCE; SETTING OUT CERTAIN PROVISIONS TO BE CONTAINED IN SUCH CERTIFICATES OF SPECIAL ASSESSMENT, THE TIME AND MANNER OF PAYMENT, THE MANNER IN WHICH SUCH CERTIFICATES SHALL BE NUMBERED, THE NAMES OF THE PROPERTY OWNERS, THE DESCRIPTION OF THEIR PROPERTIES TO BE SHOWN THEREON, AND THE PRINCIPAL AMOUNT OF SAID CERTIFICATES, MAKING PROVISIONS RELATING TO THE PAYMENT OF CERTAIN MONIES IN CONNECTION WITH THE COMPLETION OF THE IMPROVEMENTS IN THE UNITS WHICH ARE HEREBY ACCEPTED; AMENDING AN ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, ON AUGUST 15, 1957, LEVYING ASSESSMENTS FOR CERTAIN STREET IMPROVEMENTS CONSTRUCTED IN THE IMPROVEMENT UNITS HEREIN DESCRIBED IN ORDER TO CORRECT CERTAIN ERRORS THEREIN CONTAINED; RATIFYING SUCH ORDINANCE OF AUGUST 15, 1957, AS HEREIN AMENDED, AND AS HERETOFORE AMENDED BY ORDINANCES PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON JULY 31, 1958, AND FEBRUARY 5, 1959; PROVIDING THAT THE INVALIDITY OF ANY PART HEREOF SHALL NOT INVALIDATE THE OTHER; ABANDONING THE STREET IMPROVEMENTS TO CERTAIN PORTIONS OF UNITS 13 AND 14; RELEASING AS TO THE PROPERTIES ABUTTING SPINDLE STREET IN THE ABANDONED PORTION OF UNIT 13, AND ABUTTING PAUL STREET IN THE ABANDONED PORTION OF UNIT 14 THE PERSONAL LIABILITIES CREATED AND LIENS FIXED BY THE ENACTMENT OF AN ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON APRIL 18, 1957, AND BY THE SUBSEQUENT PROCEEDINGS OF THE CITY COUNCIL OF SAID CITY; INSTRUCTING AND AUTHORIZING THE CITY CLERK TO PREPARE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE AND TO FILE SAME OF RECORD WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS; MAKING OTHER FINDINGS AND ADOPTING OTHER PROVISIONS PERTINENT TO THE SUBJECT; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE AND APPROVAL

(Full text in Ordinance Book I.I. page 181)

AN ORDINANCE 27,610

AN ORDINANCE PRESCRIBING RATES AND CHARGES FOR THE SAN ANTONIO METROPOLITAN EXCHANGE OF SOUTHWESTERN BELL TELEPHONE COMPANY

(Full text in Ordinance Book I.I. page 205)

AN ORDINANCE 27,611

AGREEING TO A SITE SELECTED FOR THE COUNTY JAIL AND THE POLICE HEADQUARTERS BUILDING

(Full text in Ordinance Book I.I. page 206)

AN ORDINANCE 27,612

ACCEPTING THE PROPOSAL OF NOONAN, THOMPSON & KROCKER TO PERFORM ARCHITECTURAL SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A NEW POLICE HEADQUARTERS BUILDING

(Full text in Ordinance Book I.I. page 207)

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 forwarded to the department concerned.

5-19-59 Petition to Vanderbilt Homes, Inc. requesting the City to vacate Buena Vista Street between Acme Road and Cab Drive was referred to the Director of Planning.

5-19-59 Petition of Fred M. Ybarbo, et al, asking for repairs to Conception Court was referred to the Director of Public Works.

Yours very truly,

J. Frank Gallagher
City Clerk

The Mayor appointed Mike Passur, Joe Olivares and himself to constitute the board to canvass absentee election returns at 7:00 a.m. Saturday, May 30th, for the Housing Election and Police Headquarters Building Election.

Mr. Olin Le Baron representing the County Welfare Association asked if the council had arrived at any decision on the matter of a program to take care of neglected and dependent children. The City Manager stated no action had been taken except to investigate the matter and report to the Council.

Mr. LeBaron, in answer to questions of how the money would be spent stated that of the proposed \$30,000 program, \$5000 would be spent on taking care of children that are taken out of their homes by court order. The balance of the money to be used for salaries for case workers who will go to the homes of neglected children and try to find the cause and repair the damage to help the children. Some money was to be used for individual psychiatric treatment. He stated that cost to the city would be the initial outlay of about \$3000 which would not be a recurring item and that the county has assumed the responsibility for financing this program. After discussion, Dr. McMahon moved that the City Manager be instructed to draft a tentative agreement for consideration of the council and that this action does not bind the council to enter into an agreement. The motion carried unanimously.

Mr. James E. Johnson, Operator of Playland Park, complained of discrimination by Health Department in requiring him to put screening around his restaurant at Playland Park. He stated the ordinance was not a good one and was not being enforced. He asked that he not be required to screen the place as he controlled flies and insects by use of ceiling fans. Mr. Fred Bell read the ordinance requiring screening of food establishments. Mr. Crane also of the Health Department stated that there are about 4200 establishments and Mr. Johnson would not cooperate on screening requirements. That they have 17 inspectors to check these establishments and that the ordinance is being enforced impartially and that the place of which Mr. Johnson spoke, all the food was prepared in enclosed buildings although served in the open. On discussion of the matter it appeared to be the consensus of the Council that the ordinance should be enforced and that Mr. Johnson and Health Department cooperate in the matter so that he could meet city health requirements.

Mr. Johnson then stated that the deed to Brackenridge Park was being violated by the city in allowing sale of beer and operation of a miniature train. He filed the following letter:

City Council
San Antonio, Texas

Gentlemen:

I hereby charge you with approving violations of the deeds from the City Water Board and Geo W. Brackenridge dated December 28, 1899 and January 14, 1917.

In accordance with the deed I request that these violations cease at once.

Yours very truly,

/s/ James E. Johnson

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The City Attorney was instructed to prepare an opinion of this matter.

Mr. Goodman representing residents in the 100 block of East Myrtle complained of the nuisance created by the poultry house operated by Jack Stutts. They asked the council to take action to abate the alleged nuisance.

Dr. San Martin then made the following statement regarding Public Housing.

"Mr. Mayor and Members of the Council.

I want to make a statement with respect to some of the accusations made by the opponents of Public Housing. As a member of this council I resent the implication that the City Council is misleading and deceiving the people of San Antonio into approving additional "Luxury Units" which are supposed to be "breeding grounds" of crime and juvenile delinquency at the expense of the local taxpayers.

The reason I resent these statements of the opponents of Public Housing is that I believe this council gave due consideration to the arguments of both the proponents and the opponents in a very lengthy hearing and after weighing all the facts carefully, unanimously approved the additional 1500 units.

I have been inside these homes and they certainly are far from luxurious. The index of delinquency that can be attributed directly to the residents of these homes is certainly lower than the average for the entire city.

The City Council is not trying to put anything over on the people of San Antonio".

Mrs. Julia Grothaus, Chairman of the Committee of Senior Citizens for Public Housing composed of 1000 elderly people, presented a resolution congratulating the City Council for its help in cause of decent housing of the poor.

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There being no further business, the meeting adjourned.

APPROVED:

John W. Kendall
MAYOR

ATTEST:

Frank Bulloz
City Clerk