

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 14, 1964, 8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer, Mayor W. W. McAllister, with the following members present: McALLISTER, DE LA GARZA, JONES, COCKRELL, GATTI, PARKER AND BREMER; ABSENT: KAUFMAN AND PADILLA.

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The invocation was given by The Reverend Marvin Huth, Shepherd King Lutheran Church.

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Minutes of the Previous meeting were approved.

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The following ordinances were explained by members of the Administrative Staff, and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Cockrell, Gatti, Parker and Bremer; NAYS: None; ABSENT: Kaufman and Padilla.

AN ORDINANCE 32,294

EXTENDING THE EFFECTIVE PERIOD OF ORDINANCE NO. 29486 AS TO A PORTION OF RIGHT OF WAY FOR U. S. HIGHWAY 90 WEST EXPRESSWAY; ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF SUCH LOCATION; AND DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR SPECIFIED WORK WITHIN THE BOUNDARIES OF SUCH RIGHT OF WAY UNTIL MAY 24, 1965.

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AN ORDINANCE 32,295

EXTENDING THE EFFECTIVE PERIOD OF ORDINANCE NO. 29484 AS TO A PORTION OF THE RIGHT OF WAY FOR INTERSTATE HIGHWAY 10 (U. S. HIGHWAY 90); ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF SUCH LOCATION; AND DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR SPECIFIED WORK WITHIN THE BOUNDARIES OF SUCH RIGHT OF WAY UNTIL MAY 24, 1965.

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AN ORDINANCE 32,296

CLOSING AND ABANDONING A PORTION OF HUTCHINS STREET LOCATED IN NCB 11186 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED TO THURMAN BARRETT, SR., AND THURMAN BARRETT, JR.

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AN ORDINANCE 32,297

CLOSING AND ABANDONING AN ALLEY LOCATED BETWEEN NCB 2560 AND NCB 2561 AND AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS THERETO TO ABUTTING OWNERS FOR A TOTAL CONSIDERATION OF \$1,127.00.

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May 14, 1964

AN ORDINANCE 32,298

APPROPRIATING \$2,215.00 OUT OF HIGHWAY 90 WEST EXPRESSWAY BONDS FOR ACQUISITION OF RIGHT OF WAY; AUTHORIZING THE TRANSFER OF \$19,950.00 FROM THE GENERAL FUND TO STREET IMPROVEMENT BONDS, 1957, AND APPROPRIATING THE SAME FOR ACQUISITION OF RIGHT OF WAY FOR THE COLORADO-BRAZOS CONNECTION AND THE FRESNO-OLMOS PAVING PROJECT; AUTHORIZING TRANSFER OF THE UNAPPROPRIATED BALANCE OF FIRE STATION CONSTRUCTION BOND FUND 479-04 TO FIRE STATION BONDS, 1964, FUND #489-04, AND APPROPRIATING \$7,000.00 THEREOF FOR PURCHASE OF PROPERTY PERTAINING TO FIRE STATION #30; AUTHORIZING THE TRANSFER OF \$3,145.00 FROM ACCOUNT 70-01-01 TO SPECIAL PROJECT ACCOUNT 09-04-20 FOR BLANCO ROAD WIDENING; ACCEPTING AN EASEMENT PERTAINING TO THE AVENUE SANITARY SEWER PROJECT.

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AN ORDINANCE 32,299

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF SAN ANTONIO, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING AND DECLARING AN EMERGENCY. (36.807 ACRES COMPRISING ALL OF COLONIES NORTH SUBDIVISION.)

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AN ORDINANCE 32,300

APPROPRIATING THE SUM OF \$18,663.82 OUT OF STREET IMPROVEMENT BONDS, 1964, FOR ENGINEERING SERVICES PERFORMED BY EARL J. WENTWORTH IN CONNECTION WITH THE QUINTANA ROAD AND CUPPLES ROAD PROJECT; ALSO APPROPRIATING THE SUM OF \$1,000.00 FROM THE SAME FUND AS A MISCELLANEOUS CONTINGENCY ACCOUNT.

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AN ORDINANCE 32,301

APPROPRIATING THE SUM OF \$5,772.00 OUT OF PARKS IMPROVEMENT BOND, 1964, PAYABLE TO WALTER E. HAGGARD & ASSOCIATES FOR ENGINEERING SERVICES IN CONNECTION WITH CASSIANO AND MONTERREY PARKS SWIMMING POOLS; AND APPROPRIATING \$500.00 FROM THE SAME FUND AS A MISCELLANEOUS CONTINGENCY ACCOUNT.

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AN ORDINANCE 32,302

AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND THE HARLANDALE INDEPENDENT SCHOOL DISTRICT PROVIDING FOR THE CITY TO MAINTAIN AND OPERATE A RECREATIONAL SWIMMING PROGRAM AT THE McCOLLUM HIGH SCHOOL SWIMMING POOL FROM JUNE 1, 1964 TO AUGUST 28, 1964.

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AN ORDINANCE 32,303

MAKING AND MANIFESTING A TWO-YEAR CONTRACT WITH THE PROSPECT HILL YELLOW JACKETS FOR THE USE OF ROSEDALE PARK TO CONDUCT A LITTLE LEAGUE BASEBALL PROGRAM.

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AN ORDINANCE 32,304

MANIFESTING AN AGREEMENT TO EXTEND THE TERM OF A LEASE TO GEN-AERO, INC., OF SPACE

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AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 32,305

AUTHORIZING EXECUTION OF AN AMENDMENT TO A LEASE OF SPACE AT INTERNATIONAL AIRPORT TO NATIONAL AIRMOTIVE, INC.

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AN ORDINANCE 32,306

AUTHORIZING EXECUTION OF 2 LEASES OF SPACE AT INTERNATIONAL AIRPORT TO THE WEATHER BUREAU, U. S. DEPARTMENT OF COMMERCE.

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Police Chief Geo. W. Bichsel invited the members of the City Council to attend a ceremony on May 15th at 10:00 A.M. in the lobby of Police Headquarters in observance of "Peace Officers Memorial Day."

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The following ordinance was explained by the Chief of Police, and on motion of Mr. Jones, seconded by Dr. Parker, was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Cockrell, Gatti, Parker and Bremer; NAYS: None; ABSENT: Kaufman and Padilla.

AN ORDINANCE 32,307

DIRECTING A PUBLIC SALE OF 105 UNCLAIMED MOTOR VEHICLES BY THE CHIEF OF POLICE,

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Mr. George Vann, Director of Housing and Inspections, explained that the following ordinance sets out the necessary elements required to constitute a public nuisance and provides a procedure for the City Attorney to follow in abating a public nuisance.

On motion of Mr. de la Garza, seconded by Mr. Gatti, the ordinance was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Cockrell, Gatti, Parker and Bremer; NAYS: None; ABSENT: Kaufman and Padilla.

AN ORDINANCE 32,308

PROVIDING FOR THE VACATION, REMOVAL, REPAIR OR DEMOLITION OF ANY BUILDING OR STRUCTURE, WHICH IS OR THREATENS TO BE A PUBLIC NUISANCE, DANGEROUS TO THE HEALTH, SAFETY, OR GENERAL WELFARE OF THE PEOPLE OF THE CITY OF SAN ANTONIO, OR WHICH MIGHT TEND TO CONSTITUTE A FIRE MENACE.

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Mayor Pro-Tem Gatti took the chair and presided over the meeting during the temporary

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absence of the Mayor.

The following ordinance was explained by Assistant City Attorney Bill Ward, and on motion of Mr. Jones, seconded by Mr. de la Garza, was passed and approved by the following note: AYES: de la Garza, Jones, Cockrell, Gatti, Parker and Bremer; NAYS: None; ABSENT: McAllister, Kaufman and Padilla.

AN ORDINANCE 32,309

DIRECTING THE ABATEMENT OF THE NUISANCE AND FIRE HAZARD AT 1129 WEST ASHBY PLACE.

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Mr. M. Winston Martin, Executive Director of Urban Renewal Agency, explained that the following ordinance provided for certain minor changes in the proposed street layout and utility plans which are required by the proposed construction of the entry and exit ramps to the central expressway by the Texas Highway Department.

The changes have been approved by the Urban Renewal Agency, City Planning Commission, and provisions of the Texas Urban Renewal Law have been complied with, and under provisions of Urban Renewal Law these modifications are recommended.

On motion of Mr. Jones, seconded by Mr. de la Garza, the ordinance was passed and approved by the following vote: AYES: de la Garza, Jones, Cockrell, Gatti, Parker and Bremer; NAYS: None; ABSENT: McAllister, Kaufman and Padilla.

AN ORDINANCE 32,310

ADOPTING AND APPROVING MINOR CHANGES TO THE URBAN RENEWAL PLAN FOR CENTRAL WEST AREA PROJECT X, TEX. R-39; DESIGNATING SAID CHANGES AS MINOR AMENDMENT NO. 2; AND DIRECTING THAT SAID CHANGES BE FILED AS PART OF THE URBAN RENEWAL PLAN FOR SAID PROJECT.

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The following ordinances were explained by members of the Administrative Staff, and on motion made and duly seconded were passed and approved by the following vote: AYES: de la Garza, Jones, Cockrell, Gatti, Parker and Bremer; NAYS: None; ABSENT: McAllister, Padilla and Kaufman.

AN ORDINANCE 32,311

AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED TO THE STATE OF TEXAS TO LOT 8, BLOCK 2, NEW CITY BLOCK 223, ALSO KNOWN AS LOT 8, BLOCK 3, NEW CITY BLOCK 223, IN CONSIDERATION OF THE SUM OF \$1,719.74.

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AN ORDINANCE 32,312

APPROPRIATING \$43,000.00 OUT OF HIGHWAY 90 WEST EXPRESSWAY BONDS, FUND #479-16, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF EUGENIO BUSTAMANTE AND WIFE, DELIA BUSTAMANTE, AND NATIONAL BANK OF COMMERCE OF SAN ANTONIO, TOGETHER WITH THE TAXING AGENCIES OF THE CITY OF SAN ANTONIO, EDGEWOOD INDEPENDENT SCHOOL DISTRICT AND BEXAR COUNTY, TEXAS, AS THEIR INTERESTS MAY APPEAR, SAID AMOUNT

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being the award of special commissioners in CONDEMNATION CAUSE C-48 FOR THE ACQUISITION OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9, BLOCK 31, NCB 8069, VILLA GUADALUPE THIRD FILING AND BEING LOCATED IN THE 1400 BLOCK OF S. GENERAL McMULLEN DRIVE IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; AND MANIFESTING AN ESCROW AGREEMENT WITH THE OWNERS THEREOF REGARDING POSSESSION OF SAID PROPERTY.

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AN ORDINANCE 32,313

APPROPRIATING \$900.00 OUT OF HIGHWAY 90 WEST EXPRESSWAY BONDS, FUND #479-16, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF JACOB JACOBS, WHOSE ADDRESS IS UNKNOWN, AND IF MARRIED, THE WIFE OF JACOB JACOBS, AND IF DECEASED, THEIR HEIRS AND LEGAL REPRESENTATIVES WHOSE ADDRESSES ARE UNKNOWN AND ANY AND ALL PERSONS INCLUDING ADVERSE CLAIMANTS OWNING OR HAVING OR CLAIMING ANY LEGAL OR EQUITABLE INTEREST IN OR LIEN UPON SAID LAND, AND THE TAXING AUTHORITIES FOR THE CITY OF SAN ANTONIO, THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT AND BEXAR COUNTY, INTERVENORS, AS THEIR INTERESTS MAY APPEAR, SAID AMOUNT BEING THE AWARD OF THE SPECIAL COMMISSIONERS IN CONDEMNATION CAUSE #C-52 FOR THE PURCHASE OF LOT 6, BLOCK 3, NEW CITY BLOCK 11320, JENNINGS ADDITION, IN SAN ANTONIO, BEXAR COUNTY, TEXAS.

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AN ORDINANCE 32,314

APPROPRIATING \$900.00 OUT OF HIGHWAY 90 WEST EXPRESSWAY BONDS, FUND #479-16, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, SUBJECT TO THE ORDER OF S. W. BUTLER, WHOSE ADDRESS IS UNKNOWN, AND IF MARRIED, THE WIFE OF S. W. BUTLER, AND IF DECEASED, THEIR HEIRS AND LEGAL REPRESENTATIVES WHOSE ADDRESSES ARE UNKNOWN AND ANY AND ALL PERSONS INCLUDING ADVERSE CLAIMANTS OWNING OR HAVING OR CLAIMING ANY LEGAL OR EQUITABLE INTEREST IN OR LIEN UPON SAID LAND, AND THE TAXING AUTHORITIES FOR THE CITY OF SAN ANTONIO, THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT AND BEXAR COUNTY, INTERVENORS, AS THEIR INTERESTS MAY APPEAR, SAID AMOUNT BEING THE AWARD OF THE SPECIAL COMMISSIONERS IN CONDEMNATION CAUSE #C-51, FOR THE PURCHASE OF LOT 24, BLOCK 4, NEW CITY BLOCK 11322, JENNINGS ADDITION, IN SAN ANTONIO, BEXAR COUNTY, TEXAS.

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AN ORDINANCE 32,315

AUTHORIZING THE TAX ASSESSOR AND COLLECTOR TO CORRECT AND ADJUST CERTAIN ASSESSMENTS APPEARING ON THE CITY TAX ROLLS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW.

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AN ORDINANCE 32,316

AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE A REFUND OF \$251.05 TO RICHARD GILL COMPANY DUE TO DOUBLE PAYMENT OF TAXES.

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AN ORDINANCE 32,317

AMENDING SECTION 38-107, SCHEDULE "A", FULL SIGNAL OPERATION; SECTION 38-109, SCHEDULE "C", FULL STOP LOCATION, SECTION 38-110, SCHEDULE "D", YIELD RIGHT OF WAY LOCATION; SECTION 38-111, SCHEDULE "E", SPEED REGULATION; SECTION 38-113, SCHEDULE "G" PARKING PROHIBITED AT ALL TIMES; SECTION 38-114, SCHEDULE "H" STOPPING, STANDING PROHIBITED DURING CERTAIN HOURS; OF THE CITY CODE OF THE CITY OF SAN ANTONIO.

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Mr. Geo. "Happy" Hancock, representing the San Antonio Petroleum Association, spoke to the Council concerning the City Attorney's opinion in which City Attorney Sam Wolf stated that the proposed ordinance prohibiting the use of trading stamps in connection with the sale of petroleum products is illegal and an unauthorized use of police power. He asked for information as to what research the City Attorney used to arrive at his opinion that the ordinance would not be legal or constitutional.

City Attorney Sam Wolf reported that he had a lengthy discussion with the Association's attorney concerning the matter and had furnished him a lengthy written opinion and felt sure that the attorney for the Association was familiar with the reasons for his decision.

Mayor McAllister informed Mr. Hancock that since this opinion has been given to his attorney, he could get the information from him, and if not, the City would be glad to furnish him a copy of the opinion.

Miss Bessie Haywood, 809 Dawson Street, spoke to the Council about juvenile delinquency, truancy and school drop-outs. She stated she was not sure whether she was appearing before the proper governmental agency and asked for assistance in the matter.

City Attorney Sam Wolf, was designated to find out what authority the City had in the matter, and to advise Mrs. Haywood and the City Council.

The Clerk read the following letter:

May 14, 1964

Honorable Mayor and Members of the City Council
San Antonio, Texas

Gentlemen and Madam:

The following petitions were received and forwarded to the office of the City Manager for investigation and report to the City Council.

5-6-64 Petition filed by Mrs. R. R. Penix and other residents of Mercury Drive requesting that a drainage problem on this street be corrected.

5-8-64 Petition of Miss Barbara W. Baker, requesting the City to abate a fire hazard created by an abandoned house located at 1019 West Mulberry.

5-8-64 Petition filed by Mr. H. G. Vallance and other residents on West Olmos Drive, requesting the City to change the name of West Olmos Drive between Blanco Road to the Expressway to Fresno Drive.

Sincerely,

/s/ J. H. Inselmann
City Clerk

The following is the report on petitions:

Petition filed by Mrs. R. R. Penix and other residents of Mercury Drive, requesting that a drainage problem on this street be corrected.

The Public works Department has just arrived at a solution on this drainage problem. We have instructed that they start the correction as soon as possible. It is anticipated that the work will begin in 60 to 70 days.

There being no further business to come before the Council the meeting adjourned.

A T T E S T: *J. H. Inselmann*
City Clerk

A P P R O V E D:
W. McAllister
M A Y O R