

REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF SAN ANTONIO HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL ON THURSDAY, FEBRUARY
24, 1955 AT 9:00 A.M.

PRESENT: Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez

ABSENT: Russell

Mayor R. N. White presiding.

Invocation by Rev. P. R. O. Dausman - Community Evangelical and Reformed Church.

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

The City Clerk then read the following report from the Board of Equalization.

APPROVAL OF ASSESSMENT ROLL

THE STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

We, the undersigned, duly appointed by the City Council of the City of San Antonio, constituting the Board of Equalization for the City of San Antonio, Texas, do hereby certify that after taking the oath as prescribed in Article 7215, of the Revised Civil Statutes of 1925, and Section 97 of the Charter of the City of San Antonio, said oath being recorded on Page 1 of the Minutes and Proceedings of the Board of Equalization of the City of San Antonio, Texas, did examine the assessments delivered to us by V. E. BALLARD, Assessor & Collector of Taxes of the City of San Antonio; that we corrected the valuations of all property as directed by said oath. We have carefully examined the tax rolls (or assessment books) made up from the approved assessments by V. E. BALLARD, Assessor & Collector of Taxes of the City of San Antonio, for the tax year 1954 and for the 1953 tax year in those instances wherein property has been re-assessed for said year. We find that all the surveys and parts of surveys of land and all lots and blocks of the City of San Antonio and all personal property, insofar as we have been able to ascertain have been assessed for taxation for the tax year 1954, at its true and full market value, or if it had no market value, then at its real value.

We further state that values on the attached sheet represent the values shown on the assessment sheets contained in the three hundred and four (304) books examined covering real estate and twenty four (24) books covering personal property.

/s/ Sylvester Loughlin
Chairman

/s/ R. L. Patterson
Member

/s/ T. J. Kirkpatrick
Member

Sworn to and subscribed before me this 24th day of February, A. D. 1955.

/s/ J. Frank Norton
Notary Public, Bexar County,
Texas

RECAPITULATION OF ASSESSED VALUES
FOR
1954 TAX ROLL
AND
RE-ASSESSED VALUES FOR 1953 TAX YEAR WHERE APPLICABLE

	<u>Land</u>	<u>Improvements</u>	<u>Total</u>
Regular City (1954)	\$164,875,400	\$369,143,380	\$ 534,018,780.
Personal Property			104,388,400.
			<u>638,407,180.</u>
Autos & Trucks (Estimated)			18,500,000
			<u>\$ 656,907,180.</u>
Re-Assessed (1953)	\$ 11,670,330.	\$ 15,549,490.	27,219,820.
			<u>\$ 684,127,000.</u>

The above listed values are substantially correct, and the 1954 total of \$656,907,180 is intended to be used only in establishing the current tax levy.

/s/ V. E. Ballard
Assessor & Collector of Taxes

Sworn to and subscribed before me this 24th day of February A. D. 1955.

/s/ J. Frank Norton
Notary Public, Bexar County, Texas

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After the report was read, Mr. Loughlin the Chairman of the Board of Equalization appeared before the Council to answer any questions and none were asked.

Mr. Gonzalez then moved to have the City Manager confer with the School Board and ask them to give some indication of their needs for a tax rate as soon as possible. The motion unanimously carried.

Miss De Lois Faulkner, Maid of Cotton, was then introduced to the Council by Mayor White.

The Clerk then read the following ordinance:

AN ORDINANCE

PROVIDING FOR THE CREATION OF THE OFFICE OF SURPLUS
COMMODITIES, DEFINING THE ELIGIBILITY OF PERSONS WHO
MAY RECEIVE SUCH COMMODITIES, APPROPRIATING FUNDS FOR
SUCH OFFICE, AND DECLARING AN EMERGENCY

Mr. Barrett made a few remarks with regard to the willingness of the City to take care of the needy, the tubercular and mentally ill but he said that in his belief the ordinance as presented should be materially changed in some respects. He then made a motion that a committee be appointed to study the ordinance and make some needed changes. He suggested that the committee be composed of Rev. John Daniel Brown, Mr. Olin W. LeBaron and the City Manager. Mr. Scherlen agreed that some changes were needed and he suggested Monsignor Ehlinger and Edward G. Conroy as additions. Mr. Barrett accepted the additions.

Mr. James Turner of the Community Welfare Council and Mr. Alan Snyder of the Tax-payers League asked for favorable action as soon as possible.

Mr. Barrett's motion for a committee was unanimously approved and the Mayor appointed those above suggested by Mr. Barrett but added Mr. Barrett's name as Chairman.

The City Clerk was instructed to arrange a meeting as early as possible at the request of the Chairman.

The Clerk then read the resignation of Mr. Leo Brewer as a member of the Board of Trustees of the Public Library. The resignation was accepted with deep regrets and a vote of thanks for past services of Mr. Brewer.

The following ordinances and resolutions were passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSENT, Russell.

AN ORDINANCE 20,978

MAKING AND MANIFESTING A DEED FROM CITY OF SAN ANTONIO
TO RAY ELLISON PROPERTIES INCORPORATED, AT THE REQUEST
OF AND IN ACCORDANCE WITH RESOLUTION OF WATER WORKS BOARD
OF TRUSTEES OF THE CITY OF SAN ANTONIO, TEXAS

(Full text in Ordinance Book AA page 574)

AN ORDINANCE 20,979

ACCEPTING A DEED FROM E. P. CROCKER AND WIFE, NONA MAE CROCKER AND LEROY E. CROCKER, AND WIFE, POLLY CROCKER, CONVEYING TO THE CITY OF SAN ANTONIO A PORTION OF THE EAST 129 FEET OF LOT 12, N.C.B. 7672 APPROPRIATING \$1.00 TO BE USED IN PART PAYMENT OF SAID LAND SO CONVEYED AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER TO THE NAMED PARTIES A DEED CONVEYING A TRACT OF LAND RECLAIMED FROM THE RIVER CHANNEL ADJACENT TO THE EAST SIDE OF SAID LOT 12

(Full text in Ordinance Book AA page 575)

AN ORDINANCE 20,980

ACCEPTING THE DEED OF BERT E. WILCUT CONVEYING TO THE CITY OF SAN ANTONIO, A PORTION OF LOT 17, BLOCK 21, NCB 7672 AUTHORIZING THE CITY MANAGER OF THE CITY TO EXECUTE A DEED CONVEYING TO SAID BERT E. WILCUT A TRACT OF RECLAIMED RIVER BED ADJACENT TO SAID LOT 17, AND APPROPRIATING THE SUM OF \$500.00 TO PAY TO SAID BERT E. WILCUT THE DIFFERENCE IN EXCHANGE OF PROPERTIES

(Full text in Ordinance Book AA page 575)

AN ORDINANCE 20,981

GRANTING THE PETITION OF BEACON HILL BAPTIST CHURCH FOR EXEMPTION FROM CITY TAXES ON LOT 27, BLOCK 2, NCB 3031, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 575)

AN ORDINANCE 20,982

GRANTING THE PETITION OF HIGHAND PARK BAPTIST CHURCH FOR EXEMPTION FROM CITY TAXES ON LOT 3, BLOCK 55, NCB 3323, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 576)

A RESOLUTION

AUTHORIZING AND DIRECTING THE CITY TAX ASSESSOR AND COLLECTOR TO CORRECT AND ADJUST THE CITY TAX ROLLS DUE TO CERTAIN ERRORS APPEARING IN THE ASSESSMENT OF PROPERTY OWNED BY ROY & MINERVA C. ARTEAGA, 863 W. HARRIMAN PLACE (See additional names below)

(Full text in Ordinance Book AA page 576)

Asgrow Seed Co.

Rosina L. Bachle & Alma B. Charles

Guadalupe & Adela Barron

Roy A. Dismore

Ida H. Burleson

Henry and Helen Christmas

F. W. Ezell

Milton Friedrich

William O. Gifford

Frank Gillespie (4 Resolutions)

Rudy & Evangeline Gonzalez

M. Grothues (2 Resolutions)

International & Great Northern RR

S. A. Linen Service

John A. McDavitt

Joe & Clara Mikus

Sam Morris

Sam Morris

Pete Ramirez

S. M. Reyes

S. A Uvalde & Gulf RR

Antonio J. Savagno

R. H. Schodde

L. F. Sirianni

H. E. Stumberg

J. B. & Una Wood

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The Clerk then presented for action the petitions of Bernard Lumber Company and V. M. Fuery for a refund of building permit fees of \$13.00 and \$22.00 respectively. Mr. Gonzalez moved that the refund be approved less \$2.50 in each case as provided by ordinance of August 7, 1952 and that an ordinance be drawn making appropriation therefor. The motion carried: AYES, Oliver, Rudeloff, Dillashaw, White & Gonzalez; NAYS, Scherlen, Lacy, Barrett; ABSENT, Russell.

The following resolutions and ordinances were passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSENT, Russell.

A RESOLUTION

AUTHORIZING AND DIRECTING THE ASSESSOR AND COLLECTOR OF TAXES TO ADJUST THE 1953 TAX ROLL OF THE CITY BY CHANGING THE ASSESSED VALUATIONS OF CERTAIN PROPERTIES LOCATED ON SOLEDAD STREET TO CONFORM TO THE RE-APPRAISED VALUATIONS AS DETERMINED BY THE 1954 BOARD OF EQUALIZATION

(Full text in Ordinance Book AA page 580)

A RESOLUTION

AUTHORIZING AND DIRECTING THE ASSESSOR AND COLLECTOR OF TAXES TO ADJUST THE 1953 TAX ROLL OF THE CITY BY CHANGING THE ASSESSED VALUATION OF THE PLAZA HOTEL BUILDING LOCATED AT 309 SOUTH ST. MARY'S STREET TO CONFORM TO THE RE-APPRAISED VALUATION AS DETERMINED BY THE 1954 BOARD OF EQUALIZATION

(Full text in Ordinance Book AA page 582)

A RESOLUTION

AUTHORIZING AND DIRECTING THE ASSESSOR AND COLLECTOR OF TAXES TO ADJUST THE 1953 TAX ROLL OF THE CITY BY CHANGING THE ASSESSED VALUATION OF THE ELKS CLUB BUILDING LOCATED AT 225 EAST PECAN STREET TO CONFORM TO THE RE-APPRAISED VALUATION AS DETERMINED BY THE 1954 BOARD OF EQUALIZATION

(Full text in Ordinance Book AA page 582)

AN ORDINANCE 20,983

ACCEPTING AND APPROVING AN AMENDMENT OF BASIC LEASE OF OCTOBER 1, 1947, BY THE CITY OF SAN ANTONIO TO AMERICAN AIRLINES, INC., AND AS AMENDED SEPTEMBER, 1953, A DUPLICATE OF THIS SAID AMENDMENT BEING ATTACHED HERETO AND MADE A PART HEREOF

(Full text in Ordinance Book AA page 583)

A RESOLUTION

CALLING FOR BIDS FOR THE REPAIR AND RENOVATION OF HANGAR NO. 3 AT THE SAN ANTONIO INTERNATIONAL AIRPORT, BIDS TO BE SUBMITTED BY 2:00 P.M., MONDAY, MARCH 14, 1955.

AN ORDINANCE 20,984

ACCEPTING THE BID OF GENERAL SUPPLY COMPANY, INCORPORATED, FOR FURNISHING AND ERECTING A PRE-FABRICATED HOUSE IN DELLVIEW PARK AS PER SAID BID AND SPECIFICATIONS OUTLINED AND CONTAINED IN THE PROPOSAL AND ADVERTISEMENT FOR BIDS, AND APPROPRIATING OUT OF DELLVIEW PARK PROJECT FUND, NUMBER 41-02-02 (5), THE SUM OF \$3,389.00 PAYABLE TO GENERAL SUPPLY COMPANY, INCORPORATED, AS PER THE TERMS OF THE PUBLIC WORKS CONTRACT AS PROVIDED IN THE PROPOSAL FOR BIDS

(Full text in Ordinance Book AA page 584)

AN ORDINANCE 20,985

AMENDING SECTION 60-74 OF THE SAN ANTONIO CITY CODE ENTITLED "STREETS WHERE PARKING PROHIBITED" BY ADDING OTHER STREETS TO THOSE THEREIN CONTAINED PROHIBITING PARKING THEREON

(Full text in Ordinance Book AA page 584)

AN ORDINANCE 20,986

ESTABLISHING A PARKING ZONE, LIMITING PARKING TO A TWO (2) HOUR PERIOD ON THAT PORTION OF 8TH STREET BETWEEN BROADWAY AND THE SAN ANTONIO RIVER

(Full text in Ordinance Book AA page 584)

AN ORDINANCE 20,987

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF MR. & MRS. L. F. OSTERBERG AT 220 NEWBURY TERRACE

(Full text in Ordinance Book AA page 585)

AN ORDINANCE 20,988

ACCEPTING THE ATTACHED LOW BID OF JORDAN MOTOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH TWO TRUCK CABS AND CHASSIS FOR A TOTAL OF \$4,028.34

(Full text in Ordinance Book AA page 585)

Mr. Gonzalez moved that the Manager make a written report of the procedure in purchases under \$1000.00. The motion carried and the following resolution was passed by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSENT, Russell.

A RESOLUTION

CALLING FOR BIDS FOR AIR COMPRESSOR AT CITY SEWAGE TREATMENT PLANT

THE following ordinances and resolutions were passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSENT, Russell.

AN ORDINANCE 20,989

MAKING AND MANIFESTING A DEED FROM CITY OF SAN ANTONIO TO JAMES R. BROWN, JR. AND WIFE, LYNN BERRY BROWN, AT THE REQUEST OF AND IN ACCORDANCE WITH RESOLUTION OF WATER WORKS BOARD OF TRUSTEES OF THE CITY OF SAN ANTONIO, TEXAS

(Full text in Ordinance Book AA page 586)

AN ORDINANCE 20,990

CLOSING AND ABANDONING THAT PORTION OF MANGO AVENUE WHICH EXTENDS FROM ACKARD PLACE TO HUTCHINS PLACE, AND WHICH EXTENDS BETWEEN BLOCK 340, NCB 8366 AND BLOCK 341 NCB 8367 AND BETWEEN BLOCK 344 NCB 8368 AND BLOCK 345 NCB 8369: ALSO CLOSING AND ABANDONING THAT PORTION OF AMBER PLACE WHICH EXTENDS FROM CLAMP AVENUE TO GARNETT AVENUE BETWEEN NCB 8366 AND NCB 8367, ON ITS NORTH LINE AND BETWEEN NCB 8368 AND NCB 8369 ON ITS SOUTH LINE: ALSO ABANDONING TWO ALLEYS: ONE WHICH EXTENDS FROM CLAMP AVENUE WEST TO GARNETT AVENUE THROUGH NCB 8367 AND NCB 8368; THE OTHER EXTENDING FROM CLAMP AVENUE TO GARNETT AVENUE THROUGH NCB 8369 AND NCB 8368, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED CONVEYING TO HARLANDALE INDEPENDENT SCHOOL DISTRICT TO THE ABOVE DESCRIBED PORTIONS OF STREETS AND ALLEYS.

(Full text in Ordinance Book AA page 587)

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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 NO. 386, LOTS 13 AND 14, BLOCK 1, NEW CITY BLOCK 10480, FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT

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 NO. 441, HILLCREST AND CULEBRA FROM "A" TEMP. RES. TO "F" LOCAL RETAIL) (CASE NO. 442, 700 BLOCK OF BYNUM ROAD FROM "A" TEMP. RES. TO "H" LOCAL RETAIL

A RESOLUTION

AUTHORIZING THE POLICE DEPARTMENT TO PROCEED WITH THE SALE OF ABANDONED AND UNCLAIMED MOTOR VEHICLES THAT HAVE BEEN IMPOUNDED BY THE POLICE DEPARTMENT AND HAVE REMAINED UNCLAIMED FOR A PERIOD IN EXCESS OF SIXTY (60) DAYS

A RESOLUTION

CALLING FOR BIDS FOR CONSTRUCTION AT WITTE MUSEUM

M.

Mr. Gonzalez then moved that Mr. James L. Miller be appointed to the Library Board to succeed Mr. Tanner Freeman, who has resigned, for a term ending April 30, 1956. The motion carried: AYES, Oliver, Rudeloff, White, Lacy, Barrett, Gonzalez; NAYS, Scherlen, Dillashaw; ABSENT, Russell.

Mr. Rudeloff then nominated Mr. Henry Lee Taylor to membership on the Library Board to succeed Mr. Leo Brewer whose term expires April 30, 1955. The motion carried: AYES, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez; NAYS, Scherlen; ABSENT, Russell.

The following letter from the City Clerk was read:

Honorable Mayor and Members of Council
City of San Antonio

Gentlemen:

The following petitions were received by this office and referred to Dr. George W. Rice, City Manager, for his recommendation or action.

- 2-11-55 Petition of Goodwill Industries of San Antonio, Inc. requesting tax exemption of Lot 8, New City Block 11155.
- 2-14-55 Petition of W. H. Becker requesting repair of the intersection of New Braunfels and Queen Anne Court, and the 500 block of Queen Anne Court.
- 2-14-55 Petition of Missionary Oblates of Mary Immaculate requesting the City to extend the sanitary sewer from the existing manhole at the intersection of Jackson-Keller and Randol Drive to Oblate Drive to serve the buildings located on property of the Oblate Fathers.
- 2-15-55 Petition of Mrs. Ophelia Napper and other residents in the Schaffer Sub-division requesting extension of water and sanitary sewers.
- 2-17-55 Petition of The Southwest Texas Conference of the Methodist Church requesting tax exemption of Lot 16, New City Block 1932.

Yours very truly,

J. Frank Gallagher
City Clerk

A hearing was next called on Zoning Case #422 to rezone Lots 25 to 28 and W 30 ft. of 24 in New City Block 8409 on Fredericksburg Road. No one appeared to be heard. On motion of Mr. Dillashaw, seconded by Mr. Rudeloff, the recommendation of the Planning Commission was approved. AYES, Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSENT, Russell.

The following ordinance was then introduced; and passed by the above vote.

AN ORDINANCE 20,991

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. 422, LOTS 25, 26, 27, 28 AND THE W. 30' of LOT 24, NC.B. 8409, FROM "F" LOCAL RETAIL DISTRICT TO "J" COMMERCIAL DISTRICT

(Full text in Ordinance Book AA page 587)

The matter was next called up of a continuation of the hearing on a petition of the National Association of the Advancement of Colored People, asking for repeal of an ordinance passed June 19, 1954 which hearing was begun on January 27, 1955. John Luke, Assistant Chairman of the Legal Redress Committee of the NAACP appeared in behalf of the petition. He was followed by S. N. James.

Mr. Scherlen then moved that the ordinance of June 19th be repealed as requested in the petition; Mr. Gonzalez seconded the motion.

After discussion by council and other members of the NAACP, Mr. Dillashaw moved that the council table the motion to repeal. Mr. Barrett seconded this motion. The motion to table carried by the following vote: AYES, Oliver, Dillashaw, White, Lacy, Barrett; NAYS, Scherlen and Gonzalez; NOT VOTING, Rudeloff; ABSENT, Russell.

Mr. Barrett then made a written report for the committee to investigate the dog pound as follows:

Committee Report (Partial) on
Dog Pound Investigations

The Committee on dog pound investigations, composed of Councilmen John Oliver and William Barrett, has been instructed to make a written report to the Council. The report is as follows:

The committee has obtained evidence of some irregularities at the pound, and as a result of the reported irregularities certain charges have been formally made against Dr. D. S. Robertson and Mr. W. R. Monahan. The validity and seriousness or lack of seriousness of the charges will undoubtedly be determined during the anticipated appeals which these men are entitled to make.

The committee members feel that some of the commendable actions of Dr. Robertson and Mr. Monahan should also be made a matter of report and record.

Attached as Exhibit "A" is a report of the Veterinary Medical Association of Bexar County which reports the remarkable progress being made in rabies control. Dr. Robertson and Mr. Monahan are to be credited with the progress which has been made.

It is worthy of mention that during the course of our investigation one of the dog catchers of the Rabies Control Division caught a mad dog on a school ground shortly before a recess period. Had this dog not been caught many children would almost undoubtedly have been bitten.

Also the accurate books, records and documentary system established by Mr. Monahan should be given commendation.

It should be further noted that Dr. Robertson has many duties in addition to that of head of the Rabies Control Division. The strict enforcement by Dr. Robertson of our milk ordinances has won the respect of our \$25,000,000.00 a year dairy industry and has afforded the best of health protection to the people of a metropolitan area of over 500,000 people.

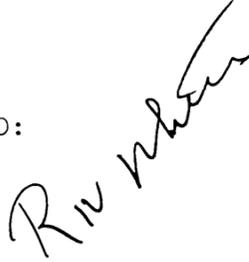
William L. Barrett
John Oliver

Mr. Barrett then made a statement that the investigation was continuing.

Mr. Gonzalez then called the attention of the council to the fact that the NAACP had asked that if the petition of repeal above referred to was not granted, the council take action to permit desegregation in such places as the auditoriums. He therefore offered a resolution which would provide for the full and equal enjoyment of all city owned buildings except swimming pools, by everyone regardless of color or race in the same manner as tennis courts and golf courses were available.

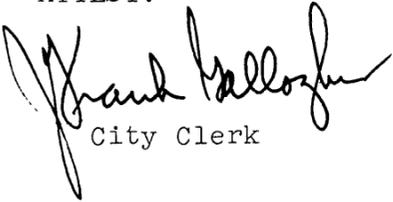
Mr. Rudeloff seconded the motion of Gonzalez to adopt the resolution, but a motion by Mr. Dillashaw, seconded by Mr. Barrett, that the meeting adjourn was adopted.

APPROVED:



MAYOR

ATTEST:



City Clerk

SPECIAL MEETING OF THE CITY COUNCIL OF
THE CITY OF SAN ANTONIO HELD IN THE COUNCIL
CHAMBER OF THE CITY HALL ON THURSDAY, FEBRUARY
24, 1955 AT 3:00 P.M.

PRESENT: Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez
ABSENT: Russell

The Clerk read the call of the meeting.

The Mayor called on Mr. Al Klein, Attorney for Messrs. Haas & Haynie who have a proposition before the council to construct a parking garage beneath the surface of Main Plaza square.

Mr. Klein went over the details of the proposed contract after which City Manager George W. Rice summarized his actions and those of his staff since the passage of the resolution on Saturday, February 19, 1955 in which a study of the proposals was ordered.

Dr. Rice called on Mr. Cadena, the City Attorney to go into legal points with special emphasis on liability for damage, if any, to adjoining properties.

The Mayor then called on others in the audience who might wish to be heard.

Mrs. Jack Allensworth, for the League of Women's Voters, submitted the following:

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The League of Women Voters is neither for nor against the building of underground parking facilities but is concerned with the city's contemplated agreement involving the leasing of a piece of city property.

The League submits the following questions which we consider in the public interest:

1. Has the Planning Commission approved this project as stipulated in Article IX, Section 123 "Following the adoption of the Master Plan by the Council, no subdivision, street, park, nor any public way, ground or space, public building or structure and no public utility whether publicly or privately owned, shall be constructed or authorized in the City, nor shall any real property be acquired by the City, until and unless the location and extent thereof shall have been submitted to and approved by the Commission;....?"
2. Does the Council consider this a franchise and derive its authority for action under Article XI, Section 128 "The ownership, right of control and use of streets, highways, parks, public places and all other real property of the City is hereby declared to be inalienable by the City, except by ordinances passed by vote of the majority of the Council as hereinafter provided; and no franchise or easement involving the right to use the same, either along, across, over or under the same, shall ever be valid, unless expressly granted and exercised in compliance with the terms hereof, and of the ordinances granting such use. No act or omission of the City, its Council, officers or agents shall be construed to confer or extend by estoppel or indirection, any right, franchise or easement not expressly granted by ordinance."?
3. If this is an exclusive franchise, is it not an illegal franchise and in conflict with Article XI, Section 130 "No exclusive franchise or privilege shall ever be granted,"?
4. Is it the intent of the Council to hold public hearings on this proposal?

Discussion on various points of ^{the} proposed contract w[^] held between the council members, the City Manager, The Attorney Mr. Al Klein and the proposed contractor, Mr. Haynie and his colleague Mr. Nunn.

Mr. Morris Kallison then addressed the council in a plea for action on the project.

Mr. Chas W. Carroll then warned the council that "haste makes waste" and he was convinced that too much hurry in this matter would be regretted. He saw no necessity to go underground.

Mrs. O'Neill Ford, Vice President of the Conservation Society, then spoke. She was followed by Miss Henrietta Pyle, Mr. William Allen, Mr. Dan Traugott, Father Maher, representing the Catholic Archdiocese and Bishop Lucy, Mr. Thurmann Barrett and again Mrs. Ford and Mr. Kallison.

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Mr. Nunn for the prospective contractors assured Father Maher that the San Fernando Cathedral would be carefully guarded and treated so that no damage to it could occur and he asked that the custodians of the Cathedral appoint someone to work with the contractors to that end.

After the discussion was ended the Clerk read the following ordinance:

AN ORDINANCE 20,992

MAKING A LEASE BETWEEN THE CITY OF SAN ANTONIO AND
HAAS AND HAYNIE, A CO-PARTNERSHIP

(Full text in Ordinance Book AA page 588)

Mr. Scherlen, Mr. Gonzalez, and Mr. Oliver all stated that they did not approve the ordinance but would like further time to study the details of the contract.

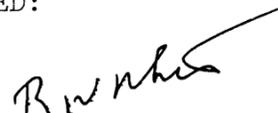
Mr. Gonzalez, seconded by Mr. Oliver, moved that action on this ordinance be deferred until 9:00 A.M. Saturday, February 26th and a special meeting be called. The motion was defeated by the following vote: AYES, Scherlen, Oliver, Gonzalez; NAYS, Rudeloff, Dillashaw, White, Lacy, Barrett; ABSENT, Russell.

Mr. Dillashaw then moved the adoption of the ordinance; seconded by Rudeloff. The ordinance was adopted by the following vote: AYES, Rudeloff, Dillashaw, White, Lacy, Barrett; NAYS, Scherlen, Gonzalez; ABSENT, Russell; NOT VOTING, Oliver.

Mr. Scherlen stated that he wanted the record to show that he voted no because he was denied time to study the details of the proposal. Mr. Oliver refused to vote for the same reason.

The Mayor then declared the meeting adjourned.

APPROVED:


MAYOR

ATTEST:


City Clerk