

invalid or unenforceable, such invalidity, or any order restraining the enforcement of any such part or parts of this ordinance, shall not effect any other part or parts hereof.

PASSED AND APPROVED this 10 day of March A.D. 1917.

ATTEST:

Fred Fris  
City Clerk.

Christian G. Brown  
Mayor, City of San Antonio.

THE STATE OF TEXAS  
COUNTY OF BEXAR  
CITY OF SAN ANTONIO

Before me the undersigned authority, on this day personally appeared Chas. S. Duhe, who being by me duly sworn, says on oath that he is one of the publishers of the San Antonio Light, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the ordinance hereto attached has been published in every issue of said newspaper on the following days, to-wit: March 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 1917.

Sworn <sup>to</sup> and subscribed before me this March 26 1917

Charles S. Duhe

Fred Fris

City Clerk.

AN ORDINANCE *OF-42*

Submitting certain proposed amendments of the Charter of the City of San Antonio to a vote of the people and calling a Special Election therefor, all as provided by law.

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

WHEREAS heretofore, to-wit; on the 29th day of March A.D. 1917, the Commissioners of the City of San Antonio by resolution duly passed and approved, declared its intention to pass an ordinance submitting to a vote of the people certain proposed amendments to the Charter of this City, and ordering that twenty (20) days' notice of such intention be given by publication of such resolution and notice for ten (10) days in the San Antonio Light, a newspaper published in this City; and,

WHEREAS such notice was duly given and published as aforesaid, the first date of such publication having been on the 30th day of March A.D. 1917; and

WHEREAS, there being no petition as prescribed by law for the submission of the question, "Shall a Commission be Chosen to Frame a New Charter?", The Commissioners of the City of San Antonio therefore desire to submit to a vote of the people, as provided by law, on its own motion, the said proposed amendments to the Charter of the City of San Antonio; Now Therefore, Be It Hereby Further Ordained:

SECTION ONE: That a special election be and the same is hereby ordered to be held and conducted in this City on the 25 th day of May A.D. 1917, for the purpose of submitting to the qualified voters of the City certain proposed amendments to the Charter of the City of San Antonio;

SECTION TWO: That the manner and effect of holding said election shall be governed by those certain provisions of the constitution and laws of the State of Texas authorizing cities having more than five thousand (5,000) inhabitants, by a majority vote of the qualified voters of such City at an election held for that purpose to adopt and amend their Charters; and as provided by law only those persons shall vote at said election and who are qualified voters of said City;

SECTION THREE: The said election shall be held within the City of San Antonio in each of the forty-nine (49) election precincts thereof variously located in each of the eight (8) several wards of said City as said election precincts are now lawfully defined, and said election herein ordered shall be held at the place in each such respective election precinct named and set opposite the number of such precinct in the following table, to-wit:

The polls will be open in the several precincts from 8:00 o'clock a.m., to 7:00 o'clock p.m., at the following places:

- PRECINCT No. 1--City Hall
- PRECINCT No. 2--Engine House No. 12, South Flores and Rische Streets
- PRECINCT No. 3--J.F.Homen's Place, 1508 South Flores St.
- PRECINCT No. 4--T.R.Frias' Place, 2608½ South Flores St.
- PRECINCT No. 5--A.L.Baker's Place, 3430 South Flores St.
- PRECINCT No. 6--C.Forestelllo's Store, corner Guadalupe and Smith Streets.
- PRECINCT No. 7--J.Rubiola's Store, 123 Vera Cruz Street.
- PRECINCT No. 8--Benevolencia Hall, 115 Matamoras Street.
- PRECINCT No. 9--Engine House No.1, South Frio and Matamoras Streets.
- PRECINCT No. 10--Playgrounds, corner Buena Vista and Smith Streets.
- PRECINCT No. 11--Engine House No.8, corner Buena Vista and Rosillo Streets.
- PRECINCT No. 12--Lund's Store, 601 W.Salinas Street.

- PRECINCT No. 13--Engine House No.9, North Salado and Perez Streets  
 PRECINCT No. 14--H.C. Wilkinson's Store, 2501 West Commerce Street.  
 PRECINCT No. 15--Marotta's Store, Lopez and North Salado Streets.  
 PRECINCT No. 16--West End Pavillion.  
 PRECINCT No. 17--Newton Building, corner Main Avenue and Salinas Street.  
 PRECINCT No. 18--Jos.Schulz's Place, corner Romana and North Flores Streets.  
 PRECINCT No. 19--Jos.Ahr's Store, 601 San Pedro Avenue.  
 PRECINCT No. 20--Pavillion, San Pedro Park  
 PRECINCT No. 21--Engine House, Russell Place  
 PRECINCT No. 22--Woodlawn Grocery, Woodlawn Avenue and North Flores Street.  
 PRECINCT No. 23--F.F. Rodriguez's Store, corner Jones Avenue and Providence Street.  
 PRECINCT No. 24--Euclid Grocery, 301 E.Euclid Avenue.  
 PRECINCT No. 25--Fire Station No.4, San Pedro Avenue and Romana Street.  
 PRECINCT No. 26--ENGINE House No.2, 219 Travis Street  
 PRECINCT No. 27--B.P.Lund's Store, 432 Live Oak Street.  
 PRECINCT No. 28--F.L.Welter's Place, 301 Avenue D.  
 PRECINCT No. 29--Otto Schimpf's Place, 812 River Avenue  
 PRECINCT No. 30--Odd Fellow's Hall, corner Centre and North Cherry Streets  
 PRECINCT No. 31--Chas. Hillert's Store, 302 Burlison Street.  
 PRECINCT No. 32--Muth's Garden, 914 Grayson Street.  
 PRECINCT No. 33--Engine House No.5, corner Mason and Henderson Streets.  
 PRECINCT No. 34--Chas. Klaus' Place 2202 North New Braunfels Avenue.  
 PRECINCT No. 35--Jos.Wesp's Place, 702 Sherman Street.  
 PRECINCT No. 36--J.A. Vogel's Store, 501 North Monumental Street.  
 PRECINCT No. 37--Geo.Wilke's Store, corner Matagorda and Wyoming Streets.  
 PRECINCT No. 38--A.Ziemonteck's Place, corner Goliad and Santa Clara Streets  
 PRECINCT No. 39--C.Giesebrecht's Store, Powderhouse and Wyoming Streets  
 PRECINCT No. 40--S.Jacob's Store, 1702 East Commerce St.  
 PRECINCT No. 41--Meyer's Store, corner Delaware and Dreiss Streets.  
 PRECINCT No. 42--Otto Schmit's Store, corner Indiana and South Cherry Streets  
 PRECINCT No. 43--Albert Schmidt's Place, 1030 South Presa Street.  
 PRECINCT No. 44--Missionfield Grocery, 2816 South Presa St.  
 PRECINCT No. 45--Highland Park Office  
 PRECINCT No. 46--H.Geyer's Place, 220 South Alamo Street.  
 PRECINCT No. 47--Engine House No.7, South Alamo and Lavaca Streets  
 PRECINCT No. 48--Nayfach's Store, corner Garden and Gemblar Streets.  
 PRECINCT No. 49--Engine House No. 13, South Presa Street and Hick Avenue.

SECTION FOUR: That the Mayor of this City be and he is hereby authorized and directed to issue his proclamation calling said special election; and that at such special election the following proposed amendments to the Charter of the City of San Antonio, shall, be, and the same are hereby, respectively submitted to the qualified voters of this City for approval or rejection, to-wit:

PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF SAN ANTONIO, TEXAS.

To be submitted at a special election called and to be held in said City on the 25th day of May A.D. 1917.

## PART ONE

## PROPOSED AMENDMENTS

## SAN ANTONIO CITY CHARTER

1917.

## SECTIONS 1 to 8 INCLUSIVE

As Reported by George R. Gillette, City Attorney.

That SECTION 1A be added to the charter following Section 1, and to read as follows:

SECTION 1A. THE CHARTER IN GENERAL. The special charter granted to the City of San Antonio by the Legislature of Texas in 1903, with amendments thereof granted by special acts of the Legislature in 1907 and 1911, and with other amendments thereof adopted by vote of the people of said City in 1914, being the same amendments ratified in 1915 by act of the Legislature, together with, and as amended by, such amendments as may be adopted at the special election during the year 1917 at which this amendment is submitted, shall be known as the "charter" of this City; and all provisions of the charter originating from special legislative grant, except in so far as amended by special elections, are hereby expressly retained and embraced in the charter and said term the "charter" shall also extend to include all other amendments of the charter whenever the same shall be made, And it is furthermore contemplated and hereby provided that the City of San Antonio shall have and may exercise, all and singular, the full powers incident to the enjoyment of local self government"; including in addition to the provisions of the charter, all other rights, powers or immunities which the City is or may be authorized by law to have, exercise or enjoy through the action of its governing body; and all such matters when not specially embraced in or made a part of the charter, shall be known as the "additional" rights, powers or immunities of the City; provided however that the lawful provisions of the charter shall control as to every matter regulated by any provision of the charter which is mandatory in its terms or effect; and all such additional rights, powers or immunities shall be cumulative of each other and of all provisions of the charter; and provided further that the control and management of the public schools shall remain vested in the San Antonio Independent School District the same as heretofore.

That SECTION 1B be added to the charter, following Section 1A and to read as follows:

SECTION 1B. CHARTER A PUBLIC ACT. Upon the adoption as provided by law of any amendments of the charter of this City, it shall be the duty of the Mayor as soon as practicable thereafter to certify to the Secretary of the State of Texas, under the seal of the City, an authenticated copy of such amendments, showing the approval thereof by the qualified voters of the City, and to require the Secretary of State to file and record the same as provided by law; and also, upon the adoption of any such amendments, it shall be the duty of the City Clerk to record such amendments at length upon the records of the City in a separate book to be kept in his office for such purpose; and whenever any such amendment or amendments of the charter shall be recorded as herein above provided for, it shall be deemed a public act and all courts shall take judicial notice of the same, and no proof shall be required of the same.

(Art.1096)c All other matters and things shall also be done in connection with such amendments in such manner as to conform to all mandatory conditions and requirements of the constitution and laws of Texas governing such matters and applying to the City, which are or

may be in effect at the time of the action in question. The certificate of the City Clerk to be printed at the end of all printed copies of the charter among other things, shall declare and certify that all such matters and things have been done and performed as by law provided, and such certificate shall be prima facie proof of all matters and things therein recited.

That SECTION 2 be amended by adding thereto paragraph 2 and 3 as follows:

Par. 2. Annexation of Territory. Whenever a majority of the persons qualified to vote in general state elections and residing in any territory adjoining the City of San Antonio desire the annexation of such territory to said City, they may present to the Board of Commissioners a written petition for such annexation signed by them, which petition shall accurately describe such territory and shall have attached thereto the affidavit of one or more of its signers to the effect that such petition bears the signatures of a majority of such qualified voters; and thereupon the Board of Commissioners at any regular session thereof held not less than twenty (20) days after the presentation of said petition, may by ordinance annex such territory to the City of San Antonio and thenceforth such territory shall be a part of said City, and such annexed territory, and the inhabitants hereof, shall be entitled to full rights and privileges in said City and shall be governed and bound by its acts, charter, ordinances, resolutions and regulations.

Par. 3. SECTIONS. For the purpose of establishing convenient and definite, though arbitrary, means of reference to various parts of the six miles square of the territory embraced within the present or original limits of the City, the same shall be, and is hereby divided into thirty-six sections, each one mile square to be formed by imaginary lines parallel to each other and to the city limit lines; and begin in the upper row of such sections, with the section in the Northwest corner of the City, said sections shall be numbered in each row successively from West to East so as to include numbers from one to thirty-six.

That SECTION 5 be amended so as to read as follows:

SECTION 5. TAXPAYERS ELECTIONS. In all elections in which property tax payers only are allowed to vote under the law or this charter, only those persons shall vote who are lawfully so qualified; and if the name of any person claiming the right to vote and otherwise qualified shall not appear on the last or current assessment rolls of the City, such person shall not be permitted to vote unless he shall make and present to the election officers his written affidavit showing that he owns some real estate or interest therein, or some personal property of the actual value of at least Fifty (\$50.00) Dollars, taxable in this city for the current fiscal year, describing such property and stating the exact present location thereof in such affidavit, and the word "sworn" shall in all cases be written in the poll list opposite the name of each person permitted to vote on such affidavit.

That SECTION 7, and all paragraphs thereof, be amended so as to include Section 7, and Sections 7A to 7H inclusive, and so as to read respectively as hereinbelow set forth:

SECTION 7. THE MUNICIPAL GOVERNMENT. The powers, duties and functions of the municipal government of the City of San Antonio shall be divided, in conformity with the City charter, among the governing body, the chief executive, the five departments, the corporation court, and other lawfully constituted offices and agencies of the City.

SECTION 7A. THE BOARD OF COMMISSIONERS --IN GENERAL. The governing body of the City of San Antonio shall consist of a Board of Commissioners, composed of a Mayor and four other commissioners. The Mayor and Commissioners shall be elected, as hereinafter provided, for a period of two years and shall hold office until their respective successors shall have qualified. Said governing body shall have and may exercise all legislative powers, and also all other powers and discretions, whether governmental or corporate, in any manner vested in the

municipal corporation and not specially delegated by or under the charter to other officers or agencies; and said governing body shall also be known as the Commissioners of the City of San Antonio, or simply as the Commissioners, or shall be understood from the use of the term City Council, previously current in this City.

SECTION 7B. DEPARTMENTS. PAR. 1. IN GENERAL. The executive and administrative powers, duties and business of the city, except as in this charter otherwise expressly provided, shall be assigned among, and exercised through, the five several commissioner's departments, and the authorized divisions, offices, employments, and agencies of the City, as provided in the charter and any ordinances of the City consistent therewith. Said respective commissioner's departments, and the commissioner in charge of the same, shall be, and be known, as follows, to-wit:

Department of Public Affairs, - The Mayor, (or Commissioner of Public Affairs);

Department of Public Funds, - The Commissioner of Public Funds;

Department of Public Welfare, -- The Commissioner of Public Welfare;

Department of Public Works, -- The Commissioner of Public Works.

Department of Public Safety, -- The Commissioner of Public Safety.

All executive and administrative powers and duties not otherwise distributed are hereby assigned to the Mayor and to the Department of Public Affairs; but each of the several commissioners, in addition to the powers and duties assigned to him by the charter, shall perform such other and further duties as may be assigned to him, consistently with the charter by ordinance or resolution approved by the Mayor.

Par. 2. Commissioners -- General Powers and Duties. Each commissioner shall have and exercise special charge and supervision of his department which shall include all powers, duties, things and business appertaining or assigned to such department, or any division, officer, employe or agency therein, and all property, real and personal especially used for the purposes of such department or assigned to its jurisdiction. It shall be the duty of each commissioner actively and impartially to exercise and perform, or cause to be exercised and performed, in due and efficient manner, all powers, duties and business assigned to him, or to his department or any part thereof; and in connection therewith, and conforming to the charter and the ordinances and acts of the Board of Commissioners, he shall be authorized to make and issue in writing over his personal signature general rules for regulating any division, office, matters, things or property in his department, and special orders addressed to the chief of any such division or office for regulation particular matters or duties appertaining thereto. It shall also be his duty to require and cause the due observance and enforcement of the provisions of the charter and all ordinances and regulations intended to promote and protect the interests of the City entrusted to his department. Each commissioner shall from time to time make such recommendations to the Board of Commissioners in connection with his department as he may deem to be for the welfare of the City.

Par. 2A. Implied Powers. The Mayor and each commissioner shall have all powers necessary or incident to a proper discharge of the functions assigned to him to the same extent as though all suitable implied powers were specifically set forth herein; provided that each of said officers shall be subject always to the direction and control of the Board of Commissioners.

Par. 3. Organization of Departments and Divisions. Each commissioner's department shall include all divisions, offices, employments and services, whether created by law, charter or ordinance, appertaining or assigned to such department; and all offices, employments or services of the City shall be assigned to one of the divisions created by the charter, or to a new division or divisions to be created by ordinance. The chief or head of each such division

shall have the management thereof, and, subject to all lawful regulations made by or under the charter, shall perform and exercise the powers, duties and functions of his division, or cause same to be performed, under the supervision and in conformity with the lawful orders of the commissioner. Each division chief, as to all department powers or discretions incumbent on the commissioner of his department, shall be in effect the chief deputy of such commissioner as to such division; and, unless a contrary intent be specially indicated in any provision of the charter, or expressly stated in some ordinance relating to the particular subject matter, any and all executive and administrative acts, duties and discretions of any commissioner may be performed and executed by and through the chief of the appropriate division; and all such acts, duties or discretions of each commissioner, and, unless otherwise specially provided by ordinance, all acts, duties or discretions of any such chief, when done or executed in the appropriate division, office or service by officers of the City duly authorized as assistants or deputies of such chief, shall be as valid and authoritative as if performed by any such superior officer in person; and all signatures to official papers made as aforesaid, whether signed in the name and official title of the commissioner by the division chief or by some authorized assistant or deputy in the division, or whether signed in like manner in the name and official title of the division chief, shall have the same effect.

Par.4. Divisions.-- Incidental Powers and Duties. The chief of each division and the head of each distinct office or service therein, and the presiding officer of all boards, subject to all controlling provisions, and in addition to the principal functions specified therefor, shall have and exercise all necessary incidental powers and duties with reference to the scope thereof, and among others it shall be his duty, in and for his division, office, service or board, to require the efficient performance of all duties and the observance of due discipline by all officers and employes; and to prepare and keep or cause to be prepared and kept, all requisite books, accounts, records or other papers; and to make or cause due issuance of all requisite reports, rolls, certificates, notices, receipts, vouchers, or other papers; and to cause the observance and enforcement of the charter and all City ordinances and other authorized regulations whether intended to govern the conduct of the business of the division, office or service itself, or intended to govern outside matters the regulation of which is comprehended in its scope or necessary to promote or accomplish any of its purposes; and to conduct all authorized business with reference to procuring necessary supplies and equipment, and to regulate the use thereof.

Par.5. Discipline and Cooperation. Due discipline shall include obedience to all authorized regulations, rules and instructions, observance of ordinances, attention to duty, courtesy to the public, good order and cooperation in the public service, and due course of official responsibility, orders and reports, and such due discipline shall be observed and enforced within and between all departments and in the entire public service, and violations of any such requirements shall constitute cause for removal of any officer or employe of the City; provided, that the Mayor or Board of Commissioners as to the entire public service, or any commissioner as to his department, may require additional reports to be made directly to them by any of their subordinates in any matter or matters when they may deem such reports to be for the good of the service. Whenever it shall be necessary or intended that any duties or functions specially assigned to any department shall be performed, or that any ordinance or regulations to be enforced by such department shall be enforced, in aid of, or in cooperation with any public business under the special charge or supervision of the commissioner of another department, and if such cooperation is not being satisfactorily rendered, it shall be the imperative duty of the commissioner desiring such cooperation to make, or approve, by his personal signature, requisition in writing of such other commissioner for proper perform-

ance of such duties or functions, or the enforcement of such ordinances or regulations, and it shall thereupon become equally the imperative duty of the commissioner to whom such requisition is addressed, immediately upon receipt thereof to give in writing all necessary and proper instructions for rendering the services so required, and to cause a compliance therewith in his department, and to send to the requisitioning commissioner a signed copy of such instructions; and it shall be the duty of all subordinate officers and employes affected by such instructions to conform thereto diligently and in good faith.

Par. 6 Judicial Discretions. Whenever official discretions of judicial nature, as distinguished from discretions of executive or ministerial nature, are vested in any designated officers of the City, whether by state law or by or under the charter, or by any city contract, the designated officers shall exercise such judicial discretions in conformity with the powers and duties so vested, and such judicial discretions shall not be subject to any executive, departmental divisional or other control or influence; provided that, except as may be inconsistent with the charter, all official discretions vested in the individual commissioners in connection with the various functions of the departments may be exercised by and through the chief officers of the appropriate divisions; and all official discretions vested in any officers in the several divisions may be exercised either by such officers in person or by their successors, or through such, their respective assistants, deputies or other subordinates, as may be authorized to act by or under the charter.

SECTION 7C. CHIEF EXECUTIVE FUNCTIONS. In addition to all other powers and duties by law or by or under the charter conferred on, or assigned, to, the Mayor either as the chief executive of the City or as presiding officer of the Board of Commissioners, or otherwise,--the Mayor shall have and exercise general supervision and chief executive oversight of all departments, divisions, offices, services, agencies, business and affairs of the City, and it shall be his duty to require and enforce in all branches of the public service of the City, including all boards created for city purposes, the performance of all official duties and due conformity to the provisions of the charter and the ordinances and resolutions of the City; and he shall make and present to the Board of Commissioners all recommendations which he may deem necessary to promote or protect the interests of the City. It shall also be his duty to cause to be prepared and filed all required reports concerning city affairs, and to cause the same to be published when so provided. The Mayor shall also, as such executive, cause to be duly executed and delivered to the City all deeds, contracts, bonds and other instruments, required from other persons in connection with any and all business of the City; and when thereunto lawfully empowered, the Mayor, as such executive, shall be authorized to sign by his personal signature, as Mayor, and to execute in the name and on behalf of the City of San Antonio, and to deliver, or cause to be delivered, all deeds, contracts, bonds, certificates, releases and other obligations or instruments relating to business of the City, and when so executed may acknowledge the same if necessary or proper, and all instruments so authorized and executed, and bearing the seal of the City and the attestation of the City Clerk, shall be fully binding on the City of San Antonio; provided however, that should the Mayor refuse to sign any such instrument, the same, if lawful and authorized, may be made equally effective without his signature, upon being signed by the personal signature of any three of the other commissioners, and otherwise executed as aforesaid; and, provided further, that the foregoing shall not be a limitation on the powers of any other officer or agent of the city who by any provision of the charter, or by any express provision of any ordinance consistent therewith, is required or authorized to receive, approve or execute any instrument, but such officer or agent shall receive, approve or execute the same and conduct the business relating thereto in conformity with his powers and duties, provided further that when specially so authorized by ordinance, as in case of bond coupons, the autograph signature of the Mayor, or any other officer of the city, may be

printed or lithographed on any instrumentsto be issued by the City.

SECTION 7D. DEPARTMENT OF PUBLIC AFFAIRS. Par. 1. In general.

The Mayor, as commissioner, shall have special charge and supervision of the Department of Public Affairs, which department shall include, among other parts of the public service and affairs, four divisions and officers of the City at the head thereof, as follows, to-wit:

City Clerks Division, -- City Clerk;  
 Law Division, ----- City Attorney;  
 Auditing Division ----- City Auditor;  
 Purchasing Division, --- City Purchasing Agent.

Each of said divisions shall comprehend its division chief and all officers and employes therein, and all powers, duties and functions prescribed for them or any of them.

Par. 2. Corporation Court, Civil Service Board, etc. For the purposes of departmental sanction of expenditures, accounts, vouchers, and other matters, the Corporation Court and the Civil Service Board, and all other city boards excepting the Board of Health and Auditorium Board, shall constitute divisions in the Department of Public Affairs; but otherwise said court and boards shall be subject only to the general supervision and executive oversight of the Mayor, and the powers of the Board of Commissioners, which shall never be exercised in a manner inconsistent with the special provisions of law or charter regulating said court and boards.

SECTION 7E. DEPARTMENT OF PUBLIC FUNDS. Par. 1. In General.

The Commissioner of Public Funds shall have special charge and supervision of the Department of Public Funds, including the assessment and collection of all taxes and the collection of all revenues, dues and other moneys assessed, levied or otherwise due or becoming due or payable to the City, and the return and accounting thereof; and it shall be his duty faithfully to collect and receipt for all such sums, and the same, when so collected, well and securely to keep, account for, and deposit daily in the authorized city depository or depositories; and to draw treasurer's checks on such city depositories when so required and authorized; and it shall also be his duty to receive and receipt for, and well and securely to manage and keep, all bonds, securities, assessment certificates and other instruments owned or held by the City, and specially evidencing any liquidated indebtedness of any character due or payable to the City or purchased and held for the benefit of its sinking funds; and the principal, interest, and other incidents of such securities to collect, receive apply and account for according to the ownership of such securities; all as lawfully prescribed for such matters. Said department shall include three divisions and officers of the City at the head thereof, as follows, to-wit:

Assessment Division,-- City Assessor;  
 Collection Division,-- City Collector;  
 Treasury Division, --- City Treasurer;

Each of said divisions shall, generally speaking, include the functions indicated by its name and matters relating thereto; provided however, that authorized city depositories shall be the custodians of public moneys deposited therein as in the charter provided. Said Commissioner shall also have special supervision of all business in any and all departments, divisions and branches of the public service, in so far as the same relates to the collection or return of moneys of the City, or the receipting or accounting therefor by any officers or employes collecting, receiving or returning the same; and said commissioner shall examine, or cause to be examined, at least quarterly all records and accounts kept by the City Auditor,

relating to funds and accounts of the City and the moneys of the City received and disbursed; and in connection with the quarterly reports of the City Auditor, said commissioner shall make written reports to the Board of Commissioners as to the condition of all funds and monies, and all records and accounts of the City concerning the same; and such reports shall have special reference to the budget and the various sources of income, and the amounts received or expected therefrom, and the purpose for which the same will be available, as well as to matters of accounting. The Commissioner of Public Funds, before entering upon the duties of his office, shall make, execute and deliver to the City, and cause to be approved by the Board of Commissioners, a good and sufficient official bond in a sum not less than One Hundred Thousand (\$100,000.00) Dollars; and said City Collector and City Treasurer shall in like manner each give and have approved official bonds in a sum not less than Fifty Thousand (\$50,000.00) Dollars; provided, that notwithstanding anything elsewhere in this charter contained, said commissioner shall have thirty (30) days following his election, within which to qualify and give such official bond.

Par.2. Assessment Division. The Assessment Division shall comprehend all city business relating to the assessment of ad valorem taxes and valuations of property therefor, excepting the functions of the Board of Equalization, and shall comprehend the keeping of the records of proceedings and decisions of said Board of Equalization; and the making of all assessment rolls, tax rolls, tax abstracts, records and certificates with reference to said matters and the preparation of tax receipts,

Par.3. Collection Division. The Collection Division shall comprehend all city business relating to the collection and receipt on behalf of the City, of all ad valorem taxes, occupation taxes, license fees and special assessments, and any and all other fees, rentals, dues or other moneys of any character payable to the City, and not authorized by ordinance to be collected by officers in other departments; and shall also comprehend the collection and receipt from all such officers in other departments of all fees, rentals, dues or other moneys in any manner received by them on behalf of the City; and it shall be the special duty of the City Collector well and securely to keep all such city moneys and all unpaid tax receipts and unissued receipt forms of all kinds received or held by said division, together with all unpaid assessment certificates and other instruments evidencing liquidated indebtedness payable to the City for its own use, or required to be collected by the City for the use of other persons, other than bonds or securities held in connection with the various sinking funds; and well and truly to keep and account for all such moneys, receipts, forms, certificates and other instruments.

Par. 4. Treasury Division. The Treasury Division shall comprehend the drawing, when authorized, of all treasurer's checks on the city depositories; and the preparation of auditor's vouchers for the payment of the principal and interest as same becomes payable on the bonded indebtedness of the City; and all matters relating to the issuance of paychecks to officers and employes for their salaries or wages; and the payment in cash of wages due from the City when authorized to be so paid; and the examination of the records and accounts of the City Auditor and the preparation for the Commissioner of Public Funds of quarterly reports to be made to the Board of Commissioners with reference to the condition of funds, moneys, records and accounts; and the safekeeping of all bonds and securities held by the City for the benefit of sinking funds. All business of the Treasury Division shall be executed inclose touch with the office, books, accounts and other records and functions of the Auditing Division, so as to avoid error and unnecessary duplication of accounts and records; but the City Treasurer shall keep such other accounts as may be necessary or required, in addition to the records of

the Auditing Division, to supply a full record of all business of the Treasury Division. The Treasury Division shall also comprehend the performance of all duties imposed on the City Treasurer by law, or by the charter or ordinances, subject to all regulations prescribed therefor; provided however the provisions of the charter shall control as to deposits and custody of public moneys.

SECTION 7F. DEPARTMENT OF PUBLIC WELFARE. Par. 1. In General.

The Commissioner of Public Welfare shall have special charge and supervision of the Department of Public Welfare, including all city business and regulations intended to promote the public health, or relating to the amelioration of the sick, indigent or helpless, or any matter of humane cognizance; and including the control of public parks, markets, watercourses, cemeteries, and the sewer farm, and all other public grounds, not under the special charge of any other commissioner, and all things in or relating to all such public grounds; and including all functions of the City in the matter of city cleaning. It shall be the duty of said commissioner to exercise all of his powers for the promotion and protection of the public health, and to maintain, improve and protect all such parks and public grounds, and to cause all work of city cleaning to be well and efficiently performed. Said department shall include three divisions, and officers at the head thereof, as follows, to-wit:

Health Division,--	City Health Officer;
Parks Division,--	Superintendent of Parks;
City Cleaning Division,	Superintendent of City;

And all functions and duties of said Department of Public Welfare, in so far as the same may concern the public health, shall be performed with due regard to the authority of the City Health Officer and the advice of the Board of Health, and, when so lawfully provided by ordinance, in conformity with authorized orders made by the Board of Health and entered in its minutes.

Par. 2. Health Division. The Health Division shall comprehend generally all matters relating to regulation, examination and inspection, for health purposes, of premises, commodities, conduct, persons, animals or conditions, and all things relating thereto; and the management and control of public markets, and of all public hospitals, dispensaries, or other institutions conducted or provisions made by the City, for the relief of the sick, indigent or helpless, or for any humane purpose; and the supervision, as may be provided by ordinance, of all such like institutions, business or enterprises conducted in this City, by any other person; and the conduct of all business between the County and City, or otherwise, relating to the control, maintenance, care and management of the Robert B. Green Memorial Hospital; and supervision of the water supply as related to health, and of the installation and use of plumbing, and of the use of sewers, and of the burial of the dead, and of the prevention, abatement and removal of all nuisances and other matters inimical to the public health; and supervision of the enforcement of all city regulations relating to any of said matters, though the same may be partly comprehended in any other division of said department and said health division shall also comprehend all other duties required of the City Health Officer by state law or by ordinance. Said division shall have a Clerk, whose duty it shall be, under the direction of the City Health Officer, to require and keep all vital statistics for this city, and to act ex officio as clerk to the Board of Health, and to perform other clerical duties. The office of Plumbing Inspector shall be a distinct office in and under the Health Division, and shall include the superintendence of house connection to sanitary sewers.

Par. 3. Board of Health, and Auditorium Board. All business, acts, vouchers and papers of the Board of Health requiring divisional or departmental sanction or action by the Board of Commissioners, shall be arranged through the Health Division and the Department of Public

Welfare, and all similar matters relating to the Auditorium Board shall be arranged through the Parks Division and the Department of Public Welfare; but otherwise all matters concerning the Board of Health and Auditorium Board shall be governed by the special provisions of law or charter applicable to said boards.

Par. 4. Parks Division. The Parks Division shall comprehend the control, maintenance, improvement and protection of all parks, cemeteries, parked spaces in streets, plazas or grounds, play-grounds and pleasure grounds of the City, and all institutions, improvements and buildings therein, and of the City Zoo and all things pertaining thereto; and the parking and care of the margins and banks of the San Antonio River and all other water-courses and irrigating or drainage ditches in this City.

Par. 5. City Cleaning Division. The City Cleaning Division shall comprehend all functions performed by the City in street cleaning, street Sprinkling or flushing of sewers, garbage collection and disposal, and the removal and disposal of dead animals and other waste and offensive substances.

SECTION 7G. DEPARTMENT OF PUBLIC WORKS. Par. 1. In General.

The Commissioner of Public Works shall have special charge and supervision of the Department of Public Works, including the preparation for and the construction, erection and execution of, all manner of public improvements, maintenance, or repairs authorized by the Board of Commissioners to be made in, upon or under any street or other land or premises owned, controlled or used for any public purposes by the City, whether such work be executed under contract or by the City, and also all alterations and similar work though on private premises if executed by the City, together with all business connected with all such public work of any character; provided, that the Commissioners may by ordinance direct that any specified improvement or repair costing less than One Thousand (\$1,000.00) Dollars, complete, shall be executed wholly or in part under the supervision or direction of the commissioner of the department otherwise having by the charter charge or control of the land or premises on which such improvement or repair is made. The Commissioner of Public Works shall also have special charge and supervision of the public streets except as to any matters concerning the same, or the conditions thereof, assigned to some other department and of all city business relating to engineering and surveying, and of the water supply as related to the construction, maintenance and repair of all work and things contributing thereto, and of all matters mentioned below in connection with the several divisions. Said department shall include five divisions, and officers of the City at the head thereof, as follows, to-wit:

Engineering Division, --	City Engineer;
Surveying Division, ----	Assistant City Engineer;
Paving Division, -----	Superintendent of Paving;
Sewer Division, -----	Superintendent of Sewers;
Sidewalk Division, ----	Superintendent of Sidewalks.

Par. 2. Engineering Division. The Engineering Division shall comprehend the general management of all business, powers and duties of said department; and the City Engineer, acting subject to the departmental supervision of the Commissioner of Public Works, shall have and exercise, in addition to such duties as are or may be prescribed for the office of the City Engineer, a general control over the performance of all functions and duties of the several divisions, officers and employes in said entire department.

Par. 3. Surveying Division. The Surveying Division shall comprehend all city business in the nature of surveying and the establishment of monuments, lines and grades, in general, or in connection with streets, watercourses or sidewalks, or in connection with improvements constructed or to be constructed on private property, or in connection with public improvements or repairs when so directed by the Commissioner or City Engineer; and said division

shall also comprehend the drafting of maps, plans, elevations, sections and profiles for any and all such matters, and for all other matters in said department except as may be otherwise provided by ordinance. The chief of said division shall be charged with the duty to prosecute the work of compiling the city plan, and to cause the enforcement of all city regulations forbidding obstructions of, or encroachments on the streets, public places or public grounds, and the San Antonio River and other watercourses and ditches. The Assistant City Engineer shall be authorized to act for the City Engineer in all matters when the City Engineer may be absent or disqualified.

Par. 4. Paving Division. The Paving Division shall comprehend all matters relating to the construction, maintenance, protection and repair of all paving and curbing, and work incidental thereto, in all public streets and public places, including bridges, culverts, cross walks and similar matters, and all macadam or gravel pavements therein, and all openings to be made in any and all such paving or curbing, and the granting of permits therefor; and the supervision of all street railway railroad, water, gas, sewer, electrical and other public utility construction in, over or under any and all streets and public places, and the inspection, records and reports on all such work and matters, all in so far as the same effect the streets or the condition thereof. The chief of said division shall be charged with the duty to cause the endorsement of all city regulations concerning any and all such matters.

Par. 5. Sewer Division. The Sewer Division shall comprehend all matters relating to the construction, maintenance, protection and repair of all public sanitary sewers, and public storm sewers and covered drains; or relating to the manner of constructing, maintaining and connecting private sewers; or relating to the outfall sewers and pumping plants and lifts constituting a part of the sewer system of the city; and the control over all matters and conditions calculated to damage or render less effective said sewer systems or drains, and the inspection, records and reports of all such work and matters. The chief of said division shall be charged with the duty to cause the enforcement of all city regulations concerning any and all such matters.

Par. 6. Sidewalk Division. The Sidewalk Division shall comprehend all matters relating to the construction, maintenance and repairs of all sidewalk, driveways and similar things, constructed, or ordered to be constructed, by owners of abutting property, in public streets or public places. The chief of said division shall be charged with the duty to cause the enforcement of all city regulations concerning any and all such matters.

Par. 7. Division Chiefs in the Department of Public Works. The Assistant Engineer and Superintendent of Paving shall be competent and experienced civil engineers; and if at any time the office of Superintendent of Sewers or Superintendent of Sidewalks be held by any person who is not a civil engineer of competence and experience, then all duties of such offices requiring engineering skill or discretion shall be performed by some other member of the department qualified as aforesaid, who shall be assigned to such duties by the Commissioner or City Engineer. The Superintendent of Paving shall also be, and may be otherwise known as, the Second Assistant City Engineer; and the Superintendent of Sewers and Superintendent of Sidewalks, if qualified engineers and if designated by the Board of Commissioners as such, shall be assistants to the City Engineer; and in such event the Superintendent of Sewers shall be, and may be otherwise known as, the Third Assistant City Engineer, and the Superintendent of Sidewalks, as the Fourth Assistant City Engineer; but the term Assistant City Engineer, as used in the charter, shall be taken to mean the chief of the Surveying Division; and whenever the personal signature or act of the City Engineer is expressly required in connection with any business, such Assistant Engineer, in the absence or disqualification of the City Engineer shall alone be authorized to act or affix such signature in the name and place of the City

Engineer, unless other special authority shall be granted by ordinance to some other assistant in said department.

Par.8. Public Work - Contracts and Vouchers. All contracts for public work to be performed under the departmental supervision of the Commissioner of Public Works, except as may be otherwise by ordinance or authorized contract lawfully and expressly provided, shall be executed subject to the control, direction and approval of the City Engineer. It shall be the duty of the City Engineer, before any contract for such public work shall be executed by the Mayor, to cause to be attached thereto all specifications, plans, profiles and other drawings therefor and to certify on such contract that such contract and specifications, and drawings if any, are approved by him; provided, that the requirements of the charter shall never prevent any changes in such contracts, specifications or drawings, or any order for extra work, maintenance or repairs in connection with such contract, or any adjustments or corrections in so far as the same or any of the same may be consistent with the contract rights of the City, and in so far as they may have been or may be lawfully authorized by ordinance. Before any sum shall be paid by the City on account of such work, or be established as payable thereon, appropriate estimates, orders, certificates, pay rolls or other engineering vouchers showing the nature and amount of such payments to be made by the City whether on account of any contract or any work done by the City, shall be prepared under the direction of the City Engineer after being certified as being true and correct by the appropriate division chief, shall, if found correct, be approved by the personal signature of the City Engineer, or in his absence or disability by his authorized assistant; and each such voucher shall be subject to counter signature by the commissioner and all other requirements and provisions prescribed for disbursement vouchers in general.

Par.9. Chief Clerk of Department of Public Works. The Chief Clerk of the Department of Public Works shall be an officer of the City, and shall have immediate charge and custody, and be responsible for the safekeeping, of all archives, records and papers of the department, or appertaining thereto, including all maps, plats, plans and other drawings and prints, and all records and archives of the City Engineer's office; and including all original proposals, contracts, specifications or other papers in the temporary possession of the department; and said Chief Clerk shall be a member of the Engineering Division, and perform his duties under the direction of the City Engineer, and, with the written approval of the City Engineer, shall be authorized to certify as true and correct copies of any of said archives, plats, maps, records or other papers, belonging in said department; provided, that the City Clerk shall be the authorized permanent custodian of original contracts, with papers thereto attached, and of original proposals, and other original papers relating to work executed under city contracts.

SECTION 7H. DEPARTMENT OF PUBLIC SAFETY. Par. 1. In General.

The Commissioner of Public Safety shall have special charge and supervision of the Department of Public Safety, including the entire police force and all firemen and all officers engaged in regulating buildings, premises and electrical arrangements with reference to the safety thereof. It shall be his duty to cause the suppression of crime, the apprehension of criminals, the preservation of peace and good order, and the enforcement of all penal ordinances and police regulations, and to cause the exercise of all lawful ways and means for the prevention, extinguishment or control of fires, and to cause the enforcement of the ordinances and regulations for protecting and making safe all buildings, structures, premises and electrical arrangements. He shall have special charge and supervision of the Central Police and Fire Station, all fire houses and police sub-stations, the city jail and the city pounds, and of matters relating to lighting the City and the water supply as related to fire protection. Said department shall include three divisions, and officers of the City at the head thereof,

as follows, to-wit:

Police Division, --	Chief of Police (or City Marshall);
Fire Division, --	Chief of Fire Division;
Building Regulations Division,	(City Building Inspector, (City Electrician, (City Marshal.

Par. 2. Police Division. The Police Division shall comprehend the police force of the City, including the Chief, inspectors, captains, sergeants, patrolmen, mounted officers, motor-cycle officers, detectives, extra men for supplying vacancies, and all other officers of said force, and also all employes in said division, all in such number as may be authorized by ordinance; and shall comprehend the regulation of city lighting, and the control of all buildings, offices and rooms used by said division, including the city jail and the city pounds; and, wholly subject to all regulations prescribed by law or by or under the charter, and likewise subject to all orders of the Commissioner of Public Safety consistent therewith, said division, and all parts and subdivisions thereof, shall be managed and controlled by the Chief of Police, or in his absence by the captains or other officers authorized by ordinance to act in his place; and it shall be his and their duty to suppress crime, apprehend criminals and preserve the peace and good order of the City, and to cause and direct the impartial enforcement of all ordinances and police regulations of the City the violations of which are or may be punishable by fine or imprisonment, or both; and to give special attention to the matter of regulating street traffic; and to cause to be executed all lawful provisions relating to taking up and disposing of horses, cattle, dogs and other animals; and to cause to be reported all shortcomings in the arrangements made for lighting the City; and to observe and enforce the due discipline and the efficient and impartial performance of all duties of said division and the several officers and employes therein; provided, that the Board of Commissioners may, in its discretion, authorize by ordinance the appointment of any specified officer or officers of the City in any other department or division as special police authorized to exercise all police powers requisite for the enforcement or carrying out of ordinances made for the regulation of matters by this charter placed under the charge of such other department or division; and, provided further, that the power to appoint special police now vested in the Mayor by the provisions of Section 25 of the charter, shall be exercised only in the following cases; (a) When he shall deem and declare a public emergency to exist for which the regular police force is considered inadequate; but no such appointment shall be made to continue longer than sixty (60) days, and all such appointments shall be selected as provided in the civil service regulations; (b) for the appointment of officers of the City as special police for the purposes mentioned in the above proviso with reference to officers in other departments; and (c) on the request of any employer of any person acting as night-watchman, guard, or similar capacity, such employe may be appointed as a special policeman; and all commissions hereafter issued by the Mayor for such appointments shall specify the purpose and period for which they are issued, and shall in no case continue in effect longer than two years from and after the date of such commission; and all commissions so issued shall have the seal of the City and the attestation of the City Clerk, and he shall keep a full record of the same; and all such commissions now outstanding shall become void and of no effect six months after the adoption of this section of the charter; and any or all appointments and commissions of special policemen shall be at all times subject to revocation by order of the Mayor or Board of Commissioners.

Par. 3. Fire Division. The Fire Division shall comprehend all firemen of the City, including the Chief, all assistants, captains, and all other officers and employes of the City in said division, all in such number as may be authorized by ordinance; and shall comprehend the control of all buildings, rooms, vehicles, machinery, animals, appliances, property and equipment used by said division and all measures for regulating the water supply and pressure for fire protection; and shall comprehend salvage work and temporary control of property damaged or endangered by fire, and the enforcement of measures to protect or restrain the public during fires or to provide against dangerous conditions produced thereby, and measures with reference to fire escapes, and provisions for public safety in places where public gatherings are held, and other similar matters; and subject to all regulations prescribed by law or by or under the charter, and likewise subject to all orders of the Commissioner of Public Safety consistent therewith, said division and all parts and subdivisions thereof, shall be managed and controlled by the Chief of the Fire Division, or in his absence by his assistants or other authorized officers of said division, and it shall be his and their duty to observe and enforce due discipline and the efficient performance of all duties of said division, and of each officer and employe therein, and to cause the enforcement of all ordinances and necessary regulations providing for the safety of persons or property in connection with the extinguishment and control of fires, or otherwise pertaining to the functions of said division.

Par. 4. Building Regulations Division. The Building Regulations Division shall comprehend the offices of the City Building Inspector, City Electrician, and City Fire Marshal, each of whom shall have such powers and perform such duties as are prescribed for him by state law, charter, ordinance or otherwise. Each of said officers shall have a distinct office, independent of control by the other, being grouped in one division for convenience, but each shall perform his duties in cooperation with the others and in cooperation with the Chief of the Fire Division and under the departmental supervision of the Commissioner of Public Safety. The building inspector shall be charged with the duty of inspecting, investigating and regulating the construction of all buildings and other structures as provided in the building code and other ordinances of the City intended to require safe construction or otherwise governing such matters. The City Electrician shall be charged with the duty of inspecting, investigating, and regulating all electrical construction or matters, and shall also have charge of the fire alarm system. The City Fire Marshal shall be charged with the duty of making inspections of premises and enforcing regulations with reference to the prevention of fires, together with the duty, in connection with other officers of the City, of making investigations as to the causes of fires and the means of preventing fires; all of which duties shall be performed by said officers in accordance with the ordinances and regulations provided therefor. In addition to the other duties, the City Building Inspector shall also report and certify to the Commissioner of Public Funds from time to time as may be required, the cost of all buildings and improvements to any realty, exceeding One Hundred (\$100.00) Dollars in amount, which shall be constructed in the City; and shall also, when so required, estimate and report to said commissioner the full value of any improvements to the realty as the same may then exist, regardless of when same were constructed. The City Electrician shall also perform such duties as may be required in connection with lighting the City, or in connection with matters in any department requiring expert electrical knowledge. The Building Inspector and City Electrician shall also, when so required, make estimates, specifications and plans, and perform other duties with reference to public work or public property in any department. Each of said three officers shall certify for his office all matters relating thereto in the same manner as a division chief.

That the city charter be amended by adding thereto SECTION 7I to read as follows:

SECTION 7 I. JUDICIAL FUNCTIONS.-- All judicial powers and discretions which the corporation or governing body of this City is now or may be hereafter authorized to exercise, shall be exercised by the Board of Commissioners, or by or through some officer or officers of the City, thereunto lawfully authorized. And for criminal matters the Corporation Court shall have and exercise such jurisdiction and authority as are, or may be hereafter, granted by law or the charter (Sections 34,78,100 etc., and Arts.903 to 922, Revised Civil Statutes of Texas,1911). Said court shall be presided over by a judge to be known as the Recorder or as the judge of the Corporation Court. The judge of said court shall be elected by the Board of Commissioners, and "in his absence or disability the court shall be held by the Mayor or pro tempore", or in such event the Board of Commissioners shall have power to elect one of the Commissioners of the City for such duties or occasion, and he shall preside over said court and have all the powers and jurisdiction of the Recorder. The Clerk of said court shall be elected by the Board of Commissioners at the same time when the Recorder is elected. Proceedings in said court shall be commenced by complaint, and all such complaints may be sworn to before the Recorder, Judge or Clerk of said court, the City Clerk, or the City Attorney or his assistants, all of whom for that purpose shall be authorized to administer oaths. Said court shall have no terms, but sessions of said court shall be held daily, except on Sundays and legal holidays; and said court and the Judge and Clerk thereof shall have, exercise and conform to such powers, jurisdiction, tenure, duties, rules of pleading, practice and procedure and cause to be kept such records, all as now or hereafter for them respectively provided by law, or by the city charter, or by any ordinance consistent with law and charter. The Judge of the Corporation Court shall have power, by and with the authority of the Mayor, and subject to regulation by ordinance, to suspend any sentence or punishment, and to release from present custody any offender, on such terms and conditions as he may deem best to serve the interests of the City and the public purposes to be accomplished, and may thereafter cause any sentence imposed and so suspended to be executed upon conviction of such offender in said court for any other offense, or whenever it may appear that the defendant is not complying with such terms and conditions. And the Corporation Court shall also have such further powers and jurisdiction with reference to the investigation and adjudication of penalties and forfeitures arising upon violations of city ordinances and regulations as may be conferred on said court by any lawful ordinance not inconsistent with the express provisions of the charter. And the officers of said court shall perform such other duties as may be lawfully required of them by any ordinance. In case the state laws applicable to this city, providing for such municipal courts, shall be at any time inconsistent with the foregoing charter provisions, then all matters relating to such municipal courts shall be regulated by the act or acts of the legislature except in so far as the foregoing provisions may stand consistently with such laws.

That the city charter be amended by adding thereto SECTION 7J to read as follows:

SECTION 7J. BOARD OF HEALTH. The Board of Commissioners shall from time to time, on nominations made and seconded by any of the commissioners, appoint the requisite number of qualified persons to constitute and maintain a Board of Health for this City of not fewer than seven numbers, of which Board of Mayor, Commissioner of Public Welfare and City Health Officer shall be ex officio full members. All members so appointed shall be practicing physicians or surgeons of not less than five years experience in actual practice and not less than two years residence in this city. The members of the Board of Health shall select a president of said board, and may appoint committees for the investigation of any matter in

connection with its duties. A majority of the members of said board shall constitute a quorum. Without prejudice to the principal official positions of the ex officio members, all members of the Board of Health shall be officers of the City to be controlled by the provisions of Section 11 of the charter in the same manner as members of the Board of Commissioners. The Board of Health shall meet in regular session at least twice each month, and special meetings may be called on notice issued by any three members, or otherwise as the rules of the Board may provide. The appointive members of the board shall receive such compensation as may be provided by ordinance. The board shall not belong to any department or be subject to any departmental supervision; but its members shall hold their positions on the same tenure as the members of the Board of Commissioners and shall be subject to removal or suspension in like manner by the Board of Commissioners. It shall be the duty of said board to take careful cognizance of all matters and conditions endangering, or threatening to prejudice, the public health, and to advise the officers of the Department of Public Welfare, or the Board of Commissioners, concerning same, and the ways and means of correcting any such matters or conditions and to advise them concerning matters relating to all hospital or dispensary service, and medical treatment and care of the indigent, conducted wholly or in part at the expense of the City. The Clerk of the Department of Public Welfare shall be ex officio Clerk of the Board of Health, and he shall faithfully keep and certify its minutes, records and papers and perform such other clerical services as said board may require. Said board shall be authorized to have and use a seal which shall be the seal of the City with the words "BOARD OF HEALTH" added thereto. The Board of Health, in addition to its advisory capacity, shall have and may exercise such powers and authority, and shall perform such additional duties, as may be lawfully delegated to it or required of it by ordinance; but shall not have authority to incur expenses chargeable to the City, or to direct the expenditure of public moneys, unless expressly so authorized by some ordinance making provision for an emergency and after money therefor shall be appropriated by the Board of Commissioners; and even in such case all purchases and expenditures shall be made consistently with the provisions of this charter. And the Board of Commissioners shall have power by ordinance to make further regulation of said matters not inconsistent with the charter.

That the city charter be amended by adding thereto SECTION 7K to read as follows:

SECTION 7K. CHANGES OF OFFICIAL TITLES, ETC. The changes made by this section in the official titles of the several departments, commissioners and other officers of the city, are made to provide shorter or more uniform or appropriate titles; and such changes, together with distribution of the public service among the various departments and divisions, are made and herein declared for convenience and certainty, but without important change in the arrangements now in effect by charter, ordinance or custom; the Department of Public Affairs In General becoming the Department of Public Affairs; the Department of Taxation becoming the Department of Public Funds; and the Department of Parks, Sanitation and Public Property becoming the Department of Public Welfare; and the Department of Streets and Public Improvements becoming the Department of Public Works, and the Department of Fire and Police becoming the Department of Public Safety; and corresponding changes being made in the official titles of the respective commissioners; and the Chief Deputy Collector becoming City Collector; and the Chief Deputy Assessor becoming City Assessor; and the Chief Deputy Treasurer becoming City Treasurer; and the offices of Park Commissioner and River and Ditch Commissioner being combined and becoming Superintendent of Parks; and the Chief of the City Cleaning Division becoming Superintendent of City Cleaning; and the Assistant City Engineer for Paving Matters becoming Superintendent of Paving; and the Sidewalk Inspector or Commissioner becoming Superintendent of Sidewalks; and the Chief of the Fire Department becoming Chief of the Fire Division; and

said offices heretofore existing shall continue under their new names, and the persons heretofore filling such positions, shall under their new titles continue to perform the duties of such positions, but with tenure only according to their previously existing rights and the provisions of the charter; and changes of title corresponding to this section shall be considered as having been made, and shall be made when hereafter printed, in all existing ordinances, resolutions and records and also in all provisions of the charter where any terminology may not conform to this section; and all sections and provisions of the charter not conforming to the terminology of this section shall be, and the same are, hereby amended to conform; and this paragraph, numbered 7K, being merely for the temporary purpose of adjusting such terminology, may be omitted in all printed copies of the charter.

That the city charter be amended by adding thereto SECTION 7L to read as follows:

SECTION 7L. ARRANGEMENT OF CHARTER. Upon the adoption of the amendments submitted to people herewith, or any part of such amendments, the Board of Commissioners shall thereupon proceed to have printed the city charter as so amended; and for said purpose shall cause the matter of the charter as so amended to be arranged without change therein but according to subject matter under appropriate titles and with new and consecutive section numbers for the matters so arranged; provided however that the section and paragraph numbers as same exist in the present charter, or in said amendments thereof, shall be inserted in parentheses following such new section numbers, so as to show the numbers of the sections or paragraphs previously containing such matter. All such sections, paragraphs and matters shall be arranged as foreshaid under the following titles;

- I. The City Corporation;
- II. The Board of Commissioners;
- III. The Mayor;
- IV. The Departments in General;
- V. The Department of Public Affairs;
- VI. The Department of Public Funds;
- VII. The Department of Public Welfare;
- VIII. The Department of Public Works;
- IX. The Department of Public Safety;
- X. The Civil Service;
- XI. The Board of Health;
- XII. The Judicial Functions;
- XIII. Officers and Employes in General;
- XIV. Taxation and Revenue;
- XV. City Finances in General;
- XVI. Streets and Street Powers;
- XVII. Sundry Ordinance Powers;
- XVIII. City Elections in General;
- XIX. Miscellaneous Provisions.

Said titles and arrangement shall never be understood as altering in any manner the construction or meaning of the charter. Whenever the term "this section," "this paragraph," or other reference to sections or paragraphs is made, the number of the sections or paragraphs referred to as established by such rearrangement shall be substituted in such printed copies of the charter after the manner of statutory codification. In making such arrangement the words "The Board of Commissioners shall have power by ordinance" shall be prefixed to each of the sections now appearing as numbers 52 to 99 inclusive, so as to make all such sections complete within themselves, and thereupon Section 51, as at present numbered, becoming surplus-

sage may be wholly omitted; and said sections 52 to 99 inclusive are hereby amended by prefixing said words thereto. The charter when printed as aforesaid shall have the certificate of the City Clerk printed at the end thereof showing that the matter therein contained is a true and correct copy of the city charter codified and arranged as herein provided.

That SECTION 8 be amended so as to include Section 8, Section 8 A and Section 8B, respectively to read and hereinbelow set forth:

SECTION 8. CIVIL SERVICE REGULATIONS. Par. 1. The Board. The public service of this city shall be fully subject to civil service regulation with a view to increasing the efficiency and economy thereof by eliminating all influences of partisan or personal politics and by establishing and maintaining such public service on the merit system; and to that end there is hereby created a Civil Service Board, to consist of three members, and it shall be the duty of said board to execute, and cause to be enforced and observed, regulations and orders in conformity with the provisions, purposes and intent of this section. Said Board shall have all powers and authority necessary for the performance of its functions; and said board, and each member thereof, shall exercise such powers and authority actively and impartially for the accomplishment of the purposes hereinabove mentioned.

Par. 2. The Board. -- Selection and Tenure. On or before December 20th of each year, and whenever any vacancy or expired term may exist in said board, the Board of Commissioners shall proceed to elect as members of said Civil Service Board, by yea and nay vote, on nominations made and seconded by any members of the Board of Commissioners, the requisite number of reputable citizens who have resided in this city for two years or more, and who are otherwise qualified and willing to serve as members of the Civil Service Board, all in such manner as to keep three active members at all times in said Civil Service Board; provided however, that the first election of members of the Board shall be made as aforesaid within thirty days after the adoption of this section as a part of the city charter; and upon such first election one member of the board shall be chosen to serve for a period to expire on December 31st, 1917, and two members for a period to expire on December 31st, 1918. Thereafter one member shall be chosen in like manner in December of each odd year and two members in December of each even year; and each member shall be elected to serve for two calendar years and until his successor shall have been elected and qualified; but any member elected to fill a vacancy shall hold only for and during the unexpired term of his predecessor. All members of the Board shall be officers of the City and shall qualify by taking the constitutional oath of office. The members of said board shall serve without salary, and shall be subject to the provisions of Section 11 of the charter; and the Board of Commissioners shall have power to remove any member of the Civil Service Board for neglect, incapacity, partisanship or malfeasance in office, on written charges filed in the office of the City Clerk, after giving to such member ten days' notice in writing, together with an opportunity for a full public hearing before said Board of Commissioners. No person shall be elected or serve as a member of the Board who holds any other public office or employment, or whom is a member of any committee engaged in promoting the campaign or election of any party or candidate or candidate for office, or who within the period of one year has held public office or employment for which compensation is provided, or who within one year has been a member of any such committee.

Par. 3. Definitions and General Provisions. Unless otherwise indicated, and as used in this section of the charter, the following named terms and their derivatives shall be taken to have the meanings hereunder set forth, to-wit; "board" shall mean "Civil Service Board"; "position" shall include any or all offices or employments in the classified service; "class", shall refer to such positions as grouped generally by the board according to the general nature of the duties and public service to be performed and the peculiar qualifications requisite or

prescribed therefor; "grade" shall refer to the individual employes or applicants and the standing of each with reference to fitness and efficiency, as shown by his record in the service, if any, together with the marks or rating established for him on examinations; "applicant" shall mean any person who is seeking, as herein provided, employment in any such position; "elegible" shall indicate applicants who, being lawfully qualified and willing to accept positions, have at the time the highest grade in their class or who may stand highest on the eligible list, or be otherwise certified, as herein provided, by the board for employment; "nominate" shall mean the naming of any person to the Board of Commissioners for election or confirmation by said Board; "appoint" shall refer to such election or confirmation of persons so nominated; "incumbent" shall mean and refer to any and all persons filling any position by appointment; "day laborer" shall mean and include any and all manual laborers and other persons performing services for the City on a basis of daily wages, or for uncertain periods, or subject to be taken on or laid off from time to time; "employ" shall refer to both incumbents and day laborers; "examination" shall mean and include all prescribed tests, mental or physical, and as to mental tests, both such as are given in writing or given orally; "classified service" shall mean and include all offices, employments and positions of any character in the public service of the city, except the following; (1) officers elected by the people; (2) the City Attorney, the City Health Officer and the City Engineer; (3) the Judge of the Corporation Court or any person serving in his place, and also the clerk of said court; (4) members of the Board of Health; (5) members of the Civil Service Board; (6) such persons and employments as may be specially exempted as herein provided, and in so far as exempted, from some or all of the provisions of this section. It is also hereby declared to be the intent hereof that this section shall be subject to Section 135 of the charter; and nothing contained in this section, or done thereunder, shall ever be held or permitted to limit or diminish the powers and authority of the Board of Commissioners, or any officer of the City, further than in this section expressly and lawfully provided or necessarily implied.

Par. 4. Repealing Clause. The adoption of this section, including sections 8, 8A and 8B, as a part of the city charter, shall ipso facto control all provisions in any other sections of the charter in so far as the same come in conflict with the lawful scope, purposes and intent of this section as herein expressed or necessarily implied; but as to other matters no other section of the charter shall be affected hereby.

SECTION 8A. CIVIL SERVICE BOARD----DUTIES AND POWERS. Par. 1. In General.

The board shall make and promulgate all regulations necessary or proper for classifying, grading and improving the classified service; and for establishing the compensation of all employes on a uniform basis relative to class and grade, and for regulating examinations, probationary periods, appointments, employments, reinstatements, promotions, transfers, absences, sick leaves, lay off, complaints, charges, hearings, suspensions, dismissals, discharges, removals, reports to the board and other similar matters; and, in general, shall have power by its regulations and orders to require and effect, or cause to be done, all things contemplated by this section and within the powers and authority thereby conferred on the board. The board shall have power to amend, suspend or repeal all such regulations and orders, or any part thereof, for the purpose of exercising more perfectly the duties imposed on said board. All such regulations, and all amendments, suspensions, repeals and other changes therein, shall be made and established by orders of the board after a public hearing of which at least five days' notice shall be given, and all such regulations, shall be printed for distribution by the board; and the regulations and orders of the board shall be such only as are necessary to the execution of the purposes and intent of this section and consistent with the provisions of Section 8A, as set forth in the following paragraphs:

Par. 2. Appointments and Employments. -- In General. No person shall be employed in the classified service of the City otherwise than upon reinstatement, promotion, original examination, temporary employment or special order for exceptional cases, all as hereinafter provided. Whenever any positions in the classified service shall be or become vacant, or shall be open or about to be open for renewed employment by expiration of term, and it shall be desired by the employing authority to have such positions filled, the commissioner of the department, or the Board of Commissioners if it so elects, shall cause to be addressed to the Civil Service Board a requisition describing each such position and requesting the name and address of the applicant eligible therefor, and the board shall thereupon certify back the name and address of such person; and the applicant so certified shall thereupon be appointed if the Board of Commissioners deem the filling of such position to be required by the interests of the City within budget allowances; or if the position be that of a day laborer, the applicant shall be employed; and such applicant or employe shall thereupon enter on the duties of such position for a probationary period of three months, during which period the commissioner in charge of the department, on filing with the board a written statement of his reasons, and with the consent of the board granted by order thereof, may at any time dismiss such employe from service. If such employe be not dismissed during said period of three months, the employment shall become final, and, subject to removal for cause as herein provided and subject to other provisions of the charter, he shall be entitled to hold such position for the term of office or employment as in this section provided, and, if an incumbent, until his successor be appointed and qualified. During the period each such employe shall serve, whether on probation or otherwise, the employment becomes final, he shall receive the salary or pay provided for his position; provided, that the provisions herein contained with reference to probationary periods and terms of employment shall not apply to day laborers, and day laborers shall be entitled to pay only for the time they shall be in the actual service of the City; and provided further, that from and after May 31st, 1917, the City shall never be liable to pay any sum to any person on account of any claim for salary or pay for any part of any term elapsing or expiring after such person may have been, in any manner, dismissed, discharged or removed from the public service with the consent of the Civil Service Board.

Par. 3. Applications for Positions. All persons desiring to have employment in any position shall file with the clerk of the Civil Service Board applications in writing therefor, stating whether such employment is desired by reinstatement, promotion, original examination or otherwise, and shall thereupon submit to all required examinations, and furnish written evidence concerning any matter when so required, all as may be prescribed by the regulations or orders of the Board. All applications for appointments shall be written on forms provided by the board and furnished by its clerk, and all blanks in such forms shall be filled in by such applicants in the handwriting of the applicant, and without assistance other than explanations as to the purpose and intent of the matter required to be stated therein.

Par. 4. Examinations-- In General. The Board shall cause examinations to be held from time to time in anticipation of vacancies for those classes of the public service in which there are a considerable number of persons employed, so as to have eligible lists ready from which to certify the names of applicants for such positions in the classified service. All examinations, and all proceedings in connection therewith, shall be publicly conducted, and shall be free of charges or fees, and shall be open and competitive as to all persons seeking employment in any class, grade or position for which the examination is conducted; subject, however, to such general requirements with reference to any class, grade or position, as are or may be established therefor by law, charter or ordinance, or by any regulation of the board not inconsistent therewith, with regard to sex, age residence, mental or physical qualifications and

moral character; provided however that no person shall be eligible for any position in the classified service unless he shall have resided for at least one year in the State of Texas and six months in the City of San Antonio.

Par. 5. Examinations - Notice of. Public notice in writing of the purposes, classes, grades, date, time and place of each examination, and a general statement of the duties, general requirements and pay of the positions for which such examination is held, shall be given by the board, at least ten (10) days before each such examination, by causing such notice to be prominently posted in the lobby of the City Hall, and by causing the same to be published in some newspaper or newspapers of general circulation in the City of San Antonio; provided that for service examinations it shall only be necessary that such notice be certified in writing to the chief or head of the city division affected, who shall cause notice in writing to be given to each incumbent in his division.

Par. 6. Examinations -- Nature of and Ratings. The Board shall prescribe and control all examinations and prescribe all rules therefor, and shall conduct such examinations or appoint fair and experienced examiners to conduct the same and to report thereon in writing to the board. The clerk of the board shall also be present at all such examinations unless excused by order of the board. All examinations shall be practical in their nature, and relate to matters which will fairly measure the relative capacity of the persons examined to discharge the duties of the positions to which the examination relates; and no tests shall be applied therein which are misleading or unfair, and no questions shall be asked which relate to political or religious opinion, acts or affiliation. All examinations shall include, and the board shall consider, practical tests, and also, when appropriate, question based on hypothetical cases, pertinent to the services actually performed by employes in the class, grade or position to which the examination relates, all in such manner as to take into account in due proportion efficiency, previous experience and mental and physical capacity of the person examined. The board shall by regulations, which shall be as fair and uniform as practicable, establish and enforce standards for rating or grading on such examinations and minimum pass marks for the several classes grades or positions. The rating for each separate part of such examination shall be on a percentage basis, taking one hundred as perfect; and all distinct parts of, or considerations affecting, such examinations shall be separately valued and combined in a final composite rating; all in accordance with such regulations as the board may deem fairly to express the comparative efficiency of the applicants. When any part or parts of any examination are oral the applicant may be examined apart from all other applicants; and on all oral examinations and physical demonstrations, there being no written record, the rating on each part thereof as to each applicant shall be noted and announced by the examiners upon the conclusion of such part of the examination. The markings and examination papers of each person examined shall remain open at all reasonable times for his inspection; and the markings and examination papers of all persons receiving pass marks upon such examinations shall likewise remain open for public inspection.

Par. 7. Examinations -- Eligible Lists. After each original examination the board shall cause to be prepared and recorded, and shall approve by order of said board, separately for each class, grade or position for which the examination is conducted, lists of all persons attaining or exceeding the minimum pass marks. Such lists shall be termed "eligible lists", and shall show the composite rating or mark attained by each such person, and be arranged so that those who receive the highest mark shall be placed highest in such list. The board shall not permit the placing on the eligible list of the name of any person failing to attain the minimum pass marks. Eligible lists shall remain in effect to authorize original employment for two years from and after the date of examination, unless the name of any person shall be removed therefrom by order of the board for good reason to be stated in the or-

der. The eligible lists shall be revised and combined from time to time, eliminating by order of the board the names of all persons theretofore employed or disqualified, so as to show in order aforesaid the names of all applicants then eligible and available for original employment in any class, grade or position. The board may also, on written request of applicants whose names are on the eligible list of one class, grade or position place the name of such applicants on the eligible list of any other class, grade or position, for which the examinations taken by the applicants would render them eligible.

Par. 8. Service Examinations. At least once each year, and at any intermediate time when the board shall so order, service examinations shall be held for all incumbents in the respective classes of the service, wheresoever and howsoever such persons may have been appointed. Such service examinations shall be governed in conformity with the same provisions hereinbefore prescribed for other examinations; but shall be such as to test more particularly the efficiency of incumbents in their particular branch of the public service, including both their knowledge of the provisions of the charter and city ordinances prescribing or defining the duties of their positions and class of the public service, and also their proficiency in the particular work in which they are engaged. Such annual service examinations shall be conducted with reference to the whole scope of the important duties of any class, grade or group of the classified service; while such intermediate examinations may be restricted to any portion or phase of such duties. The ratings on such service examinations shall be preserved and incorporated as a part of the efficiency ratings and service records of the incumbents so examined, and said matters taken together shall establish the grades of such incumbents; and shall be considered in connection with their retention, reappointment and compensation. The board shall fix minimum pass marks for service examinations and no incumbent failing to attain the same, shall be promoted or reinstated; and he shall be dismissed from the service if the board declares such dismissal to be for the good of the service.

Par. 9. Schools of Instruction. Whenever the Board of Commissioners may make provision for the expense of schools of instruction for incumbents in any class or grade of the public service, or whenever the Civil Service Board may deem such schools necessary and be able to provide for the same without expense, such schools shall be conducted under the direction of the Civil Service Board in such manner as not to interfere with the performance of the duties of such incumbents. When such schools are held service examinations shall be held at the close thereof.

Par. 10. Reinstatement. Any person previously employed in any position as in this section provided, who shall have served in such position for a period of more than six months and who shall have a good service record and efficiency rating and who without fault or delinquency on his part, shall have been separated from the service by expiration of term or otherwise, for not more than two years, or whose term may be about to expire, on written application filed by him with the board, if in no manner disqualified, shall be eligible, in the order of his grade established as herein provided, for employment in the same class in which he last served and received such grade, and shall be preferred on grounds of previous experience to persons merely passing original examinations for said class, grade or position.

Par. 11. Promotion. Whenever it shall be desired to fill any position in a class or grade declared by the board to involve the performance of duties for which previous service in another class or grade tends to fit the employe, and there is no applicant eligible by reinstatement, promotion examinations shall be held for filling such position, and be governed by the provisions hereinbefore prescribed for examinations; and shall be open to all employes who have served for a specified period in such other class or grade. Seniority, efficiency of previous service, and the service record of such persons shall be considered and form a part

of such promotion examination, not to exceed one fourth of the maximum marks attainable. If no applicant attains the minimum pass marks fixed by the board for such examination, the board shall forthwith certify the name of the person eligible on original examinations, and shall conduct special examinations in such cases if necessary or deemed expedient. Either an advancement in rank, or an increase in salary not applicable to all members of a class or grade, shall constitute a promotion.

Par. 12. Temporary Employments. In the absence of an appropriate eligible list for any class, grade or position, such positions may be temporarily filled by employment to serve from day to day of some person or persons certified by the board therefor; the persons so certified for temporary employment to be such as in the opinion of the board appear to have all qualifications necessary for the efficient performance of the duties of such positions; but such temporary employment shall continue in effect only until appropriate examination can be held and certified, which period shall never exceed sixty (60) days; and whenever any such temporary employments are made, the board shall proceed at once to hold examinations appropriate for filling such positions with persons of certified eligibility; and only in case no eligible list results after a second examination shall such temporary employments be further continued in effect; provided however for the transition to the civil service system of that part of the public service to be classified and regulated as in this section provided, all persons now filling such positions may continue to perform the duties of their positions and to hold the same in accordance with their existing rights; and whenever it shall become necessary or proper to make new appointments or employments, and the board, on investigation shall find that persons who have served in such positions for periods not less than the probationary period herein prescribed, are qualified, have good service records and have efficiently performed their duties, then by any order made within six months from and after the adoption of this section as a part of the charter, the board may admit without original examination such persons as regular members of the classified service as upon reinstatement, but with short terms as in the following paragraph declared; and provided further that as soon as practicable after the adoption of this section as a part of the charter, the Civil Service Board shall hold service examinations, as provided in this section, for all officers and employes in the classified service of the City, other than day laborers, and on such examinations shall take into consideration at not exceeding twenty-five per cent of the total marks attainable, the experience and service records of all persons so examined.

Par. 13. Terms of Offices and Employments. The regular dates of expiration of all offices and employments in the classified service shall be fixed by the Civil Service Board, as soon as practicable after the adoption of this section as a part of the city charter, the Civil Service Board shall determine upon, and establish by its orders, schedules of expirations for all offices or employments in the classified service, so that the terms thereof shall be for a period of two years, and so that the same shall in all cases expire with the last day of some month during the years bearing even numbers. Such expirations shall be established to occur in various months so that all changes made in any division of the public service shall be made gradually, and without detriment to the service, and be sufficiently removed from the time of the general city elections to avoid political influences. Upon any such schedule of expirations being ordered, the board shall cause the same to be certified and presented to the Board of Commissioners, and the same shall thereupon be recorded in full by the city Clerk in the minutes of the proceedings of the Board of Commissioners, and shall thereafter establish the dates of expiration for all offices or employments therein specified. After such expiration schedules shall have been established for any offices or employments, the same shall not be changed so as to affect the contemporaneous terms of any incumbents

then holding positions in the classified service; but may be changed for future terms in any manner consistent with the provisions of this paragraph. The term of office or employment of each person admitted or appointed to the classified service at any time prior to the establishment as aforesaid of the date for the expiration of the term of such office or employment, notwithstanding any general provisions to the contrary contained in the charter, shall be short terms to end on the date to be established by such expiration schedules. On or before the expiration of any terms of office or employment the Civil Service Board shall cause to be certified to the Board of Commissioners the names of applicants eligible for such offices or employments.

Par. 14. Exceptional Cases. Whenever appointment or employment shall be required for any position involving special qualifications of a scientific, expert or professional character, the evidence satisfactory to the board shall be adduced that competitive examination is impracticable, and that such position can best be filled by some designated person having the requisite qualifications, the board may by special order, on unanimous vote, suspend competitions, and authorize the appointment or employment of such person; but no such suspension shall ever be made except for individual cases, and all such suspensions shall be reported, together with the reasons therefor, in the annual reports of the board.

Par. 15. Lay Offs, Suspensions and Transfers. No employe shall be laid off given leave of absence, suspended or transferred to any other branch of the public service unless it be for reasons specified in writing which will promote the good of the service; and in any event, no such action shall be taken unless such reasons in writing be immediately filed with the board; and no such lay off, leave, suspension or transfer, not authorized in advance by some regulation or special order of the board, shall ever become finally effective, unless and until the employe, if protesting, shall be given opportunity for a hearing before the board, nor unless the action so taken shall be approved by the board; but any action so taken shall be deemed to have been acquiesced in by the employe unless he shall promptly file with the board his protest in writing; provided however that the Board of Commissioners, as to the entire public service, and the Mayor or any Commissioner as to his department, may lay off or cause to be laid off, day laborers whenever the condition of any public work, or the appropriation therefor, shall be such as to require a cessation or suspension of such work; and may again take on, or cause to be taken on, such day laborers, or any of them, previously employed and laid off as herein provided, whenever conditions warrant the resumption of such work; or in case the public interest may so require they may assign temporarily employes of one branch of the service to perform duties in any other branch of the service; but in all such excepted cases the authority so laying off, taking on, or assigning shall on so doing promptly give notice to the board concerning what is so done, and otherwise conform to all regulations of the Civil Service Board. No persons employed and laid off as aforesaid shall be again taken into the service of the City, or placed on its payrolls, within thirty days preceeding any election held for the purpose of choosing or recalling an elective officer of the City, except with the express approval of the Civil Service Board, granted in advance of the beginning of such service. In cases of suspensions, the suspending authority shall immediately cause to be filed with the board charges in writing, which shall be heard and determined within ten (10) days, and in other respects as in case of charges for removals.

Par. 16. Removals and Hearings on Charges. No person who has continued in the classified service after the period of probation, shall ever be dismissed or discharged from the service of the City except for cause and after written charges have been filed with the Civil Service Board, and opportunity granted for a hearing before the board. Such charges may be filed by any officer or any citizen or taxpayer, or may be filed by direction of the board, and within thirty days thereafter shall be heard, investigated, and sustained or dismissed by the

board. And whenever such charges shall be filed and it shall appear on the hearing that the employe in question is incompetent or has been guilty of any wilful act, conduct or gross neglect in violation of his duty, such charges shall be sustained and the board shall consent to his removal and certify such consent to the Board of Commissioners; but the Civil Service Board may in such cases stating reasons for leniency, recommend a specified suspension or other penalty in lieu of removal. If upon any such hearing the Board shall find that any officer or employe in the classified service of the City has violated any of the penal provisions of this section, or that he has been guilty of any flagrant violation of his official duty, the Board may by its order certified in writing to the Board of Commissioners, and specifying such findings, order the removal of such officer or employe, and such officer or employe shall thereupon be discharged by the Commissioner of the department to which he belongs. Upon all hearings before the Board in matters of suspensions, if the charges be sustained, the board shall assess the punishment thereon as a civil penalty; but if the charges be not sustained, the suspended employe shall be restored to his position, and shall receive his salary of pay as if no suspension had occurred.

Par. 16A. Auxillary Provisions. The Board of Commissioners shall each year specify in the budget, and appropriate annually or in monthly instalments, such sums as may be necessary to provide for the expenses reasonable to be incurred in administering and enforcing said civil service regulations; and shall furnish for the use of the board a suitable office with furniture and office supplies, and provide a suitable room or place for holding examinations; and the Civil Service Board shall be authorized to select and employ the Civil Service Manager and such examiners and technical and clerical assistance as may be found necessary and to fix their compensation at any reasonable sums within such budget provisions. The Board of Commissioners shall also enact by ordinance such further regulations, if any, as may be requisite to expediate and facilitate the work of the Civil Service Board, or to carry into effect the provisions of this section in accordance with the purpose and intent thereof.

Par. 17. Proceedings in General. The board shall hold regular meetings at least twice each month, and may hold special meetings at the will of any two members upon reasonable notice in writing to the third member. The place, date and hour of all regular meetings shall be fixed by the regulations or rules of the Board. Any two members of the Board shall constitute a quorum, and the vote of two members shall be requisite for the transaction of all business of the board, except for matters wherein a unanimous vote is hereby required. The board shall conduct all hearings hereby required, and after due public notice may at its option hold other hearings for the investigation of any matter involving the classified service or the functions of the board, or any part thereof. All meetings and hearings shall be public, and the board shall have power to issue all notices therefor, and to adjourn such meetings or hearings from time to time on public announcement. The findings and decisions of the board within its powers and authority, whether bases on evidence presented directly to the board, or on the report of any investigating agency authorized, considered and approved by the board, shall be final and shall not be subject to be set aside unless it be on direct attack in some court of competent jurisdiction; and such findings and decisions of the board shall be final in all cases unless it shall appear that the board has failed or refused to conform in some essential respect to the intent and purpose of this section or the procedure therein defined.

Par. 18. Proceedings - Special Provisions. No member of the board shall vote on any question in which he has any interest distinct from that of other citizens, or when he may be related by consanguinity or affinity within the third degree to any person whose status is involved in such question; but in such cases he shall disclose his interest and be excused

from voting. With the approval of the Board of Commissioners, and to provide for emergencies, the Civil Service Board shall be authorized to make, instanter, any special order whatsoever not destructive of the purposes of this section, and such special orders may be made without a meeting of the board, and shall become effective whenever two members of the board shall affix their signatruues to any such order in writing and cause the same to be attested by the clerk of the board. Upon charges being filed against any employe, or for any other matter set for hearing before the board, the board shall be authorized to appoint by its order any capable discreet and unbiased person to investigate such matters, or any specified part thereof, and to report in writing to the board the facts of such matters and the conclusions of the investigator therefrom; such written report to be filed with the clerk of the board at least three days in advance of the hearing, and to be subject to adoption or rejection, wholly or in part, by order of the board made at the hearing; provided that in such cases, the investigator shall appear as a witness at any hearing had on such matter. The Board of Commissioners shall designate one of its members whenever it so desires, or whenever so requested by order of the Civil Service Board, and the commissioner so designated shall sit with said Civil Service Board, but shall have no vote as a member thereof, at any such hearing; and in such cases the matters under investigation shall be deemed to be matters pending before the Commissioner so sitting shall administer all oaths and issue all subpoenas, and may interrogate any witness, and shall report in writing to the Board of Commissioners the results of such hearing including the findings and decision of the Civil Service Board as certified by its clerk, together with such other matters as he may deem important.

Par. 19. Minutes, Records and Clerk. The board shall be authorized to use as a seal the seal of the City with the words "CIVIL SERVICE BOARD" added thereto, and shall designate a suitable and qualified person to be known as the Civil Service Manager, who shall be an officer of the City belonging to its classified service, and who shall also be ex officio clerk of said board. It shall be his special duty to attend all meetings of the board, and well and truly to keep and preserve the minutes of all proceedings and the records and papers of the board; and he shall also be specially responsible for safeguarding and preventing any unauthorized disclosure concerning any examination or examination papers or tests, the use of which the board may have considered or authorized; and to be present on behalf of the board, unless excused, at all examinations. He shall also receive, file and preserve all applications and communications addressed to, or required to be filed with, the board; and he shall give prompt and effective action in conformity with all requests made by the Mayor or any commissioner for information appertaining to the proceedings, records or papers of the board; and he shall also perform all other duties which may be prescribed by the board. All regulations, rules, orders and proceedings of the board shall be regularly and promptly entered in full in its minutes, which shall be securely kept in a well bound book. It shall also be the duty of said Manager, conforming to all regulations or instructions established by said board, to prepare and to observe, and to cause to be observed by others, all regulations, orders, forms and procedure required to carry out effectively the authorized purposes of the board, and in timely manner to call to the attention of the members of the board all matters requiring their attention, and in general to keep in systematic condition the affairs of said board and in all respects to forward the transaction of its business. The board shall also cause to be kept in a convenient and accessible form a full and continuous record of the public service, grades and relative efficiency of each person in the classified service; and also records of the eligible lists and other matters as hereinbefore required. All minutes, records and papers, of the board, or otherwise on file in the office of its clerk, as herein provided, shall be public records, and the clerk shall be authorized to certify to the same or any part thereof, under such reasonable

regulations as may be established by the board; provided however, that matters and papers relating to proposed examinations and tests, or relating to the examination of any person who has failed to attain the requisite pass marks shall not be public records or open to public inspection; and papers of persons failing to pass as aforesaid may be withdrawn by such persons any time within thirty (30) days after the result of such examination is announced, and if not so withdrawn shall be destroyed.

Par. 20. Reports to the Board. The City Clerk shall report in writing to the board any and all action of the Board of Commissioners which directly affects the duties of the Civil Service Board. And the Mayor and each commissioner, for their respective departments, shall promptly furnish to the board, and the board shall have power to require, written reports or statements concerning vacancies, expirations of term or employment, reinstatements, promotions, employments, official duties, absence, complaints, the creation or abolishment of offices or employments, whether past, present or in contemplation, and concerning especially creditable or especially discreditable official conduct, and all other matters which relate to or affect any position or positions, or the status, records, duties, grades or compensation of the employes filling the same.

Par. 21. Reports by the board. The Board shall investigate and report to the Board of Commissioners, or to the Mayor or any Commissioner, from time to time, as the board may deem it expedient, or as may be requested by the Board of Commissioners or any commissioner, concerning the operation, enforcement and effect of this section and the control exercised by the board, or any particular matters related thereto; and concerning the tenure, compensation, conduct or efficiency of any employe or employes, or the methods of administration followed in any department, office or branch of the city government; and concerning the manner and extent to which any ordinances or regulations of the City are being enforced and observed; and the Board shall also be authorized to submit its recommendations concerning such matters. And, in addition to such reports, it is hereby made the duty of the board to submit to the Board of Commissioners each year, on or before the first day of December, an annual report in writing, which shall include a review of the condition, needs and efficiency of the classified service, and of the manner in which these provisions are being observed, and of the records and activities of the Board since its preceding annual report; and shall also include the recommendations of the board for promoting efficiency and economy in the public service, together with any other matters deemed to be for the good of the service.

Par. 22. Salaries and Wages in the Classified Service --- In General. The board shall from time to time make and report to the Board of Commissioners its recommendations in writing concerning the compensation of the classified service, showing the sums which, in the opinion of the board, should be paid by the City, as the maximum and minimum salaries and wages for each class; and the periods of service and standards of efficiency required before the grade of any employe should be raised or his salary or wages increased; and the Board of Commissioners shall not in any manner make or authorize any increase or decreases in any salary of any officer or employe in the classified service, during the term of such officer or employe, unless consent of the Civil Service Board shall have been first granted by order of said board.

Par. 23. Salaries and Wages. --- Approval by the Board of Pay Roll. Upon making up any pay rolls of the City including any officers or employes in the classified service, and before any city warrant shall issue authorizing any payment on account of the salary or wages of any such officer or employe, such pay rolls shall be presented at the office of the clerk of the Civil Service Board for the approval of the board. The clerk of Civil Service Board, or any member of the board in the absence of such clerk, shall thereupon proceed forth-

with to examine such pay rolls, and shall attach thereto a certificate on behalf of the board approving such pay rolls, subject to such exceptions, if any, as may be made and specified in such certificate as to any salaries and wages which appear not to be correctly entered or properly allowable under the regulations or orders of the board, further specifying in such certificate the reason for each exception. As to all amounts not so excepted the disbursing officers of the City shall be authorized to proceed with such payments. In case such pay rolls shall not be certified as aforesaid, and be returned to the City Auditor or to the officer presenting the same, on the day when the same are so presented, or during the first business day thereafter, the disbursing officers of the City shall be authorized to proceed with such payments without such certificate. No salaries or wages excepted from any such certificate of approval shall be paid by the disbursing officers of the City for a period of five (5) full days following the date of such certificate, unless such payment shall have been approved by similar supplemental certificate. During such five days all such excepted matters shall be considered and finally determined, and certified to the City Auditor, by order of the Civil Service Board. In case the board shall fail or refuse to take such action during such five days, the disbursing officers of the City shall be authorized to proceed as in cases of failure to make said original certificate. Except as above provided no officer of the City shall ever make any payment of any salary or wages to any officer or employe in the classified service; and no such salary or wages shall ever be paid by any officer on behalf of the City in any case when the Civil Service Board shall have certified its disapproval of such payment, stating in such certificate the reasons for such disapproval, unless the payment of such salary or wages has been required by order or judgment of some court of competent jurisdiction.

SECTION 8B. CIVIL SERVICE --- PENAL PROVISIONS. No person shall by himself, or in cooperation with one or more persons, wilfully or corruptly deceive, defraud or obstruct the Civil Service Board, or any member thereof, or any officer or examiner acting under the direction of said board, or any applicant, in respect to the rights, standing, rating or grade of any applicant or employe under the provisions of this section of the city charter; or falsely mark, rate, grade, estimate, report or certify on or concerning any examination, test, grade, act or conduct of any person examined, tested or under regulation or investigation as provided in this section. No person being a member, clerk, examiner, printer or other person employed in connection with the duties of said board, and no other person whomsoever knowingly shall furnish, exhibit, impart or disclose, directly or indirectly, to any person other than the authorized officers or examiners of said board, any information relating to any examination, question or test relating to mental qualifications prepared, or known or believed to be under consideration for future use in connection with the duties of said board. No person whomsoever shall furnish, exhibit, impart or disclose to any applicant for examination, directly or indirectly, and no such applicant shall seek, solicit or receive, any information, direction or assistance, during such examination or at any other time, pertinent to any question or test known by him to have been considered, prepared or adopted, for use during such examination. No applicant shall knowingly give false answer to any question on any application, examination, or test, or otherwise deceive the board for the purpose or with the effect of improving his chances or prospects for being admitted to or retained in any employment. No officer, employe or other person whomsoever, shall solicit, orally or by letter, or receive, or be in any manner concerned in soliciting or receiving, any money or valuable thing from any officer or employe holding a position in the classified service, for any political party or other political purpose whatsoever relating to the election or appointment of any person to any public office or employment in this City or County, or relating to any proposition which the qualified voters of this City are expected to determine by their votes; and no person employed in the classified service shall contribute any money or other valuable thing for any such purpose. No

person shall use, or promise to use, his official authority or personal or other influence to secure or promote the appointment or employment of any person to any position in the classified service of this City. No public officer or employe shall by means of threats or coercion induce, or attempt to induce, any person holding a position in the classified service, or on any eligible list, to resign or abandon his position or place or to take a leave of absence from duty, or to waive any of his rights under this section. No person about to be employed in any position in the classified service shall sign or execute a resignation dated or undated in advance of such employment. No person holding any position in the classified service shall seek or accept nomination, election, appointment or employment as an officer or employe of any political club or organization, or join as a member thereof, or serve as a member of any committee there for, or take active part in any political campaign, or circulate or seek any signature to any petition for political action, or distribute or exhibit any literature, cards, circulars, colors or indicia, for supporting, aiding or opposing any candidate for nomination, election, appointment or employment to a public position, or for accomplishing the adoption or defeat of any proposition submitted to a vote of the qualified voters, or while holding such position become a candidate or authorize, the use of his name for nomination or election to any other public office, unless it be for reinstatement or promotion as herein provided; or, on or for any election, solicit any person or persons to vote for or against any person, persons, party or proposition, or serve as an election officer, or act as a worker at the polls; whether such club, organization, campaign, committee, position, candidate, office, proposition or election shall relate to national, state or municipal affairs; provided however, that nothing in this section shall be construed to prohibit or prevent any officer or employe from enjoying entire freedom from all interference in casting his vote. And any person who violates any provision of this paragraph, shall be guilty of a misdemeanor, and on conviction thereof in the Corporation Court, shall be punished by a fine of not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars; and if any person so convicted be an applicant for examination he shall be excluded therefrom; and if he be an eligible his name shall be removed from the eligible list; and if he be an officer or employe of the City, he shall be removed forthwith from the public service. And the Civil Service Board shall cause complaints to be filed and prosecuted in the Corporation Court against all persons violating any provision of this paragraph; and shall also have cumulative power to order and require the removal from his position of any person in the classified service found by the board to be guilty of violating any provision of this section or any regulation lawfully made by the board. And the Board of Commissioners shall have plenary powers, and, in so far as this section or any part of provisions thereof may be held for any reason to be ineffective, it shall be the duty of said Board of Commissioners and the members thereof, at all times to provide and maintain by ordinance full civil service regulations in conformity as far as allowable, with the language, purposes and intent of this section; and, among other powers, said Board of Commissioners shall have power, and be under the duty, to define and punish violations of such civil service regulations, the punishment of which may not be lawfully provided for by this section. The term "this section" wherever used in section 8, 8A or 8B shall include as one section all of said parts thereof.

That SECTION 12 be amended by adding thereto, and incorporating therein after Paragraph 2, a paragraph to read as follows:

Par. 2A DUTY TO VOTE. In the interest of the good Government of this City, it is hereby expressly made the duty of each person who is lawfully qualified and otherwise competent to vote at any election required by, or held under the authority of, any provisions or provisions of the city charter, to proceed in due time to this polling place and to cast his

ballot in such election; and the Commissioners shall have the power by ordinance to provide all measures proper for enforcing the performance of such duties, and for punishing by a fine not exceeding five (\$5.00) Dollars in amount, persons who may fail or refuse to perform such duties or hinder the performance thereof by others; provided however that such ordinance shall contain reasonable provisions exempting from such penalty persons who may have been prevented from attending such election by absence from the City during the time such election is being held, or by illness of such person or serious illness of any member of his immediate family, or by other restraints beyond the control of such person.

That SECTION 16, and all paragraphs thereof, be amended so as to read as follows:

SECTION 16. APPOINTIVE OFFICERS AND EMPLOYES. Par. 1. In General. All officers and employes included in the classified service of the City as defined in its civil service regulations shall be nominated and appointed or employed as therein provided; and all appointive officers, employes, agents or servants of the City not chosen as provided in the civil service regulations shall be elected or appointed by the Board of Commissioners on nominations and seconds thereof made by any of the Commissioners; provided that the term "elective officer" as used in the charter shall be taken to refer only to officers of the City elected by the people, while the term "appointive officer" shall apply to all city officers chosen on confirmation or election by the Commissioners.

Par. 2. Nomination and Confirmation. Whenever the commissioner of any department shall desire to have appointed any officers or employes in that part of the classified service in his department, he shall first present such matter to the Board of Commissioners, and after being thereunto authorized by vote of the Commissioners, he shall then make requisition on the Civil Service Board for the names and addresses of persons eligible for such appointments, and upon the names of persons respectively eligible for such positions being certified by the Civil Service Board, he shall present such names for confirmation by the Board of Commissioners and upon such persons being confirmed they shall promptly qualify and enter upon the performance of their duties; or in cases where the Civil Service Board shall have knowledge that a vacancy has occurred, or is about to occur, in any such positions, said board shall be authorized to certify, on its own motion, to the Board of Commissioners, the names of persons eligible for appointment to such positions; but no person entering any appointive office or employment after the organization of the Civil Service Board shall be allowed any pay for his services until he shall have been confirmed by a special and distinct vote of confirmation; provided however that, unless at any time specially so required by action of the Board of Commissioners, whenever appropriation has been made for the payment of the required wages it shall not be necessary to submit for confirmation the employment of day laborers, or any person employed from day to day or for uncertain periods.

Par. 3. Term. The appointment of all officers and employes of the City, unless otherwise specified in the order or vote of confirmation, shall be for a period of two years, and they shall serve until their successors are appointed and qualified; provided that for all persons in the classified service and appointed or employed as provided in the civil service regulations, the term of office or employment shall begin and expire as provided in the civil service regulations; and provided further that the above provision for a two year term shall not apply to day laborers and other persons referred to in the proviso to the preceding paragraph.

That SECTION 17 be amended to read as follows;

SECTION 17. REMOVAL OF APPOINTIVE OFFICERS AND EMPLOYES. The Board of Commissioners shall have power by express order or vote to dismiss, discharge, or remove for any cause it may deem sufficient, any officer or employe of the City not in the classified service, other

than the elective officers and members of the Civil Service Board and Board of Health; but in all such cases, before such vote or order shall be made, changes shall be preferred in writing and reasonable notice and opportunity granted for a full and fair hearing before the Board of Commissioners; provided however that the consent of the Civil Service Board shall be first obtained as provided in the civil service regulations for such action affecting any officer or employe in the classified service; and provided further that whenever the Civil Service Board shall have consented to such action, after public hearing and proceedings as prescribed in the Civil Service Regulations; the dismissal, discharge or removal of any officer or employe in the classified service may be effected by the commissioner of the department without any proceedings before the Board of Commissioners; and provided further that whenever the Civil Service Board shall have certified any order requiring the removal of any officer or employe in the classified service as provided in the civil service regulations, the Commissioner of the department shall forthwith discharge and remove such officer or employe from the service of the City; and provided further that all such removals made otherwise than by action of the Board of Commissioners shall be promptly reported in writing to the Board of Commissioners by the Commissioner of the department affected.

That SECTION 17A be added to the charter following Section 17 and to read as follows:

SECTION 17A. SUSPENSIONS. Any person holding any appointive office individually created or designated by the charter may be suspended from duty for cause by vote of the Commissioners, or he may be so suspended by written order signed by the personal signature of the Commissioner of the department to which such position belongs stating the cause therefor and having the approval of the Mayor indorsed thereon; and any person holding any office or employment in the classified service other than such as are included in the above provisions, may be suspended from duty for cause by the written personal order of the Commissioner of the department stating such cause, or such officer or employe may be suspended for not exceeding twenty-four hours by any superior officer so specially authorized by ordinance; and the Board of Commissioners or commissioner ordering such suspension shall be authorized to terminate the same at will; provided however, that any Commissioner ordering such suspension shall at once file with the City Clerk a signed copy of such order of suspension; and in all cases whatsoever of suspensions of officers or employes in the classified service, the officer or officers ordering such suspension shall at once also file with the Clerk of the Civil Service Board a signed copy of such order, or in case of twenty four hour suspensions a signed written statement of the cause therefor; and the suspended officer or employe, if in the classified service, shall be given an opportunity for a hearing before the Civil Service Board; or, if not in the classified service, he shall be given an opportunity for a hearing before the Board of Commissioners, and if the suspended officer or employe shall contest such suspension he shall be entitled to receive his salary or wages in full except for any period for which suspension may be approved by the board hearing such charges; and unless the Civil Service shall promptly set down for hearing and within ten (10) days shall hear the matter of any suspension in the classified service, then the Board of Commissioners shall be authorized to act finally and conclusively on any suspension though relating to a position in the classified service.

That Paragraph 2 of SECTION 18 be amended so as to read as follows:

PARAGRAPH 2. Salaries and wages. The salaries, wages or other compensation of all appointive officers and all employes, agents and servants of the City, shall be fixed by ordinance of the Board of Commissioners; provided that the salary or compensation of persons employed in administering the civil service regulations shall be fixed by the Civil Service Board as elsewhere provided.

That SECTION 19 be amended so as to read as follows:

SECTION 19. BOARD OF COMMISSIONERS -- GENERAL POWERS. The Board of Commissioners shall have the ultimate charge, supervision, direction, care, management and control of all property, finances and business of the City, with power to make all lawful regulations not in conflict with the charter, for any and all matters relating to the government and corporate management of the City and all of its departments and affairs.

That SECTION 20 be amended so as to read as follows:

SECTION 20. BOARD OF COMMISSIONERS --- FORM OF PROCEEDINGS. The Board of Commissioners may act by resolution in all cases except those for which it is provided by law or the charter that the board shall act by ordinance; but ordinances, resolutions, and other acts of the board, shall have controlling force and effect in the respective order here named, ordinances always to control; and, except where the action would be inconsistent with the constitution of Texas or in conflict with the charter, the board shall have full power to enact any and all ordinances, adopt all resolutions, decide all matters and pass all other acts, and any and all ordinances, resolutions, decisions and acts of the Commissioners or City Council at any time passed, to amend, alter, modify, suspend or repeal, by action of corresponding or greater dignity; provided, that no contract on the part of the City shall be made or authorized, nor any money be appropriated from any fund of the City, nor any franchise or privilege for the use of any of the public streets or other public places of the City be granted or extended, nor any lands of the City be conveyed or leased, nor authority for such conveyance or lease be given, otherwise than by ordinance; and provided further that no City moneys shall ever be disbursed, or drawn from any City depository, except in pursuance of a specific appropriation for some public purpose; and no appropriation of public moneys for any private or individual purpose shall ever be made.

That SECTION 21 be amended so as to read as follows:

SECTION 21. BOARD OF COMMISSIONERS -- MEETING AND RULES. Rule 1 Regular Meetings. The Board of Commissioners shall adopt and maintain by the rules of said body fixed times and places for its regular meetings which shall be held at least twice each week. Unless otherwise provided by the ordinance rules, Mondays and Thursdays, if not legal holidays, shall be the days, and the Council Chamber at the City Hall shall be the place, for regular meetings. If any regular meeting day shall come on a holiday, the time for such regular meeting shall be on the following day.

Rule 2. Called Meetings. Called meetings of the Commissioners may be held at any time when the Mayor or any two Commissioners may give written notice that such meeting has been called and cause such notices to be delivered to all other members of the Board also to the City Clerk and City Attorney; or, if any such officer be not found, then such written notices may be delivered by leaving the same at least six hours before such meeting with some adult person employed in his office or place of business, or if none, then at his place of residence; provided that no notice whatever shall be requisite for any called meeting when all such officers shall have appeared thereat; or, if any be absent, if he or they shall have been on his or their request, excused therefrom by vote of the Board of Commissioners. Regular meetings and called meetings not limited to any specified matters shall be termed general meetings. Called meetings limited to consideration or action on specified matters shall be termed special meetings.

Rule 3. Presiding Officer. The Mayor shall preside at all meetings of the Board of Commissioners, and shall appoint all committees authorized by ordinance, resolution or order of the board, and shall perform such other duties as may be incumbent on him as presiding officer.

Rule 4. Quorum and Majority. Any three of the Commissioners shall constitute a quorum for the transaction of all business, except in cases for which a larger vote is expressly prescribed by the charter but the affirmative vote of three members of the board shall be necessary to the adoption or passage by the board of any ordinance, resolution, motion, act or other measure of any kind; and three such affirmative votes shall suffice for the adoption of any measure unless a larger number of votes be expressly required for any particular matter by the charter.

Rule 5. Sessions. All regular meetings and all called meetings and all adjourned sessions of any such meeting, shall be open to the public. Unless specially otherwise stipulated in mandatory terms, no business pending before the Commissioners shall be concluded or affected by reason of any failure to hold any meeting, or any failure to act on any matter at any particular meeting, but all such business disposed of shall stand over, without special continuance, and may be taken up for consideration or attention at any subsequent general meeting, or at any subsequent special meeting if within the purposes thereof.

Rule 6. Rules in General. The governing body shall adopt by ordinance, subject to change in like manner, such rules, in addition to those prescribed by the charter and not inconsistent with any provision of the charter, as it may deem suitable to govern its proceedings. No change in, or addition to the rules so adopted shall be made unless the ordinance therefore shall be read in full at three regular meetings, or unless the same shall be adopted at one general meeting by the vote of at least four of the Commissioners. The Rules of the Board shall provide among other things, for the order of business; and each Commissioner shall have opportunity at each general meeting to introduce any measure he may deem proper for action by the Board, and to move for action by the Board on any business pending before the board.

Rule 7. Ordinances, Etc. to be in Writing. All ordinances and resolutions shall be presented in writing and filed with the City Clerk before the adoption thereof shall be moved by any Commissioner. Amendments of any measure may be moved verbally by any Commissioner, and, with the consent of the Commissioner offering the measure, may be written in or attached to such measure before the final vote had thereon. Whenever any Commissioner shall present verbally any motion or other matter for action thereon by the Board of Commissioners, and, before the vote is ordered thereon, any other Commissioner shall require that such matter be reduced to writing, then such matter shall not be voted on at such meeting unless and until the same shall have been reduced to writing and filed with the City Clerk. All questions acted on by the Commissioners, both at regular meetings and at called meetings, and not theretofore reduced to writing, shall be reduced to writing by the City Clerk.

Rule 8. Committees. Each Commissioner shall perform the duties of a standing committee for his department, and all petitions and communications of citizens addressed to the board and relating to matters within the special scope of such department, unless referred by the Board to some special committee, shall be referred first to such Commissioner who shall report thereon to the Board. All such matters shall be referred promptly when presented, and no such matter shall be acted on by the Board before the next general meeting after the matter is referred, unless by consent of the Commissioners of such department. On motion of such Commissioner at any time or on motion of any Commissioner at or after such next general meeting, any such matter may be referred to any other city officer for any specified service or report within the official duties of such officer.

Rule 9. General Ordinances. Whenever it shall be desired to adopt any ordinances the effect of which may be to alter, modify, amplify, detract from or add to, any existing ordinances of a general nature covering the same subject matter, all such changes shall be made

(a) by the amendments of sections or paragraphs of such previous ordinances, if any, or (b) by the repeal of all, or some sections or paragraphs, of such previous ordinances, with or without the enactment of new sections or paragraphs in lieu thereof, or (c) by the enactment of new sections or paragraphs; all of which shall be done in such manner that no provisions newly enacted shall be in conflict with or in duplication of any previous general ordinances; and whenever any proposed general ordinance is referred to the City Attorney before the passage thereof, it shall be his duty to examine the same together with the general ordinances relating to the same subject matter, and to attach to such proposed ordinance his certificate in writing showing whether or not such proposed ordinance, in his opinion, is within the powers of the Board of Commissioners and in conformity with the requirements of this rule, and thereupon to report such proposed ordinance and certificate back to the Board of Commissioners.

Rule 10 Ordinances, Subjects, Titles and Numbers. All ordinances shall be confined to one general subject matter, and shall have titles indicating their subjects and purposes, and the City Clerk shall assign to all ordinances consecutive numbers in the order in which they become effective, either by the approval of the Mayor or in the absence of such approval, and all ordinances may be known and referred to by their numbers.

Rule 11. Minutes. The City Clerk shall keep in the minutes of each meeting a record of the action taken at such meeting by the Commissioners on each question considered by them, together with the vote as announced by the presiding officer on each question voted on, and also the aye or nay vote of each commissioner on each ordinance or resolution voted on. At each regular meeting the minutes of all proceedings of the Board since the beginning of the last regular meeting shall be presented to the Board by the City Clerk, and shall be read in full unless the reading thereof be dispensed with by the Board on motion; and such minutes after being so presented, with or without reading, shall thereupon be approved, or corrected and approved, by order of the Board; whereupon such minutes shall be signed by the Mayor and be attested by the City Clerk.

Rule 12. Adjournments. Any meeting, regular or called, may be adjourned by vote of the Commissioners had at such meeting to any other day or time, as often as they may deem necessary.

Rule 13. Rules, Effect of. It shall be the duty of the presiding officer to cause, and the right of any Commissioner to require, the full enforcement of all rules in this section set forth; but no ordinance, resolution or other act of the Board of Commissioners, passed or adopted by the affirmative votes of the prescribed number of Commissioners, at any regular meeting, or at any meeting duly called, shall ever be rendered invalid on account of any failure to observe or enforce any other requirement or provision of the foregoing rules in this section contained.

Rule 14. Voting. Each Commissioner shall have the right to vote on all questions coming before any meeting, unless he has some pecuniary or proprietary interest, or other direct interest therein distinct from the interests of citizens at large, in which case he shall disclose his interest and shall not be allowed to vote. Should any Commissioner fail or refuse to vote on any question, or be absent from any meeting, he shall be recorded as voting "nay." The vote on all ordinances shall be taken by yeas and nays on roll call; or, if so required by any Commissioner before the call of the roll is begun, shall be taken by yeas and nays vote on any other measure voted on.

Rule 15. Signed Ordinances and Resolutions. At any regular meeting of the Board of Commissioners, with the unanimous consent of all members present, and in the interest of time, any ordinance or resolution, or any other written instrument therein referred to, except as in the charter otherwise for franchises or other particular cases provided, may be read and presented for consideration by title or caption only, or by a statement of its effect made by the

Mayor or City Clerk, and the Commissioners may thereupon vote as in other cases for or against the passage of the ordinance or resolution so presented, and the same if passed, shall thereupon stand over for the approval or veto by the Mayor as in other cases; provided however that no ordinance or resolution shall be enacted or adopted in such manner unless the same shall be approved and signed with the personal signatures of the members of the Board of Commissioners voting for the adoption of such measure, not to be fewer than the number prescribed for its passage; and in all such cases the ordinance or resolution in question, and all other instruments therein referred to, shall be and remain open for inspection by press representatives or other persons interested therein; and all such ordinances, resolutions and other instruments if any, together with approving signatures of such Commissioners, shall be recorded in full by the City Clerk in the appropriate records of the City; the purpose of this paragraph being to expedite public business by dispensing with the full reading of long or formal documents whenever the Commissioners deem such action to be proper.

That SECTION 21-A be added to the charter following Section 21, and to read as follows:

SECTION 21A. City Clerk. The City Clerk shall have the custody of, and well and securely keep and preserve, all general archives, records and papers of the City, including among other things original contracts, deeds, releases, proposals and other original written instruments evidencing rights, titles or immunities of the City; and it shall also be the duty of the City Clerk to attend all meetings of the Board of Commissioners and well and truly keep and preserve all ordinances, resolutions and papers appertaining to the business and proceedings of the Board of Commissioners, and promptly and faithfully to record in well bound books all ordinances and resolutions and also true and correct minutes of all proceedings of the Board of Commissioners; and he shall also make and keep accurate and convenient files and indexes of all of said archives, records and papers of whatsoever character, and shall be authorized to make and certify, attested by the seal of the City, copies of any of the same; provided however that the City Auditor shall be the custodian of receipted vouchers, estimates, bills and other similar papers or quittances taken in connection with payments or settlements made in the routine business of the City; and the records and papers relating to the routine business of the several departments, divisions and officers of the City shall be kept in the authorized offices of the several departments. The City Clerk shall also keep such other records and perform such other official duties as are or may be required by or under the charter. One or more assistants shall be provided for the City Clerk, and "the City Clerk and all of his assistants shall have power to administer oaths and affirmations, and give certificates thereof.

That SECTION 22 be amended so as to read as follows:

SECTION 22. Mayor Pro Tempore. During the month of June at a regular meeting after the qualification of the newly elected Commissioners, or a quorum thereof, or at any time thereafter when there may be a vacancy in the position of Mayor Pro Tempore, the Board of Commissioners shall proceed to elect by ballot, one of their number other than the Mayor, to serve as Mayor Pro Tempore; and in case of the absence, disability or removal of the Mayor, the Mayor Pro Tempore shall have and exercise all the powers, duties and functions of the Mayor during the period of such absence, disability or removal. In the event of a vacancy in the office of Mayor the Mayor Pro Tempore shall receive the salary provided for the Mayor, but no other compensation. In case of the absence or disability of both the Mayor and Mayor Pro Tempore, the Board of Commissioners may elect, as aforesaid, one of their members who shall during such absence or disability of the Mayor and Mayor Pro Tempore have and exercise all of the powers, duties and functions of the office of Mayor. Any Commissioner acting in place of the Mayor may be known as the "Acting Mayor."

That SECTION 27 be amended so as to read as follows:

SECTION 27. Tentative Budget. Between June 1st and July 1st of each fiscal year of the five Commissioners shall consider the needs of the City in connection with his department, and shall submit to the Mayor in writing a budget estimate for such department showing in detail as far as practicable, the amounts of money which will be required to conduct the operations and business of said department, and each division thereof, and all public work or improvements expected to be executed by or for said department or under its supervision, during the fiscal year then current, stating in connection with each item the corresponding amount, if any, so expended during the previous fiscal year. The Mayor shall thereupon consider such departmental estimates, and shall submit in writing to the Board of Commissioners not later than the 15th day of July of each year a tentative budget for the City at large, which shall contain estimates of the various amounts which, in his opinion, will suffice for the expenditures of each department; showing for each division, office or service therein, in detail as far as practicable, salaries and wages, materials, supplies, equipment and other current expenses understood to be necessary therefor. In said tentative budget the Mayor shall also consider and report separately a detailed estimate of all public work or improvements expected to be done during such fiscal year in any and all departments as a part of the current expenses of the City; and he shall also include therein an estimate of suitable provisions for the bonded debt and other obligations of the City, and for contingent expenses. Upon such tentative budget being submitted by the Mayor to the Board of Commissioners they shall consider the same, and may increase, diminish or omit any item, or otherwise amend said tentative budget, but shall on or before the 20th day of July of such year adopt by ordinance a tentative budget in such form as the Commissioners may agree upon. Thereafter during said fiscal year the Mayor and the respective Commissioner in charge of each department shall be responsible for keeping the expenditures in his department within such tentative budget. No such tentative budget shall constitute an appropriation of money, unless therein expressly so provided; nor shall it otherwise constitute any limitation on any power of the Board of Commissioners; but the Board shall have power by ordinance to provide for any reapportionment of, or addition to, the tentative budget or any part thereof.

That SECTION 29 be amended so as to read as follows:

SECTION 29. City Attorney. "The City Attorney shall represent the City in all litigation to which the City may be a party, except in cases in the Corporation Court and cases appealed therefrom, but he shall have supervision of such cases. He shall give his opinion when called upon, on all legal questions arising under the city government, and attend meetings of the Board of Commissioners to give his advice and counsel upon the legal aspects of any question pending before them, when so requested." And it shall also be the duty of the City Attorney faithfully to keep and preserve good and sufficient dockets, files and indexes for all business appertaining or assigned to the Law Division; and he shall also cause to be kept and preserved in writing as records of the Law Division, the names of witnesses, or other persons, having knowledge of controversies, suits or claims to which the City is a party at interest, and, when practicable, written statements showing the substance and effect of their knowledge of such matters; and he shall also approve as to form by his signature indorsed thereon, all deeds, contracts and other legal instruments prepared by him to be executed by or to the City, or any such instrument prepared by another when the same shall be referred to him before execution, of after careful consideration he find the form of such instrument to be suitable and lawful and in keeping with the charter and the intent and purpose of the Board of Commissioners; and he shall also faithfully prepare and submit in due form to effect the lawful purposes in view, all proper ordinances, resolutions, deeds, contracts, releases and other

instruments and forms relating to any affairs of the City whenever so required by the Board of Commissioners; provided these provisions shall not be permitted to affect the force or validity of any contract of the City otherwise duly authorized and executed. The City Attorney shall also be authorized to give in writing all instructions necessary to correct practices or business whereby illegal assessments or collections of taxes, or other monies, are being made, and to exercise supervision of such matters for the purpose of making same conform to the law, charter and ordinances; and it shall also be his duty to call to the attention of the Mayor and any Commissioner or Commissioners concerned any violation of any provision of the charter which he may observe in connection with the affairs of the City. Two or more assistants shall be provided for the City Attorney; one of whom shall be specially assigned to attend to legal business relating to the assessment, levy and collection of taxes licenses, rentals, fees and other revenues of the City; and another of whom shall be specially assigned to attend to all matters relating to preparation of complaints and prosecuting the same in the Corporation Court and in the County Court and other courts to which appeals may be had. All assistants to the City Attorney., shall also perform such official duties as may be assigned to them by the City Attorney. The dockets in the office of the City Attorney shall be public records, but in the interest of the due protection of the legal rights of the City, all other papers and records of said office may be withheld from public inspection unless otherwise ordered by the Mayor or Board of Commissioners. The City Attorney, acting either in person or by authorized assistant, shall also perform all other official duties which may be lawfully prescribed.

That SECTION 30 be amended so as to include Section 30, 30A and Section 30B, respectively, and to read as follows:

SECTION 30. ASSESSMENTS FOR TAXATION. Par. 1. Definitions. All definitions of terms as provided by law and in the charter, except when another meaning shall arise from the context, shall apply to all terms used in the charter and ordinances with reference to assessments and taxation; and, among other terms used as aforesaid, the word "property" shall include and refer to all property, real, personal or mixed, of whatsoever kind, taxable by the City or situated in the City and not exempt from taxation; the word "list" shall mean the lists, inventories or sheets used for the rendition and listing of property for taxation; the term "assessment roll" or "assessment rolls" shall mean such lists or sheets, bound, completed and certified as hereinafter required; the term "tax roll" or "tax rolls" shall mean the final tax rolls, as prepared from the approved assessment lists, consisting of sheets made up to present on each sheet (1) tax duplicate, (2) the middle stub and (3) the tax receipt, or the term tax roll may mean any such individual sheet; the term "tax abstract" shall mean the book or books, prepared and kept as hereinafter provided, containing in summary form an abstract of the approved assessment lists and taxes payable thereon, with columns showing the date of payment thereof; and the word "general" prefixed to any such terms shall indicate the lists or rolls prepared in connection with the regular or annual assessments, as distinguished from supplemental assessment.

Par. 2. General Requirements. "Taxation shall be equal and uniform. All property in this "City" whether owned by natural persons or by corporations, other than municipal, shall be taxed in proportion to its value, which shall be ascertained as provided by law" (constitution, VIII, 1) and the charter; provided that all lawful exemptions shall be allowed. It shall be the duty of the Commissioner of Taxation to inform himself as to the values of taxable property, and, from time to time and as fully as may be practicable, to view and inspect such property and to make inquiry and investigation concerning the ownership, nature, quantity, location, circumstances and true value of the same, and the improvements made on

any real property, and to preserve and make proper memoranda concerning such matters on the assessment lists, block maps or otherwise, in such manner that the same shall be and remain available for reference in connection with any property assessed. Each year, between the first day of June and the Last day of October, said Commissioner shall make up and complete the general assessment lists, including therein all taxable property known or ascertained by him to be situated in or taxable by the City. Between the first day of June and the last day of August of each year said Commissioner shall cause and require all persons to list and render, for taxation, all property owned or held by them, and the assessment lists and rolls containing such renditions and assessments shall be known as the "Rendered" lists or rolls. It shall also be the duty of each property owner during said period to list and render his property for taxation, and, when so doing to write, or cause to be written, on the list rendered by him, his correct postoffice address, with street and number if any. Said Commissioner shall also list and assess during the months of September and October of each year all property whatsoever not rendered for taxation as herein required, and the assessment lists and rolls containing such assessments shall be known as the "Unrendered" lists or rolls. The rendered lists and rolls and the unrendered lists and rolls shall be made up and certified separately; and the unrendered lists and rolls may be divided into two parts, one for resident and one for non-resident owners.

Par. 3. Assessment Lists. -- Preparation. All property shall be, as aforesaid, listed, rendered and assessed for taxation on said general assessment lists with reference to the quantity owned or held on the first day of June of the fiscal year then current. Property purchased or acquired on June first shall be listed by or for the person purchasing or acquiring the same. Upon each list of property being rendered by or for any property owner, or upon any property being listed and assessed without rendition, the Commissioner of Taxation shall fix and assess the valuations on all property so rendered or assessed, and shall enter the respective amounts so assessed on such list opposite the several kinds and descriptions of the property; and if any objections be made to such valuations or assessments in any respect by any person rendering such property, he shall thereupon state such objection, and the Commissioners of Taxation shall note or stamp the word "Protested" in red ink on the list containing such assessments. The Commissioner of Taxation shall assess all property on such lists at its true and full value, and he shall assess and state separately thereon the value of all lands; and the value of all improvements to the realty, if any, not otherwise assessed and situated on such lands; and all franchises, privileges and choses in action; and all other property of whatsoever nature; including in such assessments all property except such as may be exempted by law and as in the charter provided. The form of such lists, and the affidavits thereto attached, shall correspond to those prescribed for state and county assessments, except as may be otherwise provided by the charter or ordinances. All lists of property rendered to the Commissioner of Taxation shall be verified by oath or affirmation of the person owning, holding or rendering the same. It shall be the duty of the Commissioner of Taxation to make all assessment lists show a description of the property assessed sufficient to identify the same, together with the name of the owner thereof, as know, or supposed to be know, or if unknown, then he may say "Unknown owner"; provided however that whenever any property shall be assessed on any description not absolutely misleading, such assessment shall be good whether such property be rendered or be assessed without rendition; and provided further that "no assessment of real property shall be considered illegal by reason of the same not being listed or assessed in the name of the owner or owners thereof" (Art. 7527), and this provision shall apply alike to rendered and to unrendered assessments, and the same principle shall apply to any personal property which can be identified by such assessments and the description, ownership

or location alleged together with any extraneous facts.

Par. 4. Assessment Lists. -- Binding and Certification. When the Commissioner of Taxation shall have completed the general assessment of property for taxation for each fiscal year, he shall cause all assessment lists to be securely bound in book form. All such assessment lists of property rendered in the name of any owner or owners shall be arranged in such books in alphabetical order according to the names of such alleged owners. All lists upon which unrendered property shall be assessed in the name of any supposed owner thereof, shall also be arranged and bound in like manner but in a separate series of books. All lists upon which any real property shall be assessed to unknown owners shall be made up and arranged in the order of the city block numbers and shall be bound in books in like manner. It shall be allowable to assess all unrendered property to unknown owners. Each such book or volume of assessment lists shall have printed or written forms at the end thereof in which the Commissioner of Taxation shall make, sign and verify by his oath, a certificate substantially in the following form, to-wit:

" THE STATE OF TEXAS :  
 COUNTY OF BEXAR : KNOW ALL MEN BY THESE PRESENTS:  
 CITY OF SAN ANTONIO:

That I, the Commissioner of Taxation of the City of San Antonio, do hereby certify that the general assessment books or lists for the current fiscal year, to one of which this certificate is attached, contain a complete and correct list of all property, real, personal or mixed, subject to taxation in the said City, as far as I have been able to ascertain the same as provided in the charter; and that I have sworn all persons listing property to me, or have caused the same to be done, to verify the correctness of such lists, all as appears therefrom; and that the assessed value of all such property, whether rendered or unrendered, set down in the proper column opposite the several kinds and descriptions of such property, is the true and correct valuation thereof as ascertained by me in conformity with the charter and laws; and that the footings shown in the several columns of such book or lists are true and correct; all as I verily believe".

The Commissioner of Taxation shall cause all general assessments lists to be completed, bound and certified as aforesaid before the first meeting of the Board of Equalization for the fiscal year then current, and shall at such meeting deliver over to the said Board all of the said general assessment lists and books for their inspection, approval, correction or equalization.

Par. 5. Supplemental Assessments. Whenever the Commissioner of Taxation shall discover that any taxable property has been omitted from, or assessed by invalid assessment on, any assessment list or roll, general or supplemental, of the same or any previous fiscal years; or whenever said commissioner shall discover that any personal property or stock of goods, wares or merchandise held and offered for sale in the City, has been brought into the City, or that any real property theretofore exempt has become taxable by the City, after June first of any fiscal year, he shall thereupon cause such property to be duly listed and rendered, or shall list and assess the same, on supplemental assessment lists and rolls, as of the years when such property was so omitted or assessed by invalid assessment, or as beginning from the date when such property was brought into the City or became taxable by the City, Upon the completion of any such supplemental assessment lists, the commissioner shall certify the same and call a special meeting of the Board of Equalization to consider such supplemental assessments. The taxes payable on such supplemental assessments shall thereupon be computed on the same basis and at the same tax rate which would have applied to such property if the same had been assessed in the general assessment rolls of the fiscal year or years concerned; provided

however that as to all such property brought into the City or becoming subject to taxation during any fiscal year, such taxes shall be computed and collected pro rata only for that part of the fiscal year remaining after such property shall be so brought into the City or become so subject to taxation. (See Art. 7508).

Par. 6. Supplemental Assessments. --- Notice Etc. The Board of Equalization shall cause notice to be given to each person named on such supplemental assessment lists as the owner or holder of any property therein assessed, or to the person rendering the same, or to some person in charge thereof, whenever any such person shall be known, citing such persons to appear and show cause, if any, why such property should not be assessed and taxed as herein provided. All matters with reference to such supplemental assessments, and the equalization thereof, and the collection of the taxes thereon, shall be subject to all applicable provisions of the charter relating to general assessments except in so far as in their charter otherwise provided. The Board of Commissioners shall have power by ordinance to require any persons owning any stocks of goods, wares or merchandise brought into the City during the same or the preceding fiscal year for the purpose of closing the same out, and being sold out on bankrupt sales, bargain sales, auction sales, or other special sales, to pay to or deposit with the City at once an amount sufficient to cover the taxes assessed by the City for the current fiscal year, and also for the preceding fiscal year, if any assessed, on account of such property and business, or to execute and deliver to the City a good and sufficient bond conditioned for the due payment of such taxes; and shall also have power so to provide that if such payment, deposit or bond be not immediately forthcoming all such taxes shall be and become immediately due and payable, and the collection of all such taxes may be made by the same methods as for other fully matured taxes, and shall be secured by tax lien on such property as of the date of such assessment.

Par. 7. Notices. Whenever it shall be incumbent on the Commissioner of Taxation, or on the Board of Equalization, to give to any person or persons any notice in connection with the assessment, equalization or correction of any taxes, it shall be sufficient to publish a written notice of such matters; or such notice may also be given by personal service thereof in writing on any owner of any property in question, or on any person who has rendered such property for taxation for the fiscal year then current; or any such notice relating to protested assessments and hearings thereon, may be given by forwarding written notice by ordinary mail to any such person at any address given by such person in connection with the last rendition for taxation of the property in question; and, if no such address shall appear on the lists or inventory for such assessment, then it shall be sufficient to forward by mail as aforesaid such written notice addressed to such person simply at "San Antonio, Texas". Notice given in any such manner shall be sufficient of itself, and cumulative of any other notice which may be given.

Par. 8. Miscellaneous Provisions. The Commissioner of Taxation shall be authorized and empowered to administer and certify all oaths necessary or proper to obtain or verify complete and correct lists and assessments of all taxable property; provided the word "affirm" may be substituted in all such oaths for the word "swear", and shall be obligatory in like manner. Each assistant or deputy appointed or employed in the Assessment Division shall be authorized to act for the Commissioner of Taxation in all matters relating to the taking of renditions, administering oaths, making assessments of property for taxation, and in preparing the tax rolls or other records or papers of the Assessment Division; and the acts of such subordinate shall be as valid and binding as if the same were done and performed by said commissioner in person. No assessment for taxation shall be rendered invalid by reason of any failure on the part of any officer to administer or certify any oath or affirmation, or by reason

of any person failing to subscribe any list, or by reason of any rendition and assessment having been made after August 31st of any fiscal year, or by reason of any clerical error, omission or other irregularity in any assessment list, rendered or unrendered; but all assessment after being examined and approved or corrected and approved by the Board of Equalization shall be as valid and binding as if made in full compliance with all prescribed requisites; and shall be good as to all property therein mentioned which can be in any manner identified by means of the description and the ownership, if any, therein alleged, or by means of comparing such assessment with the block maps in the Assessment Division, or with the assessments of other persons having any interest in the same or any contiguous property or in any property in the same lot, block or tract, or by means of any other extraneous facts.

Par. 9. Penal Provisions. The Board of Commissioners shall have power by ordinance to provide for punishing all persons who may fail or refuse to make renditions of property for taxation by the City, or who may fail or refuse to verify such renditions as herein required, or who may make any false oath or affirmation concerning any matter in connection with any such rendition, or who may make any false oath or affirmation concerning any matter whatsoever under authorized investigation by the Board of Equalization.

Par. 10. General Laws. All property shall be rendered, listed, inventoried, valued, assessed and equalized for taxation by the City each year in accordance with the city charter and the provisions, definitions and requirements of the general laws of Texas relating to such matters in so far as the same are applicable, or can be made applicable by substituting and reading City for County, Commissioner of Taxation for Assessor, County Assessor or Assessor of Texas, or by other similar changes of terms; provided however that the lawful provisions of the charter shall control as to all such matters wherein, by express provision or necessary implication a conflict may exist between the charter and said statutes; and the Board of Commissioners shall have power by ordinance to provide any further lawful regulations not inconsistent with the charter for any and all such matters.

SECTION 30A. TAX ROLLS. -- PREPARATION OF. Par. 1. In General. Upon the completion of the regular session of the Board of Equalization, and the final certification of the minutes of the board for each fiscal year, it shall be the duty of the Commissioner of Taxation to prepare, complete and certify in due form the general tax rolls for the current fiscal year. Such tax rolls shall be prepared on rolls or sheets with printed forms to be furnished by the City Auditor, to be securely bound in books in the order of the numbers of such sheets, each of which shall have on the left side thereof the "tax duplicate" for permanent record, and in the middle a detachable stub for office use, and on the right a detachable receipt for issuance. Each such page of the tax duplicate, stub and receipt on the same sheet shall be numbered indelibly with corresponding numbers, and the numbers on each successive sheet in such books shall be consecutive. The commissioner shall prepare such tax rolls on one or more of such sheets for each assessment, by entering thereon the name of the owner, if any, to whom the property is assessed, and the description and valuation of the property assessed, in accordance with the assessment lists as approved or corrected and equalized by the Board of Equalization, and by extending on such tax rolls the amounts of the taxes payable on such property, and the total thereof payable on each such page and assessment. The stubs shall be prepared by entering thereon the name of the person, if any, to whom such property is assessed and the total amount of the taxes on such page. Such tax rolls shall be combined and bound in substantially the same order and arrangement as the books containing the assessment lists. The official signature, or authorized fac simile signature, of the Commissioner of Taxation shall appear on each completed page of the tax duplicate and on the margin of each receipt, by way of identifying and approving the same.

Par. 2. Certification, Auditing Records, Etc. At the end of each book or volume of such tax roll, the Commissioner of Taxation shall certify that said roll and all assessments and taxes therein entered have been carefully compared and computed, and are true and correct in accordance with the assessment lists as approved, or corrected and equalized, by the Board of Equalization, and the tax levies for the current fiscal year; and the commissioner shall state in each such certificate the included numbers of the tax roll sheets therein contained, and the total amount of taxes entered and to be collected on the tax rolls contained in such volume. Upon the completion of said tax rolls said Commissioner shall call special meeting of the Board of Equalization, and said board shall examine said general tax rolls and shall cause any corrections to be made therein which may be necessary to make same conform to the previous action of the board on said assessments during its regular session, and said board shall, upon being satisfied as to such conformity, by its order to be entered in the minutes of said meeting recite such examination and conformity and finally approve such general tax rolls for the current fiscal year; and true copies of said order shall thereupon be made and certified by the clerk of said board, and be attached to each book or volume of such tax roll following the aforesaid certificate of said Commissioner. After the tax rolls shall have been completed and certified as aforesaid the Commissioner of Taxation shall promptly file same in the office of the City Auditor. The City Auditor shall thereupon examine and verify the same and the certificates thereto, and compute the total amount of taxes collectable for such fiscal year, and after causing to be made all corrections, if any, for showing the true aggregates to be collected, shall thereupon charge upon his books as in the charter elsewhere provided, the amounts of taxes to be collected for such fiscal year; and shall on or before the thirty first day or March of such fiscal year deliver said tax rolls back to the Commissioner of Taxation; and said commissioner shall thereafter well and truly keep, preserve and use the same, in conformity with his powers and duties, and shall proceed on April first of each fiscal year with the collection of taxes for such year.

Par. 3. Corrections and Supplemental Tax Rolls. In the event any irregularity, omission or error shall appear in any tax roll, or in any sheet, sheets or volume thereof, the Commissioner of Taxation, acting together with the City Auditor, and with the approval of the Board of Equalization granted at any time, shall be authorized to make such corrections as may be necessary to make such tax roll or other records conform to the approved assessment lists and tax levies or any requirement of the charter. Such corrections may be made at any time when such irregularity may appear, and may likewise be made or approved as aforesaid by any successor to any such officer or officers, all in such manner that no such irregularity, omission or error shall ever estop, hinder or prevent the City from collecting any taxes lawfully assessed and levied. Whenever such corrections shall be made, the same shall be certified by said commissioner and City Auditor on the identical tax rolls or records so corrected, or by their certificate attached thereto; and the City Auditor shall thereupon make corresponding entries on his books upon which such taxes are charged, showing the numbers of all tax rolls so corrected, and the amount, if any, by which the taxes payable thereon are increased or diminished. Whenever any approved general assessment may be found to have been omitted from any tax roll, and whenever any supplemental assessments shall be made and approved, the Commissioner of Taxation shall prepare and certify a supplemental tax roll therefor, and all business connected therewith shall conform as near as may be to the same matters as prescribed for the original tax rolls.

SECTION 30B. TAX ABSTRACT. For each fiscal year the Commissioner of Taxation shall cause to be prepared a book or books containing an abstract showing in condensed form, with reference to all assessments and ad valorem taxes, the date and figures indicated by the following column headings, to-wit:

"Name of Owner", "No. of Tax Receipt", "Real Estate Values", "Miscellaneous Values", "Total Values", "Taxes for General Fund", "Taxes for Public Schools", "Taxes for Improvement Districts"; ("Dist. No.", "Values" and "Amount"), "Taxes for Other Special Funds", "Total Taxes", "City Auditor's Record": ("City Collector", "Back Tax Office", "Total Collected" and "Remarks"); provided that said book may be prepared with separate columns for any or all special taxes, if so required by ordinance, so as to show more completely the distribution of such taxes among the several special funds; and such book shall be known as the "Tax Abstract". The entries in said tax abstract shall be made in the order of the numbers of the respective tax roll sheets, and all tax roll sheets made up for supplemental assessments during such fiscal year shall be promptly entered therein by said Commissioner of Taxation. Each page of said Tax Abstract shall have the following heading: "CITY OF SAN ANTONIO -- STATE OF TEXAS": "Tax Abstract Showing Summary of Ad Valorem Assessments and Taxes for Fiscal Year beginning June 1st, 19\_\_ and Ending May 31st, 19\_\_" and each such heading shall show whether such assessments are rendered or unrendered, and all supplemental assessments shall be shown to be supplemental assessments. The tax abstract shall have indorsed thereon or attached thereto the certificate in writing of the Commissioner of Taxation showing that the same contains a complete abstract of all general assessments made by the City for ad valorem taxation and of the respective amounts of the taxes levied thereon, and that the same has been carefully compared with the assessment lists and tax receipts and has been found to be true and correct; and for each supplemental assessment a similar certificate shall be made and attached. Said tax abstract shall be prepared and certified for and during each fiscal year before April 1st, and shall be delivered to the City Auditor along with the general tax rolls of such fiscal year, and shall thereafter be and remain a record of the office of the City Auditor. From time to time as the middle stubs are returned to the City Auditor by the Collection Division, the City Auditor shall compare such stubs with the corresponding entries in said tax abstract and, if found correct, then, for all payments made before the tax rolls are deposited in the City Back Tax Office, the City Auditor shall enter in the column headed "City Collector" the date of such payment; or if the payment be made the tax rolls are deposited in the Back Tax Office he shall enter the date of such payment in the column headed "Back Tax Office"; and in either case the City Auditor shall enter, in the column headed "Total Collected", the total amount paid, including the taxes and also, if any, the interest, penalties and costs thereon. If any error or omission in such collections be found by the City Auditor he shall promptly report the same to the Commissioner of Taxation, and cause and require the same to be rectified at once. Said Tax Abstracts shall, generally speaking, be so designed, kept and used by the City Auditor as to maintain a continuous audit of all assessments and collections by the City on account of ad valorem taxes for the various fiscal years after this section shall go into effect.

That Section 31 be amended so as to read as follows:

SECTION 31. COLLECTIONS. Par. 1. In General. The Commissioner of Taxation shall receive and collect directly through the Collection Division all ad valorem taxes and occupation taxes, and all license fees payable on an annual basis; and he shall also receive and collect, as may be provided by charter or ordinance, any and all other fees, rentals, dues, and moneys of every character which are or may be payable to the City from any person, in any manner or for any purpose; and as a part of said duties he shall receive from any and all officers of the City in other departments all fees, dues or other moneys which such officers may receive or collect on behalf of the City; and he shall require and supervise the due collection and return of all such sums regardless of the department to which such officer may belong; said Commissioner shall also cause and require proper receipts in due form to be issued for all

sums whatsoever so collected or received, either in his department or in any other department, all of which receipts shall be issued on printed receipt forms which shall be furnished by the City Auditor bound in book form, indelibly numbered and otherwise safeguarded and in conformity with the charter and ordinances.

Par. 2. Ad Valorem Taxes. The Commissioner of Taxation shall not be authorized to collect or receipt for any ad valorem taxes except upon the tax rolls and tax receipts prepared as prescribed by the charter, or upon copies thereof if authorized by ordinances in the event of the loss or destruction of the originals. Upon the payment of any such taxes, the commissioner, or any authorized subordinate officer in the Collection Division receiving such payment, shall at once sign in his official capacity, his name upon the appropriate tax duplicate, and shall enter thereon the date of such payment. The tax receipt and middle stub shall be detached when such payment is made, and such tax receipt shall then be signed, and dated and shall have affixed thereto the city seal authorized to be used by the Collection Division, and such receipt shall then be delivered to the person making such payment. The middle stubs shall be preserved by the Commissioner of Taxation and shall be filed in the office of the City Auditor on each Monday with the weekly distribution sheet, or daily if so required by ordinance. Whenever any taxes are paid upon which any interest, penalties or costs have accrued the same shall be entered by items on the tax duplicate, stub and receipt for the taxes on which such incidents accrue; and when suits have been brought for the recovery of any such taxes, the court costs shall be ascertained and collected and shall also be entered on such tax duplicate, stub and receipt. No person shall detach any such tax receipt or stub unless the taxes entered thereon, and all authorized interest, penalties and costs, if any, on such taxes, shall have been first paid in full as in the charter provided.

Par. 3. Delinquent Taxes. On April first of each year, or earlier if so provided by ordinance, the Commissioner of Taxation, together with the City Auditor, shall compare and check the tax rolls of the last preceding fiscal year against the tax abstract for such year, and shall see that the dates of payment of all such taxes theretofore collected have been entered in the column of such tax abstract headed City Collector; and that for all uncollected taxes the tax receipts remain in said tax rolls; and they shall enter or stamp the words "Back Tax Office" in the tax abstract, in the column headed City Collector, opposite each amount of such uncollected taxes; and thereupon they shall turn over to said Back Tax Office, the tax rolls for such preceding fiscal year. Said Back Tax Office shall be a branch of the Collection Division, and shall be conducted under the immediate management of an officer of the City to be known as the "City Back Tax Collector", whose duty it shall be diligently and faithfully to keep and preserve in said office full and accurate records, files, indices, accounts and dockets, showing all delinquent ad valorem taxes at any time assessed by the City and remaining unpaid, and showing all suits and other proceedings made or instituted for the collection thereof; and also faithfully to keep and preserve each and every tax roll, unpaid tax receipt or other record deposited in such office and evidencing any such delinquent tax or revenue; and correct statements of any such unpaid taxes, and all interest, penalties and costs chargeable thereon, to prepare and render on demand of any person interested therein and making payment of the fees, if any, payable for such statements as required by ordinance; and also at all times to make full use of the facilities, records and authority of said office in demanding, requiring and enforcing the payment of all such delinquent taxes, with lawful interest, penalties and costs thereon; and also to prepare and furnish as may be required by the Law Division of the City in connection with pending or proposed legal proceedings for the Collection of any such taxes or revenues, accurate statements, evidence and information promptly and in such form and order as same may so be required; and also to do and perform all such

other duties with reference to such collections as may be required by the Board of Commissioners or by the Commissioner of Taxation, provided however that no estoppel shall ever arise, by reason of any error or omission in any such back tax statement, to prevent the City from collecting any amount lawfully payable on account of any such back taxes. Upon the payment of any such back taxes being tendered, the City Back Tax Collector shall prepare and certify a written statement thereof, including interest, penalties and costs, all in accordance with the tax rolls for the respective years delinquent and the charter and ordinances of the City, and shall present such statement to the City Collector, detaching and presenting therewith the tax receipts, with the middle stubs thereof, for any taxes to be wholly satisfied by such payment. If the City Collector find such papers and the amount tendered to be correct, he shall receive such payment and execute such receipt on behalf of the City and the Commissioner. All other provisions of the charter relating to the collection of taxes shall apply to collections of such delinquent taxes, in so far as such provisions are applicable. The City Back Tax Collector shall give to the City an official bond in a sum not to be less than Ten Thousand (\$10,000.00) Dollars.

Par. 4. Tax Separations --- How Made. In case any real property has been rendered or assessed in bulk as an entire property, and parts of such property shall come to be owned by different persons, and any such person shall desire to have separated and pay the taxes on his part of such property apart from the taxes on such entire property, then such person may petition the Board of Commissioners for the desired separation, and in such case shall make a deposit of money with the Commissioner of Taxation sufficient to pay all amounts due on account of his part of the taxes on such real property, together with the taxes on any personal property assessed therewith; and shall attach to such petition a plat showing the lines and dimensions of the entire property and of his property, and all improvements thereon, together with affidavits of at least two persons showing the value of his property and the value of the remainder of such entire property. Upon such petition being presented, the Board of Commissioners may, in its discretion order such separation, and fix the amount payable on account of the taxes and property as separated; provided that the taxes on all improvements shall be paid with the taxes on the land on which such improvements are situated, and the amount of the taxes payable to the City on the entire property shall not be reduced by any such separation; and provided further that, before granting any such separations, the Board of Commissioners shall cause notice to be given to each owner of any part of such entire property, stating the amount due on the entire property and the amount proposed to be paid, and requiring such owners to appear at a specified regular meeting, to show cause, if any they have, why the proposed payment and separation should not be made, leaving the tax lien for the amount remaining unpaid on the remaining part of such entire property. Upon any such separation being ordered by the Board of Commissioners and upon the payment of the taxes on the property so separated, and other amounts as herein provided, the tax lien on such property shall be released; but the lien of the City upon the remainder of such property for the remainder of such property for the remainder of said taxes shall continue as before. Separations of taxes on distinct lots, blocks or parcels of real estate separately assessed and valued may be made by the Commissioner of Taxation, in his discretion, according to the separate valuations placed thereon; but no such separation shall be made in such manner as to divide the taxes on any building situated on two or more of such lots, blocks or parcels.

Par. 5. Tax Separations. --- Payments and Receipts. Whenever any separation shall be made as in the charter provided, the original tax receipt and middle stub shall be kept attached to the tax duplicate, and the separation and payment shall be noted in red ink on such tax roll by the commissioner who shall at once prepare in proper form a special separation re-

ceipt to be issued on payment of the taxes so separated. All such separations and receipts shall be entered and prepared in the order of date in a special "Separation Roll" consisting of printed forms corresponding to the forms used for the general tax rolls. Each such separation receipt shall have printed thereon "Separation Receipt No. \_\_\_\_\_", and shall also refer to the number borne by the original tax receipt, and all such separation receipts shall show and describe the identical property and the fiscal years on which such payments are made, and otherwise conform to the original tax rolls. Whenever the remaining taxes shall be paid on any such original tax rolls on which separations have already been granted, other separation receipts therefor shall be prepared and issued, and all things done as in the first instance. All taxes on personal or mixed property assessed on the same tax roll with any real estate shall be secured by the tax lien on all property on such tax roll, and no separation of any taxes assessed on such tax roll shall be made unless the taxes on such personal or mixed property shall be paid in connection with the issuance of the first separation receipt; provided however that any real property which was homestead property at the time when any levy of taxes may have been made for any fiscal year may be separated so that such property during the continuance of its homestead character, shall be liable only for the taxes due thereon. Whenever any such separations shall be authorized and made, the Commissioner of Taxation shall report same in writing to the City Auditor, as elsewhere in the charter provided, at least once each month.

Par. 6. Special Assessments. The Commissioner of Taxation shall also collect directly through the Collection Division all moneys payable to the City for its own benefit, or, when so required, he shall likewise receive and collect all moneys payable to the City for the benefit of other persons, on account of any sum or sums specially assessed by the City against any real property, or the owner thereof, on account of street improvements, or other special assessments if any, and shall receipt for the same as hereinbefore provided.

Par. 7. Incidental Collections. Whenever any officer not in the Collection Division of the Department of Taxation is by any ordinance authorized or directed to collect on behalf of the City, any fees, rentals, dues, or other moneys in connection with the functions of his office, it shall be the duty of such officer to make and receipt for such incidental collection in conformity with the regulations provided therefor, and daily returns thereof to make to said Collection Division. Each officer making such incidental collections shall prepare, certify and file with the City Auditor on the first day of each month a written report of all such collections made by him during the preceding month, showing for each sum so collected the number and date of the receipt issued therefor, the name of the person making such payment and the items, purpose and amount thereof; provided that when receipts are issued showing said details and duplicate copies thereof are filed in the Collection Division with the daily returns, and then transmitted to the City Auditor, such monthly reports may be abbreviated; and all such matters shall be subject to further regulation by ordinance.

Par. 8. Deposits and Deposit Warrants. The Commissioner of Taxation shall make daily deposits in an authorized City Depository of all moneys collected or received by him on behalf of the City and not already deposited; and each deposit so made shall be accompanied by a temporary or daily deposit warrant authorizing such deposit. Such daily deposits shall be made and shall be entered by the City Depository, in the total lump sum of each deposit, and shall be kept waiting the weekly distribution, credited in a general deposit account of the City to be termed the "Distribution Account". On Monday of each week the Commissioner of Taxation shall prepare, certify and file with the City Auditor a weekly distribution sheet showing the total collections of money made by the Collection Division during the entire preceding week, and the respective funds and accounts, and the fiscal years, to which such moneys belong,

and the amount distributed to each such fund and account; and at the same time he shall prepare a final or weekly deposit warrant, in conformity with said distribution sheet; and thereupon all collections of city moneys as shown by said Distribution Account, shall be duly apportioned, distributed and credited to the appropriate permanent funds and accounts, both on the books of the City Offices and on the books of the City depositories. All such depositwarrants both daily and weekly, shall be prepared and signed in triplicate by the Commissioner of Taxation on indelibly numbered forms to be provided and kept in bound books which with the stubs thereof shall be records of the office of the City Auditor; and every such deposit warrant, daily or weekly, before being used as authority for such deposit or distribution, shall be presented to, and approved by the signature of, the City Auditor. One copy of each such deposit warrant, daily and weekly, shall be left with the City Depository, and one copy bearing an acknowledgment by the city depository of the deposits or credits so made, shall be returned at once by said commissioner to the City Auditor, and the other copy shall be retained by the Commissioner of Taxation.

Par. 9. Cash Book, Reports, Etc. The Commissioner of Taxation shall keep a daily cash book in the Collection Division showing by items all city moneys collected or received by him for each day, and from whom and for what such items were received; and he shall also prepare and file with the City Auditor at the end of each month and at the end of each fiscal year, a statement showing the total collections made by him during such period, and the respective funds, accounts, and fiscal years of the City to which such collections belong; and he shall also perform all other official duties and conform to such other rules and regulations for the conduct of the business of his office as may be prescribed by the Board of Commissioners.

That the Charter be amended by adding thereto SECTION 31A, to read as follows:

SECTION 31A. TAX AMENDMENTS, 1917, take effect, WHEN. All provisions of the charter amended or adopted in 1917, relating to assessment and collection of ad valorem taxes, and occupation taxes and license fees payable on an annual basis, shall take effect on and after June 1st, 1917; and for all of fiscal year 1916 the charter provisions existing prior to the 1917 amendments shall continue in effect.

That Section 32, including all the paragraphs thereof, be amended so that the same shall read as follows:

SECTION 32. City Depositories. Par. 1. -- Selection. During the month of July of each year, the Board of Commissioners shall cause ten days' notice to be given by publication, inviting the banks and trust companies of this City to file with the City Clerk, on or before a specified time, sealed proposals in writing, for the deposit of the monies belonging to or in custody of the City, such proposals, or bids, to state the interest on daily balances which will be paid on such deposits; and at any intervening time when occasion may arise for the selection of a depository for any or all monies of the City, the Commissioners shall proceed in like manner. The Commissioners shall also be authorized to require from each bidder, and to consider in connection with said bids, additional proposals for lending to the City all or any part of the money which the City is authorized to borrow to provide for paying in cash its current expenditures. The Commissioners shall be authorized to reject any and all such bids which shall not be made to conform to the needs and requirements of the City. All such bids shall be opened and read at a regular meeting of the Commissioners and if approved proposals shall not be received, new binds shall be invited as before. When approved proposals are received, the Commissioners shall by vote accept such proposals, subject to the giving and approval of the required bonds. The Commissioners may, if consistent with the notice and proposals, select one or more depositories, as may be deemed for the best interests of

the City.

Par. 2. Depository Bonds. Each bank or trust company selected as such city depository shall promptly make, execute and deliver to the City a good and lawful bond, payable to the City of San Antonio and guaranteeing the City from all loss on account of such deposits; said bond to be such as shall have the approval of the Mayor, with the concurrence of the Board of Commissioners as to form, amount and sufficiency; and each such bond, if a personal bond, shall have three or more solvent sureties who shall own unencumbered and non-exempt real estate in Bexar County, Texas, assessed for taxation at a value not less than the amount of such bond; or any depository may make such bond in some approved bonding company or companies duly authorized to make and execute the same; and each and every bond given by any city depository, in addition to being a bond required by law, shall have full force in accordance with its face, tenor and effect as a common law obligation; provided, that if at any time the City shall have, or expect to have, any monies or funds for deposit in any city depository in excess of the amount of the bond or bonds given by such depository; or if for any reason, or at any time, the Commissioners may deem a new bond necessary for the protection of the City, the Commissioners shall by resolution require such depository to execute a new bond, or an additional bond, under requirements similar to those prescribed for the original bond, and so as to make such security wholly sound and at least equal to the amount of the monies or funds to be protected; and any such additional bond, unless otherwise provided, shall be general and cumulative security, or the same may be limited to secure deposits of special funds; and unless such new or additional bond be given within five days, the Commissioners shall proceed as before to select and designate a new depository for said monies; and, provided further, that the liability of the principal and sureties on all city depository bonds shall continue in full force and effect to secure the monies belonging to or in custody of the City and at any time deposited in such depository, until such moneys shall be fully accounted for and all remaining deposits transferred to some newly designated depository; but if, in any event, more than one year shall have elapsed since any depository was last designated, the Commissioners shall, on written demand of such depository or any surety on its bond, proceed at once to select and designate a new depository in lieu of such existing depository.

Par. 3. Designation. Whenever banks or trust companies selected as city depositories have given to the City acceptable bonds, the Commissioners shall by ordinance approve such bonds and formally designate such banks or trust companies as city depositories. If more than one bank or trust company be so designated for the same period, such ordinance shall indicate in a general way the part or proportion of the city moneys to be deposited in each, and shall show the rate of interest to be received by the City thereon; and such ordinance shall also show the amount, terms and conditions of the loans, if any to be made to the City by such depository, and the rate of interest payable by the City thereon, together with any special agreements with reference to said business.

Par. 4. Deposits. Upon the designation of a new city depository being made, the commissioner of Taxation shall promptly cause the required deposits of city moneys to be transferred to such newly designated depository, and cause further deposits to be made therein from time to time pursuant to the arrangement made therefor, but no such city moneys shall be deposited in or transferred to any city depository except in accordance with deposit warrants signed by the Commissioner of Taxation and approved in writing by the City Auditor, all in accordance with the charter. Daily deposits of city moneys shall be made on daily deposit warrants temporarily in a general account to be termed the "Distribution Account", but no city warrant or treasurer's check shall ever be drawn against said account. All moneys so deposited shall be transferred each week in accordance with the weekly deposit warrants from said

Distribution Account to the accounts for the respective permanent funds of the City, and shall thereafter be kept, disbursed and accounted for as belonging to such permanent funds. And the city depositories shall also keep such other city accounts as are or may be required by or under the charter. All deposits in any city depository shall bear interest on daily balances as elsewhere in the charter provided.

Par. 5. Disbursements. All disbursements of such city moneys by city depositories shall be made on presentation and surrender of treasurer's checks drawn by the City Treasurer on a specified city depository based on, identifying, issued to take up and accompanied by a city warrant theretofore duly issued; and such treasurer's checks shall be drawn only when the City shall have to its credit in such depository appropriate funds sufficient for the payment thereof, and when so drawn shall be paid by the city depository therein specified. Each city depository, before paying any treasurer's check, shall, at its peril, inform itself that such check, together with the city warrant paid and taken up thereby, is drawn pursuant to law and the charter; provided however, that in case any city depository shall be in doubt as to the validity of any such warrant or check, it may refuse payment of such check, and require that such warrant and check be confirmed by the Commissioners; but upon the same being confirmed by ordinance, and such ordinance certified to the city depository, it shall be the duty of such depository to make payment the same as for other treasurer's checks and, provided further, that when city moneys are authorized to be transferred from one city depository or fund to another city depository or fund such transfer shall be effected by treasurer's checks drawn against the city depository holding such City moneys and the appropriate funds and accounts therein, payable to such second depository or fund and deposited therein, together with a deposit warrant authorizing such deposits and specifying the funds and accounts to which the same belong.

Par. 6. Loans to the City. The city depository shall never receive interest on any city warrant, or discount any city warrant, and any contract for that purpose shall be void; but the Commissioners shall have power, subject to limitations herein made for tax rates and city expenditures, and in anticipation of the receipts of its taxes, revenues and dues for the fiscal year then current, by ordinance to provide for paying in cash any or all expenditures of the City to be made in and for such fiscal year, and for such purpose to contract to borrow money and to pay interest thereon at not exceeding six (6) per cent per annum; and to pledge the taxes, revenues and dues of the City to be collected for such fiscal year in anticipation of which such sums are borrowed, as security for the payment of the sums so borrowed and the interest thereon; and to authorize and cause the issuance of notes of the City evidencing such indebtedness; and to obligate the City to make lawful provisions for the levy and collection of sufficient and applicable taxes, revenues, dues and funds for such fiscal year for the payment for the sums so borrowed; provided that whenever any sums have been so borrowed on account of the general fund of any specified fiscal year, the general fund for such year as pledged to secure such loans shall be deemed to embrace all available parts of the entire general fund, including the uncollected general fund taxes for any and all previous fiscal years, subject only to other pledges and obligations outstanding against such former fiscal years; and all collections of delinquent taxes on account of the general fund shall be applied as aforesaid to the full satisfaction of all such outstanding pledges, obligations and loans before any other appropriation of such delinquent taxes shall be made; and provided further that such loans to the City may be contracted for with any city depository, or with any other lender offering a secure arrangement and a lower rate of interest; and all sums so borrowed shall be paid by the lender to the City deposit or deposits of money to the credit of the City to be made in one or more of its authorized city depositories.

Par. 7. Application of Funds and Return of Vouchers. No city warrant in any manner taken up by a bank or trust company designated as a city depository shall ever under any circumstances be sold, transferred or assigned after the same shall have been paid or at any time when such depository shall have deposited therein any moneys to the credit of the City which could in any manner be made applicable to the payment of such city warrant; but on request of such depository the City shall make the proper application of all available funds and issue treasurer's checks to the amount thereof in payment of any such city warrants which may be unpaid. Whenever any treasurer's check shall be paid by any city depository upon which the same is drawn, such check and the city warrant taken up therewith shall be and become mere vouchers, and shall be stamped by such depository with the word "PAID", the date and the name of the City depository, and be surrendered to and filed with the City Auditor each month with the monthly report to be made by such city depository.

Par. 8. Reports, Etc. Each city depository, within the first ten (10) days of each month, shall make and certify to the City in triplicate a written report showing deposits in, disbursements from, and balance remaining in, each separate fund and account of the City in such depository during the preceding month; and the depository shall file one copy thereof in the office of the City Auditor, and deliver one copy to the Mayor and one to the Commissioner of Taxation; and the City Auditor shall, within ten (10) days after receiving such report, carefully examine the same and file with the City Clerk his certificate showing his approval or disapproval thereof; and the city depositories shall also perform all such additional duties as may be prescribed by ordinance.

That SECTION 32A, to follow section 32, be added to the charter;

SECTION 32A. City Funds. The funds and accounts of the city finances shall include the General Fund and the special funds; and the special funds shall include the sinking funds, the improvement funds, the passive trust funds, and other special funds. All collections of the revenues and income of the City made for each and every fiscal year shall be separately kept and accounted for as such in the books of the various city offices, and shall be by the authorized officers of the City distributed to the respective funds and accounts to which the same belong. The General Fund shall be used primarily for the payment of current expenses of the City, and shall include the general fund collections of the City for any and all fiscal years subject only to outstanding obligations; but the general fund collections for each fiscal year shall be accounted for in the city offices as separate funds and in separate and distinct accounts. To the extent of the outstanding obligations, if any, remaining payable out of the General Fund of any previous fiscal year, the same shall after the expiration of such fiscal year, be kept, identified and maintained as a separate fund and account, both in the city offices and also in the city depositories, until all such outstanding obligations are paid or barred; but all such collections for the General Fund of previous years over and above such outstanding obligations shall be at once automatically transferred to, and thereafter kept and accounted for in, the Back Tax General Fund and shall thereupon be and become for all purposes an available part of the current General Fund. The Back Tax General Fund, however, shall be kept as a separate and distinct fund and account in the books and records of the city offices and city depositories; and all collections accruing to the Back Tax General Fund as aforesaid shall be distributed to said fund in the weekly distribution sheet, or otherwise transferred to said fund in the weekly distribution sheet, or otherwise transferred thereto. No city warrant shall ever be drawn against the Back Tax General Fund, but the amount deposited therein may be from time to time, as may be provided by ordinance, transferred by treasurer's checks to the General Fund for the current fiscal year. The sinking funds shall include the General Sinking Fund as heretofore provided and kept for all outstanding bonds of the City

at large issued prior to the year 1913, and shall also include separate funds and accounts which shall be provided and kept for each distinct issue of the bonds of the City at large issued for any purpose in the year 1913 or at any time thereafter, and for each district improvement bond issue of whatsoever date. The improvement funds of the City shall include separate funds and accounts for the proceeds of each issue of bonds for the purposes of any public improvement, and also separate funds and accounts for any and all other revenues, income or moneys which may be in any manner levied, collected or received as a special fund for expenditure by the City for any specified public work or improvement. The passive trust funds shall include all moneys levied, collected or received by the City, either for public expenditure directed by other persons, or to be paid over to other persons for their own use, such as taxes collected for the benefit of the public schools or the Carnegie Library, or moneys collected by the City for other persons on account of private sewers, special assessments, and like matters; and all such passive trust funds shall, until paid over by the City to the persons authorized to receive same, be deemed to be moneys belonging to the City, and be protected, disbursed and accounted for in the same manner as other city monies. Other special funds of the City shall include moneys which may be levied, collected or received by the City for any particular and specified purpose.

That SECTION 32B to follow Section 32 A be added to the charter to read as follows:

SECTION 32B. CITY WARRANTS. Par. 1. In General. When authorized by appropriation, city warrants shall be issued by the City evidencing all audited and established indebtedness of the City, payable out of its appropriate funds, and the moneys deposited therein or to be collected therefor, including as to participating funds all revenues and income of the current fiscal year. The form of each City warrant issued shall be such as to show its date, name of payee, amount payable, the date and number of the ordinance making the appropriation, the number of the Auditors disbursement voucher, the fund and account against which the same is drawn, and the purpose and consideration for which the payment is authorized, including a reference to the department and division for which the same is issued. All city warrants shall be consecutively numbered in a separate series for each fund, general or special. City warrants shall be prepared by the City Auditor, and shall be executed by being signed by the personal signature of the Mayor, and attested by the signature of the City Clerk with the Seal of the City thereunto affixed. After execution city warrants shall be returned to the City Auditor who shall approve the same by his signature thereon, and make delivery thereof to the payees, taking proper receipts therefor, or receiving other papers, all in accordance with the conditions prescribed. City warrants evidencing indebtedness of the City for the immediate payment of which funds or credits are available, shall have treasurer's checks attached thereto when issued. When funds or credits for immediate payment are not available city warrants duly authorized shall be issued as certificates of indebtedness, but without treasurer's checks attached; and thereafter when the appropriated funds are available treasurer's checks shall issue in due order for the payment of all such outstanding and unpaid city warrants on presentation and surrender thereof. Notwithstanding anything elsewhere in the charter contained there shall be no priority as to the right or time of payment as between city warrants for which treasurer's check have at any time issued, nor shall city warrants paid by such treasurer's checks be subject to any such priorities in favor of the holders of any city warrants for which treasurer's checks have not been issued; but such priorities shall subsist as between city warrants for the payment of which no treasurer's checks have been issued, and the officers of the City shall be charged with the duty to observe such priorities, in the issuance of treasurer's checks for the payment of such city warrants.

Paragraph 2. Auditor's Disbursement Vouchers. No city warrants authorizing the disbursement of any money of the City, whether belonging to the general fund or any special fund, shall ever be issued until auditor's vouchers duly executed and countersigned shall have been filed in the office of, and approved in writing by, the City Auditor. Auditor's vouchers as hereby intended shall consist of written vouchers in such form as shall be prescribed by the City Auditor in accordance herewith, to be prepared by the chief of the city division, whether the same be estimates, pay-rolls, certificates, requisitions, statements or other appropriate forms, specifying for the proposed disbursements, the names of the payees, and the amounts, items, purposes and considerations, and the date and nature of any contracts, claims or adjudications concerned, and the numbers of the appropriation ordinances authorizing such disbursements; and such vouchers shall also show the receipt by the City of the corresponding considerations. Such auditor's vouchers shall have attached there to such claims, statements, bills, releases, order or other original papers as may be required by the City Auditor to show more completely the facts concerning the liability of the City or the satisfaction thereof. Due execution of such auditor's vouchers shall consist of the certification thereon by the chief of the appropriate city division to which, or under the authorized supervision of which, the property, things, services or other considerations mentioned have been delivered or furnished to the City, or in connection with the functions of which the liability of the City has otherwise been established, showing that the amounts mentioned are due to the persons named under the provisions referred to, all as the same appear in such vouchers; including, as a part of such due execution, such further written approval or certification thereon by any other officer of officers of the City as may be required by charter or ordinance. The countersignature of such auditor's vouchers shall consist of the personal signature of the commissioner of the department who shall affix such countersignature thereon whenever he shall be satisfied that all matters in connection therewith are authorized and regular. Each auditor's voucher shall also contain as a part of the form thereof a proper receipt which shall be executed by the person to whom the city warrant is payable before such city warrant shall be delivered to such payee. The City Auditor shall never approve any such voucher unless he find that the same has been duly executed and countersigned and that all other requirements of the charter or of the Board of Commissioners have been complied with; provided however that in case of the absence of any such auditor's voucher, or in case of the absence, disability or refusal of any officer or officers of the City expected to participate in the execution or countersignature of any such voucher, the Board of Commissioners may nevertheless, by special ordinance, reciting therein such absence, disability or refusal and the reasons for their action, order the preparation of such voucher in any manner they may see fit, or waive such defect and approve any such auditor's voucher, and direct the issuance of city warrant or warrants thereon; and provided further that the foregoing paragraph with reference to auditor's vouchers shall be fully obligatory on all officers of the City, as a part of their official duties; but no failure to comply with any such requirement shall ever operate to the prejudice of any payee or other person who shall become the holder of any city warrant which is otherwise regularly authorized, executed and approved; and provided further that the Commissioners may by ordinance provide further regulations of all matters in connection with such auditor's vouchers.

Par. 3. City Warrants -- Limitation. Whenever any city warrants have been drawn, whether or not treasurer's checks have been issued thereon, and whenever the period of four entire fiscal years has elapsed after revenues and income of the City for the payment thereof shall have been received by the City, and such city warrants and treasurer's checks, or such treasurer's checks, have not been presented and paid, such city warrants or treasurer's checks or both, and all causes of action against the City connected therewith, unless suit shall have

been filed on the same, shall be and become wholly barred by limitation, and the lien securing the payment thereof shall wholly cease and determine; and no such city warrant or treasurer's check shall thereafter be considered as an outstanding obligation; and the City shall not thereafter be required to pay the same, or continue to keep any fund account to provide for the payment thereof.

That SECTION 33 be amended so as to include Sections 33, 33A, 33B, 33C, 33D, and 33E respectively, and to read as follows:

SECTION 33. CITY AUDITOR. In General. The City Auditor shall be a skilled accountant of not less than five (5) years experience in auditing accounts, and it shall be his duty faithfully to keep books, accounts and records showing the general condition of the finances of the City; and to audit, examine and verify, so as to preserve a continuous audit according to approved auditing methods, all books, accounts and records of all officers of the City Collecting or receiving moneys on behalf of the City, and all accounts, claims, vouchers, disbursements and credits, to be paid or allowed by the City; and to prepare and make such reports with reference to such matters as are or may be required by law, charter or ordinance. The City Auditor shall also perform such other duties, and conform to such further regulations, as are elsewhere provided by the charter or as are or may be provided by ordinances consistent with the charter.

Section 33A. CITY AUDITOR --- BOOKKEEPING DUTIES. (a) Revenues and Dues.

The City Auditor shall well and truly keep separate accounts receivable for each and every distinct source wherein the City is or appears to be authorized to receive or collect any moneys; including separate account for each fiscal year debiting to the Collection Division the amounts of all ad valorem taxes as assessed, and showing the amount assessed for each such year against real property as distinguished from other classes of assessable values; and accounts for each fiscal year debiting to the appropriate collecting offices all occupation taxes, special assessments payable for the use of the City, rentals, fees, and miscellaneous revenues on the basis of known liabilities and collections from such sources for the preceding fiscal year; and for all other and miscellaneous collections, dues or obligations of any character, known to be payable to the City by any other persons whomsoever, separate accounts, in the names of the persons so indebted, debiting to them all amounts so payable, and showing the nature and date of the origin of such indebtedness; and he shall credit in all such accounts receivable all collections in connection with their respective subject matters, showing the dates of such collections and the names of the persons making such payments; and he shall also enter therein all other authorized credits or deduction, if any, showing the authority therefor; and at the end of each fiscal year he shall draw a balance showing the state of each such account.

(b) Cash. For all collections returned by the Collection Division he shall keep an independent general account of current collections, or current cash book, making daily entries conforming to the temporary deposit warrants used for daily deposits, and showing the date and amount of all such deposits and the city depositories in which such deposits are made; and on the other hand making similar entries in such cash book, upon the filing of the distribution sheet on each Monday by the Commissioner of Taxation, conforming to the weekly distribution and final deposit warrants, showing the distribution of such collections among the appropriate funds and accounts.

(c) Depositories. For the City depository, or for each city depository when there are several depositories, he shall keep in the name of such depository and of each fund and account deposited therein, separate accounts debiting to the depository all such deposits, and all transfers of moneys to such depository, and crediting all disbursements and transfers

authorized and made therefrom.

(d) Funds. For the general fund of the several fiscal years, and for the Back Tax General Fund, and for each special fund, he shall keep a separate fund account showing all revenues and income collected by the City for such respective funds and accounts, and showing the dates and sources thereof; and showing on the other hand all disbursements from such funds and accounts, and all transfers from any general fund account, and showing date, authority, purpose and amount of each such disbursement or transfer.

(e) Appropriations, Etc. For each distinct public improvement or appropriation, involving the issuance of more than one city warrant and treasurer's check, he shall keep separate accounts showing the amount of all moneys, special assessments, or other values, appropriated or otherwise contributing to the cost of such matter; and showing the date, source and amount of all such contributions and showing on the other hand all moneys, assessment certificates, or other values, disbursed therefrom, and showing the date, authority, purpose and amount of each such disbursement.

(f) Accounts Payable. For all indebtedness of the City, or any improvement district therein, he shall keep separately suitable records and accounts payable for each distinct issue of bonds, and for all notes issued by the City to the same payee for the same fiscal year, and for all judgments against the City, and for the outstanding city warrants of each previous fiscal year; and he shall also keep separate accounts, or suitable entries in the principal accounts, for all interest paid by the City, if payable, on any such indebtedness; and he shall make entries in such accounts crediting to bonds or securities, or to known or unknown owners, the amounts and items, of such indebtedness and showing the dates of origin, nature, purposes, maturities and amounts thereof, and debiting all payments made by the City on such accounts and showing the date, authority, nature, manner, and amount of each such payment, and the evidences of city indebtedness taken up, and in each case the name of the person to whom the payment is made.

(g) Incidental Collections. For all officers of the City collecting any fees, rentals or other miscellaneous dues payable to the City, the City Auditor shall credit in the appropriate account of said general accounts in this section above in paragraph (a) mentioned all collections made and returned by such respective officers.

(h) Interest, Etc. For all interest payable to the City, and for all penalties and costs collected on ad valorem taxes, he shall keep accounts or entries in the principal accounts, showing for each fiscal year all such sums paid to the City, and the same shall be from time to time apportioned and distributed to the respective principal funds and accounts earning same. All interest paid by city depositories on city deposits of sinking funds and improvement funds shall be distributed as aforesaid to said respective funds, each in proportion to its average daily balance during such year; but all other interest on city deposits shall accrue to the general fund of the current fiscal year. All interest paid by the City on money borrowed for any fiscal year shall likewise be shown in appropriate accounts and shall be charged against the respective funds and accounts for which the money was borrowed.

(i) Budgets. For each city department and division, the City Auditor shall keep separate accounts in skeleton form showing the amount or amounts estimated therefor by the tentative and final budgets of each fiscal year, and the amounts actually expended therefor during such year.

(j) Sinking Fund Investments. Whenever moneys belonging to any sinking fund shall be invested in bonds or other authorized securities, proper entries shall be made in the sinking fund account, and a separate investment account shall be opened and kept in the name of such sinking fund, showing the securities acquired thereby and the amount and cost thereof, and

showing on the other hand all sums of principal or interest received for such sinking fund on account of such investment.

(k) Real Property. For all real property owned or controlled by the City, and dedicated to public use, other than streets or highways, he shall keep a record showing the description, location, public use, the person from whom acquired, the date and manner of such acquisition, the volume and page of the record of the deed, if any, and the cost or value of such real property. For all property owned or purchased in any manner by the City, and not dedicated to public use, he shall keep a similar but separate record showing the date of its purchase by the City, the name of the last previous owner, the volume and page of the record of the deed to the City and the description, location and cost and consideration thereof, and on the other hand he shall show in such account or accounts any and all moneys received by the City as the sale, price, rentals or other income or proceeds of such property, together with the description of any such property sold by the City, and the name of the grantee and date and authority of the conveyance thereof.

(l) Other Accounts. The City Auditor shall also keep such other books and accounts as may be necessary to keep and maintain a thorough and continuous record and audit of all financial business and affairs of the City.

SECTION 33B. CITY AUDITOR -- AUDITING DUTIES. (a) Collections. The City Auditor shall prescribe the forms and methods which shall be used by all officers of the City in collecting and receipting for all moneys; and he shall in person or by one of his assistants during each quarter, or as may be required, audit and examine the books, accounts and records in each division and office of the City collecting or receiving city moneys; and he shall require such officers to collect and receipt for such moneys in the amounts and manner required by the ordinances and regulations governing their duties, and he shall advise the Board of Commissioners concerning any desired improvements in such matters.

(b) Returns and Deposits. He shall also require that all moneys collected on behalf of the City be promptly accounted for, reported and returned by all officers making such collections, and that all monies received by the Collection Division be deposited daily in some authorized city depository; and he shall approve in writing deposit warrants in triplicate authorizing and directing such deposits.

(c) Disbursement Vouchers. He shall also audit and examine all accounts, bills, payrolls, estimates and other matters and claims against the City before any payment or disbursement therefor shall be made by the City; and he shall require the same, and the Auditor's vouchers therefor, to be properly prepared evidenced, authenticated and submitted to him; and he shall verify the authority for such disbursements, and shall approve in writing auditor's vouchers therefor only when the disbursements specified are authorized and proper; all as more fully provided in Section 32B, Par. 2, of the charter.

(d) Credit Vouchers. He shall also prescribe the forms for all vouchers for matters wherein credits or allowances are made by the City on any sums which may appear to be payable to the City according to its records and the charter, general ordinances or other general regulations; and also forms for vouchers providing for the refunding or remission of any moneys collected by the City; and no officer of the City shall ever make any such credit, allowance, refund or remission until an auditor's voucher therefor shall have been duly executed and countersigned, and approved by the City Auditor, in the same manner as for disbursement vouchers; and the City Auditor shall audit, examine and verify all matters shown by such credit vouchers; provided however that the approval of the City Auditor shall not be required in connection with the suspension of fines assessed by the Corporation Court, or for any remission of any uncollected fine resulting from pardon granted by the Mayor, but auditor's vouchers

duly executed and countersigned shall be filed with the City Auditor each Monday showing all such suspensions or remissions for the preceding week.

(e) Receiving Vouchers. Before any money shall be received by any officer on behalf of the City, in any matter whatsoever wherefor the amount to be paid is not fixed, established and provided for by some general ordinance, a voucher for the receipt of such money shall be prepared, executed and countersigned in the same manner as for disbursement voucher, and shall be presented to the City Auditor who, if he find the transaction duly authorized, shall approve such voucher in writing, and issue a copy thereof to the officer or person applying therefor to be delivered to the Collection Division as authority for receiving such payment and issuing the receipt therefor.

(f) Monthly Statements. The City Auditor shall on or about the first of each month, prepare, certify and report to the Board of Commissioners, a statement in writing showing the condition of all funds and accounts of the City, together with other matters relating to the business of the City, all as may be required by the Board of Commissioners.

(g) Miscellaneous Provisions. He shall also perform all other duties of an auditing nature which may be necessary or proper to preserve a complete and continuous audit of the financial affairs of the City; and for such purpose shall have full access to all books, accounts and records in any and all departments, divisions and offices; and all officers of the City, when so requested in writing by the City Auditor, shall furnish to him statements in writing with reference to any matter concerning financial business of the City.

SECTION 33C. CITY AUDITOR -- QUARTERLY REPORTS. (a) In General. At the end of each quarter of the fiscal year the City Auditor shall make up, certify and submit to the Board of Commissioners a written report showing the condition of the finances of the City; and showing for each fund and account, the balance at the beginning of such quarter, and the total receipts of money therein from each distinct source for each week or part hereof in said quarter, and the aggregate receipts for the quarter; and showing for each such quarter, fund and account all city warrants issued against the same and all transfers, if any, made from any such fund or account; and also showing for such quarter all city warrants issued and remaining unpaid at the date of such report; together with the date, purpose and amount of each such city warrant and transfer; and showing for each fund and account the resulting balance at the date of the report. Such reports shall also include a schedule showing for each city depository, the balance in each fund and account deposited therein at the date of the preceding quarterly report, the total deposits in each separate fund and account during the quarter the total disbursements for the quarter from each fund and account and the balance of the city deposits remaining in each fund or account at the date of such quarterly report. Such reports shall also include a schedule showing for each department and division, and for all public work or improvements, the total amount estimated therefor by the tentative budget, and the total amount expended therefor during the fiscal year, and the amount, if any, remaining unexpended at the date of such report on account of such budget estimate.

(b) Comparative Collections. The City Auditor shall also include in said report a statement making special mention of any increase or diminution in the receipts by the City from particular sources of revenue, as compared with receipts for corresponding quarters of the preceding fiscal year, and shall suggest any apparent means whereby the authorized collections from such sources could be increased.

(c) City Indebtedness. The City Auditor shall also include in said report a complete schedule of the indebtedness of the City, showing separately the principal of the several issues of bonds of the City and of its respective improvements districts, and showing in detail all notes of the City outstanding and unpaid, and unsatisfied final judgments, if any,

against the City, together with all interest, if any, due from remaining unpaid on such obligations, and also showing by fiscal years and funds the aggregate of all city warrants issued and outstanding; and also showing for each such matter all payments made during the quarter on account thereof.

(d) Verification. Said report shall be certified and verified by oath of the City Auditor, in the following form, to-wit: " THIS IS TO CERTIFY that the above and foregoing financial statement of the City of San Antonio, Texas, for the quarter ending on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_ is true and correct as shown by the records of the office of the City Auditor, and in particular all matters therein shown with reference to the indebtedness of the City have been carefully checked and verified."

(e) Publication. The City Auditor and the Board of Commissioners shall within ten days after such report is submitted cause to be published in a daily newspaper ordinarily printing city notices, a recapitulation of such statement, showing truly but in condensed form the financial condition of the City, and the receipts and disbursements of each fund during such quarter, and the total expenditures made in each department and division, and all matters contained in said original report with reference to comparative collections and city indebtedness.

SECTION 33D. Releases of Special Assessments. Whenever it shall clearly appear that any special assessment levied by the City for street improvements or any other purpose has been fully paid and satisfied, together with all lawful incidents thereto, the City Auditor, joined by the Commissioner of Taxation, shall be authorized to make, execute, acknowledge and deliver, in the name of the City, but binding on all persons at interest, a proper release of such special assessment both as to the person and as to the property so assessed and the lien on the same; but said officers shall not be required to make any such release unless the original assessment certificate, together with such further evidence of its payment as they may require, shall be produced and delivered to the City Auditor to be filed and preserved in his office; and all matters concerning such releases shall be subject to the provisions of the ordinances of the City and further regulation thereby.

SECTION 33E. CITY AUDITOR --- ASSISTANTS AND BONDS. Two or more assistants shall be provided for the City Auditor. The City Auditor shall give to the City an official bond in a sum not less than Fifty Thousand (\$50,000.00) Dollars, and each of said assistants an official bond in a sum not less than Twenty Thousand (\$20,000.00) Dollars, guaranteeing the faithful performance of their duties.

SECTION 35. CITY ENGINEER. The City Engineer shall be a competent and experienced civil engineer, and he shall perform all surveying done in the interest of the City and all engineering services required or proper in the prosecution of any authorized public work or enterprise, or in the preparation therefor; and he shall also systematically keep and preserve in his office, full records and separate files for all such surveying and engineering matters, including true copies of all contracts, and originals or true copies of all specifications, plans, plats, profiles, correspondence, orders, notices, estimates, vouchers and certificates, relating to each such matter; and he shall likewise keep all other filed notes, memoranda and papers pertaining to his office or its duties, or in any manner belonging to the City and deposited in said office. The City Engineer shall also well and truly keep, preserve and protect in his office all maps, plats, plans, sketches, and other similar records and archives of the City, ancient or modern, showing original City lots, surveys and subdivisions of real property in this City, and the street, block and lot lines and other matters relating thereto; and he shall also keep and preserve in suitable books or files permanent records of the lines of all streets and public grounds as lawfully dedicated or es-

established, and shall note and show all encroachments extending into the same, and all building lines which may be established by ordinance with a view to future widening or straightening of streets. Permits for all openings and work in, upon or under the surface of public streets, alleys, highways or public places, when authorized, shall be issued in writing by the City Engineer, who shall require, preserve and keep plats and records, showing for each opening, the location and date of each such opening, and work, and the persons by whom and for whom the same is performed, and the purpose, character and dimensions of such work and of the things installed; and the City Engineer shall also, on behalf of the City have complete supervision over all such work, including all repairs and restoration of street improvements in connection therewith, and shall cause the same to be done and performed in strict conformity with the governing regulations. The City Engineer shall also compile and, as data therefor becomes available, shall complete a City survey and plan showing on appropriate maps, profiles and records, for all streets and public places, all lines, monuments, grades, elevations, paving and drains, and all sewer, water, electric, gas, street railway, and other public utility construction or repairs therein with appropriate data concerning the character, dimensions and availability of all such matters and things. Unless otherwise expressly provided by ordinance, it shall also be the duty of the City Engineer to prepare plans, specifications, profiles and estimates for all public work executed by the City or at its instance, and to tabulate and consider bids therefor, when bids are required, and to advise the Commissioners concerning same; and, to control, inspect and direct all such work, whether let on bids or without bids, or executed by City contract or otherwise; and to make and certify to the City, all reports estimates, vouchers, payrolls and certificates required or to be paid by the City in connection with such work; all of which he shall faithfully do and perform in conformity with the facts, the requirements and regulations provided for such matters, and his duties as such officer or engineer. Before entering upon the duties of his office the City Engineer shall give to the City an official bond in a sum not less than Twenty Five Thousand (\$25,000.00) Dollars; and he shall perform such other official duties and follow such regulations in all of said matters as may be lawfully prescribed.

That SECTION 36 be amended so as to read as follows:

SECTION 36. ORDINANCES AND RESOLUTIONS. Par. 1. Enacting Clause. "The enacting clause of all ordinances shall be 'Be It Ordained By the Commissioners of the City of San Antonio;' but said enacting clause may be omitted where the ordinance is published in book or pamphlet form". The enacting clause of all resolutions shall be 'Be It Resolved By the Commissioners of the City of San Antonio'.

Par. 2. Take Effect When. Every ordinance or resolution of the Board of Commissioners, except as in the charter otherwise provided, and except as may be in such ordinance or resolution otherwise expressly provided, shall go into effect on the day when the same shall be approved by the Mayor, or on the day when the same shall be passed over any veto of the Mayor, or as provided in Section 26 of the charter; provided however that no fine or penalty imposed by any ordinance, or part thereof, to be fixed or assessed by the Corporation Court, shall be enforced unless and until such ordinance, after its passage, shall have been published at least ten times in the official journal; and provided further that whenever the Commissioners in any ordinance of penal nature, or containing penal provisions, shall find and declare that an emergency exists requiring the same to take immediate effect for the preservation of the public peace, health or safety, such ordinance, if adopted by the votes of at least four members of the Board of Commissioners, may be made by its terms to take effect on the day following its first publication, and any fine or penalty thereby imposed shall thereupon be immediately enforceable, but the publication of such ordinance shall continue nevertheless for such ten days; and provided further that notwithstanding the taking effect of any

ordinance as aforesaid, all proceedings in protest, or for a referendum, authorized by the charter, may be had under the conditions specified in Section 131 but the effect of any election had under said section shall be to confirm such ordinance, or to appeal the same and thereby to prevent further action thereunder or enforcement thereof; and all parts of said Section 131 in conflict herewith are hereby amended to conform to this section and provide

Par. 3. Proof of Publication. And with further reference to the publication of ordinances, as aforesaid, "the fact of such publication may be proven by the affidavit of the publisher to be returned to the City Clerk and by him to be recorded in the book of ordinances, or by certified copy of such affidavit under the hand of the City Clerk and the Seal of the City, or by other competent evidence"; and the Commissioners "shall cause all general ordinances of the City to be published in pamphlet form, and printed copies thereof purporting to be issued by the City, shall be prima facie evidence of such ordinance and publication, and the same shall be admissible in evidence in all courts without further proof."

That Section 36A shall be added to the charter following Section 36, and to read as follows:

SECTION 36A. OFFICIAL JOURNAL. The Commissioners shall have power to provide for due publicity of all ordinances, notices and other matter which the City may be required or deem it for the public interest or welfare to publish; and in connection with such purpose the Commissioners shall from time to time by resolution request the owners or managers of all daily papers of general circulation of not less than ten thousand published in this City in the English language to file binds for the publication of all such matter; and all such matter published in this City shall be published under contracts made by the City with such lowest and best bidder. The papers represented by the successful bidder entering into such contract shall be known as the "Official Journal" of the City. Such contracts shall provide that all such City matter be published in such official journal under a heading in display type as follows, "CITY OF SAN ANTONIO - OFFICIAL NOTICES", and shall include the publishing each day, immediately under such heading, of one column square, more or less, in ordinary type of such minor notices and other items concerning city affairs as may be furnished to such official journal by order of the Board of Commissioners; but no such journal shall be required to publish any such item if the same be of a libelous nature or contain any mention in disrespectful terms of any newspaper. All such City matter shall appear as far as practicable on one page and in a compact, rectangular frame, or if continued to another page, such page shall be one not containing any such City matter on the reverse side thereof; provided that no failure to observe said requirements as to heading, form or page shall alter the effect as notice by publication of any matter otherwise lawfully published. New contracts for publishing such city matter may be made, as aforesaid, at the option of the City, upon the expiration of any period of one year after the date of any existing contract, or upon any earlier termination thereof; but no such contract shall extend beyond June 1st of the years having an odd number.

That Section 39 be amended so as to read as follows:

SECTION 39. FINAL BUDGET. On or before the 15th day of February, and at any other time when the Mayor shall so request, the Commissioner of each department shall prepare and file with the Mayor a detailed report in writing, similar in substance to the departmental estimates for the tentative budget provided for in Section 27, but showing a detailed account of all expenditures made in or for such department and each division thereof, for the current fiscal year, together with a careful estimate of the amount of money required for the expenditures in or for such department and divisions during the remainder of the current fiscal year. Each such commissioner's report shall also show the corresponding figures for the preceding fiscal year, and shall show how the figures of such departmental report compare with

the tentative budget, and shall explain any departures from such tentative budget. Not later than the first day of March, the Mayor shall submit to the Board of Commissioners the final budget for the current fiscal year, showing in detail for each department, and each division thereof, all expenditures made or to be made therein, or under the supervision thereof, during the current fiscal year, and including in such final budget proper provisions for the bonded debt and other obligations of the City, as well as all current expenses of the City of whatsoever character. Said final budget shall also show, for each fund of the City for such fiscal year, the amounts of the revenues and income already collected and the amounts which, in the Mayor's opinion, it will be necessary to raise by levies of ad valorem taxes for such fiscal year. The Board of Commissioners shall thereupon consider such final budget, and shall be authorized in so far as consistent with the obligations of the City, to increase, diminish or omit any item or items thereof, but shall by ordinance on or before the levy of taxes for such fiscal year adopt such final budget as will take into account all moneys which the City is in any manner obligated to raise for such current fiscal year; and such final budget shall constitute a basis for the levies of ad valorem taxes for such fiscal year.

That SECTION 41 be amended so as to read as follows:

SECTION 41. COMPENSATION OF OFFICERS AND EMPLOYEES. Par. 1. In General. The Board of Commissioners shall provide by ordinance for the compensation and allowances of all appointive officers, employees, servants, and agents of the City.

Par. 2. Costs, Fees, Etc. No officer or employe of the City shall be entitled to any costs or fees of office except for the use of the City; but all penalties, forfeitures, fines, costs, fees, rentals, dues and other moneys in any manner payable to the City, or accruing to the City on account of any city business, shall be by the authorized officers of the City duly collected, accounted for, returned and deposited as provided by or under the charter.

That Section 41A be added to the charter, following Section 41, and to read as follows:

SECTION 41A. LIMITATIONS AS TO USE OF PUBLIC MONEYS. Par. 1. Prohibited Business. Neither the City nor any officer or officers on behalf of the City shall have power "to lend its credit or to grant public money or thing of value in aid of, or to any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company". (Constitution III, 52)

Par. 2. Extra Compensation Forbidden. Neither the City nor any officer or officers on behalf of the City, shall have power "to grant any extra compensation, fee or allowance to a public officer, agent, servant or contractor, after service has been rendered, or a contract has been entered into, and performed in whole or in part; nor pay, nor authorize the payment of, any claims created against" the City "under any agreement or contract made without authority of law". (Constitution, III, 53).

That SECTION 46 be amended so as to read as follows:

SECTION 46. CLAIMS FOR DAMAGES. Before the City of San Antonio shall be liable in damages of any kind, by reason of any injury, loss, or other detriment whether to person, property or rights, resulting from any act, default, omission, or negligence of the City, or of any of its officers, agents or servants, the person claiming the damages, shall give notice in writing to the Mayor of the loss, detriment, or injury complained of, which written notice shall be given within twenty (20) days from and after the occurrence of such loss, detriment, or injury; and each such notice shall state when, where and how such loss, detriment or injury occurred and the character and extent thereof; provided however that the City of San Antonio shall in no event be liable in damages to any person on account of any defect, obstruction, or anything else in connection with any sidewalk or other part of any highway other than

the roadway thereof; and provided further that the City of San Antonio shall not be liable to any person on account of any injury caused by any defect in, obstruction on, or any other thing or condition in connection with, any street, alley, plaza, or other highway, or any public park, public building or other public place, or any public work in any of the same, unless it be shown that the Mayor in person as to any such matter, or the particular commissioner in person, having special charge and supervision of the place where such injury occurred, had actual notice or actual knowledge of such particular defect, obstruction, thing or dangerous condition and also, in case of public work of any failure to provide proper safeguards therefor, and in any such event for sufficient length of time, before the injury in question, to have caused such defect, obstruction or thing to be removed, or such conditions to be remedied, or proper safeguards to be provided; and provided further that this section shall apply to all damages and liability of whatsoever character claimed against the City, except for the payment or performance of any sum, act or thing which the City is obligated to pay, render or perform by the terms of some express contract of the City, or some provision of the Constitution or statutes of Texas; and provided further that this section shall not be in any manner available as a defense on behalf of any person other than the City of San Antonio.

That SECTION 47 be amended so as to read as follows:

SECTION 47. SETTLEMENTS. No indebtedness, liability or obligation of any person to the City shall be released or extinguished by the City or any officer or officers thereof, (Constitution, III-55) except upon full satisfaction. Upon recommendation of the City Attorney, The Commissioners may compromise any suit filed or pending against the City, but in all such cases the City Attorney shall file with the City Clerk in writing, his reasons for such recommendation and compromise.

That SECTION 50 be amended so as to read as follows:

SECTION 50. AMENDMENTS OF THE CHARTER - ORDINANCES. All ordinances of the City in effect at the time when any amendment of the charter shall be adopted, except in so far as such ordinances, or any part or application thereof, may be inconsistent with the charter as so amended, shall continue in full force and effect until repealed or amended by the Board of Commissioners.

That SECTION 51 be amended so as to read as follows:

SECTION 51. POWERS TO BE EXERCISED BY ORDINANCE. Among other powers of the City which the Board of Commissioners shall have and may by ordinance exercise, or caused to be exercised, are the following set forth in section 52 to 99 hereof inclusive, whereby, subject to any mandatory provisions in said sections contained the Board of Commissioners shall have power by ordinance.

That SECTION 56 be amended so as to read as follows:

SECTION 56. CREATION OF OFFICERS AND EMPLOYMENTS. The Board of Commissioners shall have power by ordinance to create any office, employment or agency deemed by them to be necessary to the good government, welfare, functions, business or interest of the City, and the same to abolish at will; and to prescribe, regulate, alter, increase or diminish, as they may deem proper, all powers and duties appertaining to any office, employment or agency so created; provided that the Board of Commissioners shall not diminish the powers and duties of any individual office, whether elective or appointive, as created, designated or defined by the charter, but may by ordinance or resolution, not inconsistent with the provisions of the charter, prescribe additional powers, duties and regulations therefor; and provided further that, if in any case there shall be no qualified and acting division chief or head of any distinct office or service, the commissioner of the department may exercise all of the powers

and duties of such subordinate officer, excepting such only as may involve the exercise of official discretions based on professional, scientific or to other special qualifications or statutory powers.

That SECTION 56A be added to the charter following Section 56, and to read as follows:

SECTION 56A. OFFICIAL BONDS AND OTHER BONDS. The Board of Commissioners shall have power by ordinance to require bonds to be given whenever the Commissioners may deem the giving of such bonds requisite for the public interest, by any officers or employes of this City, or by any other persons coming into any business or other relation with the City, contractual or otherwise, securing the performance of their obligations. All such bonds shall on their face be made payable in and unto the City of San Antonio, and shall be suable in Bexar County, Texas, and be common law obligations, in accordance with their face, tenor and effect, as well as bonds required by authority. And duly authorized, incorporated and approved surety or other bonding company or companies of sufficient financial responsibility may be accepted as sureties on such bonds; or such bonds shall have as sureties thereon two or more persons owning unencumbered and nonexempt real estate in Bexar County, Texas, assessed for taxation at a value double the amount of such bond; provided that all official bonds of one thousand (\$1000.00) Dollars or more in amount shall be surety company bonds. The general condition of the bond of each officer or employe of the City shall be for the faithful performance of all duties of the position held by him. Whenever any bond, given hereafter to the City for any purpose, shall be or become for any reason insecure, in the opinion of the Commissioners, they shall be authorized to require the principal thereon to give a new bond in lieu of, and of like conditions to, that previously given, and if such new bond be not promptly given, the Commissioners may revoke any and all rights, or withhold any and all payments, accruing to the principal on any such insecure bond in the matter for which such bond was given; and in all such cases the liability of the principal and sureties on such existing bond shall continue in accordance with its conditions. All bonds given by any subordinate officer or employe to secure faithful performance of any of his duties for which the commissioner or any other superior officer of his department is also liable, shall run for the benefit and indemnity of such commissioner or other superior officer as well as the City. For establishing substantial equality and certainty of compensation among the officers of the City giving such bonds, the Commissioners shall provide for the reimbursement of any or all officers of the City, giving official bonds in any such bonding company of One Thousand (\$1,000.00) Dollars or more in amount, for the reasonable and customary cost of the premiums and maintenance of such bonds; but such reimbursement shall be made only on application of the officer or employe who has paid such costs; and the liability of the sureties on such bonds held by the City shall never be affected, as far as the City or other beneficiaries are concerned, by any non-payment of any such premium or other charge on any such bond; but such surety or bonding companies shall look to the principal of the bond for such payments. This section shall not apply to city depositories, or other persons whose bonds are, or may be, specially provided for by statute, in so far as any of the provisions of this section may be in conflict with such statutory provisions; nor shall this section apply to appearance bonds or bail bonds.

That certain provisions hereinbelow set forth shall be added to SECTION 59, and that said section be thereby amended so that the same shall read as follows:

SECTION 59. The Board of Commissioners shall have power by ordinance "to do all acts and make all regulations which may be deemed necessary for the protection and promotion of health or the suppression of disease, and abate all nuisances which may impair or affect the public health or comfort, in such manner as may be deemed expedient;" and to provide all other

measurers necessary to protect health, life and property, and also the comfort and physical and moral welfare of the city and community; and to define, prevent and prohibit all nuisances of whatsoever character, and to cause to be done all things necessary for the discovery, prevention, removal or abatement of the same, summarily or otherwise, as the Commissioners may deem expedient; and to provide punishment for causing, maintaining or permitting such nuisances, or for the violation of any ordinance for preventing the same, and also to provide for collecting from persons responsible therefor any cost incurred by the City in removing or abating the same; and to make such cost a personal liability of the owners of real property in connection with which nuisances may exist, and, except as forbidden by law, to make such cost a lien against such real property; provided however that before any personal liability or lien under said last provision shall accrue, the Commissioners shall cause to be given to such owners in advance reasonable notice in writing, requiring them to appear and show cause why the things or conditions causing or constituting the nuisance should not be removed or abated at their expense; which notice may be given by personal service, or by registered mail with receipt returned, or by publication, and if by publication may be either general or individual, or addressed to the owners, known or unknown, of any property, all in accordance with the nature of the case and as may be more fully provided by ordinance; and provided further that, pursuant to the enabling act, the Commissioners shall also have power to define all nuisances and prohibit the same under penalty both within the City and outside of the city limits for a distance of five thousand (5000) feet; and provided further that the provisions of this section shall be cumulative and in addition to any and all powers of similar nature conferred upon this City by any general law of the State of Texas.

That SECTION 64A be added to the charter to read as follows:

SECTION 64A. The Board of Commissioners shall have power by ordinance to provide for the erection, maintenance and equipment of a permanent public building to be owned by the City and used as an auditorium to accommodate large gatherings of persons for civic, industrial, educational, musical or any other public purposes; and, if so authorized as in other cases, may cause the issuance of bonds of the City to provide for the cost of such grounds, building and equipment; and all business concerning the location, construction and equipment of such building shall be executed and arranged with the approval and under the supervision of a board to be known as the "Auditorium Board" to be appointed by the Mayor and confirmed by the Commissioners, and to be composed of fifteen persons who have resided in this City more than twelve months, not holding any public office or employment, eight of whom voting together shall be authorized to exercise any power vested in said board, or to make, amend or repeal any order or regulation concerning such auditorium, but no such order or regulation shall be made or continue in effect if the same be in conflict with any provision of law, or in conflict with the charter or any ordinance; and after the completion of said building, said board shall in like manner, and with due regard to the public interest, manage, control and regulate the use of said auditorium and keep the same, and all equipment thereof, in good condition and repair; and said board shall be and continue regularly organized with a president, vice-president and secretary chosen from among the members of said board, and shall cause to be kept in a well bound book minutes of all its proceedings; provided however, that upon the first appointment and organization of said board, the members shall draw lots on numbers one to fifteen for terms, and those drawing even numbers shall have terms ending on the second December 31st following their appointment, and those drawing odd numbers shall have terms ending on December 31st following their appointment; and thereafter all terms shall be for two years and appointments shall be made by the Mayor at such times as to fill all vacancies in said board, and all members of said board at any time appointed shall serve without

compensation; and the board of Commissioners shall be authorized by ordinance to provide, with due regard to the advice of said board, any further general regulations for said auditorium not in conflict with the charter; and provided further that rentals may be charged for the use of said auditorium, and the same or any part thereof may be leased for periods not to exceed thirty (30) days on any one lease for the purpose of accomodating any specified exhibitions, entertainments, conventions or gatherings of persons, and in such cases entrance fees and other charges may be collected, or other stipulations may be made, by the lessees as conditions to admission to said building or any part thereof so leased; and provided further, that all money at any time received for the acquisition, construction or equipment of such auditorium or premises, or as the rentals, income or consideration for the use thereof, shall be paid to the City through regular channels; and in each case such moneys shall be received and disbursed with the written approval of any member or members of said board who may be thereunto authorized by order of said board certified to the City Auditor; and provided further that all such income or rentals paid for the use of said auditorium shall be kept by the City as a special fund, and after applying during each fiscal year so much thereof as may be required to the care and upkeep of said auditorium and equipment, the residue of such special fund for such fiscal year, shall be set apart for and credited in the sinking fund provided for the bonds, if any, issued for such auditorium, or if no bonds are so issued, then such residue shall belong to the general fund of the City; and provided further that the Commissioner of Sanitation, Parks and Public Property, shall be ex-officio a member of said auditorium board with the same powers and authority as the other fourteen members.

That SECTION 69 be amended so as to read as follows:

SECTION 69. The Board of Commissioners shall have power by ordinance "to provide for the inspection of meat, fish, vegetables, fruit and every or anything offered for sale in the market places or elsewhere in said City; to provide for the inspection, before slaughter, of all animals intended for slaughter or to be offered for sale after slaughter in said City; to prescribe rules and regulations as to the place and manner in which all animals are slaughtered, and charge and provide license fees for such inspection; to require the hides and skins of animals slaughtered for sale in said City to be exhibited and to provide for the keeping of a record of the marks by brands of such animals; to prohibit and regulate the sale within the City of any meats slaughtered outside the limits of the City; to erect and maintain market houses and regulate everything relating to butchers; to establish and maintain a standard of the quality of milk sold in the City and provide penalties for the violation thereof;" and to provide for the inspection of dairies, truck farms and other industries inside or outside the limits of the City from which milk, vegetables or other food products are furnished to the inhabitants of the City; and, in general, to provide for proper inspection, examinations, standards and tests of all commodities intended for the purposes of food or drink, and for the regulation and inspection of all persons, matters and things connected with the production, handling, manufacture, storage, marketing, keeping, transportation and sale of all such commodities, and for condemning, taking possession of, and rendering unfit for sale as foodstuff, all such commodities which may be found to be tainted, adulterated, diseased or otherwise existing in, or produced under, such conditions as to be dangerous to the public health.

That SECTION 76 be amended so as to read as follows:

SECTION 76. The Board of Commissioners shall have power by ordinance "to license and regulate hackmen, draymen, drivers of omnibuses and baggage wagons, porters and other pursuing like occupation with or without vehicles, and prescribe their charges, and to regulate, license and restrain runners for hotels, stages and public houses;" to license, regulate and control the operation of all vehicles of whatsoever character or purpose making use of the public streets, and the drivers, chauffeurs or other persons using, controlling or in charge of the

same, and to prescribe the speed of all such vehicles, the qualifications for persons operating the same, the lighting of such vehicles by night; and to prohibit the operation of any vehicle or vehicles, or any class thereof, on any street or streets, or other highway, either on account of traffic conditions or for the protection of such highways; and likewise to regulate the use of public streets and public places by pedestrians; and in general to provide all traffic regulations concerning the use of public streets and public places which the Commissioners may deem to be for the public welfare.

That SECTION 77 be amended so as to read as follows:

SECTION 77. The Board of Commissioners shall have power by ordinance "to prohibit and punish the owners, lessees and agents of theatres or other places where indecent, lewd or immodest dramatic or theatrical representations are given and adopt summary measures for the removal or suppression of all such entertainments and establishments; to license and regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, and regulate keepers of theatres and other exhibitions, shows or amusements", and all transient venders of goods, wares or merchandise, dealers in second hand goods, and persons making loans on personal property or wages; and to cause inspections to be made of all such places, business, matters and things and licenses or permits therefor to be issued or denied, all in such manner as may be deemed expedient for the preservation of good order and the public health, safety, morals or welfare.

That SECTION 88 be amended so as to read as follows:

SECTION 88. The Board of Commissioners shall have power by ordinance to provide for the inspection and examination of any and all buildings, establishments, or institutions, used or conducted for educational, hospital, asylum or charitable or humane purposes; and to require that all inmates thereof be properly treated and provided for and that safe and sanitary conditions be maintained therefor; and to require that the persons in charge of such establishments or institutions shall make to the City reports in writing showing any required facts concerning the purposes or conduct of such establishments or institutions; and to prevent and correct abuses of charitable aid, and to provide for licensing and regulating the soliciting of charitable aid for such establishments or institutions; and to regulate or prohibit the begging and soliciting of money by individuals for any alleged charitable purpose, institutional or personal; and to provide for the investigation of all such matters and the issuance or denial of permits authorizing such begging or soliciting.

That SECTION 90. be amended so as to read as follows:

SECTION 90. The Board of Commissioners shall have power by ordinance "To have" and exercise "the exclusive control and power over the streets, alleys, sidewalks and public grounds and highways of the City and to abate and remove encroachments or obstruction thereon; to open, alter, widen, straighten, extend, establish, regulate, abolish, close the same or any part thereof, grade, re-grade, clean, pave, macadamize, or otherwise improve any of the streets or public places in said City; to put drains and sewers therein and prevent the incumbering thereof in any manner and to protect the same from any encroachments and injury"; provided however, that nothing in these amendments or in any section of the charter contained shall in any manner destroy, limit or affect any powers exercised or to be exercised by the City under Chapter Eleven of Title 22 of the Revised Civil Statutes of Texas of 1911, or any rights vested or to be vested under said chapter, which is now in effect in this City as therein provided, and is hereby made a part of the charter; and provided further that no other provision contained anywhere in the charter shall constitute any limitation on the general powers of the City reserved by this section, excepting only those provisions of the charter relating to the establishment, dedication and acceptance of new streets.

That SECTION 90A be added to the charter, following Section 90, and to read as follows:

SECTION 90A. The Board of Commissioners shall have power by ordinance to accept on behalf of the public the dedication of all streets, alleys, highways and public grounds hereafter to be laid out, whenever the Commissioners shall deem the same to be for the public welfare; and to prescribe the plan, terms and conditions on which the City will permit and accept such dedication; and to regulate the laying out of subdivisions of real property containing any streets, alleys or public places; provided that no dedication of any street, alley or public place in any subdivision hereafter laid out shall be accepted by the City in any manner unless and until a satisfactory plat of such subdivision, duly signed, certified and acknowledged by the owners thereof, and conforming to the streets or city plan for such part of the City, shall have been submitted to the Commissioners and approved by ordinance and thereafter filed in the office of the City Engineer; nor unless and until all proposed streets, alleys and other public places in such subdivision shall have been fully laid out and monumented, and all streets therein graded and provided with curbing and with good pavements of macadam, or with pavements of better materials acceptable to the City if so desired by such owners; and the Commissioners may also prescribe and require in connection with any such matter the construction of sidewalks, and suitable provisions for water and other public utility service, such as may be reasonable under the circumstances; and provided further that unless and until all of the foregoing requirements shall have been complied with and such compliance approved by ordinance, all land hereafter laid out or opened as such streets, alleys or public places shall be taxed as other land, and such proposed streets or public places shall not be entitled to or receive any recognition, service or improvement as public streets, nor shall the City be in any manner responsible for the conditions thereof; and provided further that these provisions shall not prevent the Commissioners from accepting any deed or acquiring any public easement for any particular street, alley or public place whenever they may find a public necessity therefor and so declare by ordinance.

That SECTION 108 be amended by adding thereto paragraph 2, to read as follows:

Par. 2. Special Charter Funds. The Board of Commissioners shall levy and collect annually ad valorem taxes on each one hundred dollars of taxable values in this City, in the amounts or rates and for the purposes below specified;

(1) Ten (10) cents for the "Charter Paving Fund", to be used solely for permanent street improvements, as follows, first, for maintenance and repair of permanent paving whenever there shall be no contract for such maintenance; and second, all of said fund not so required may be used for the construction of permanent paving and public sewers.

(2) Ten (10) cents for the "Charter Park Fund", to be used for the maintenance and improvement of the public parks, parkland public grounds and playgrounds of the City.

That SECTION 111 be amended so as to read as follows:

SECTION 111. BONDS AND COUPONS --- PAYMENT OF. The Board of Commissioners shall make all regulations and provisions, consistent with the obligations of the City, for the purpose of investigating or verifying the genuineness of any and all alleged bonds or coupons of the City, or any of its improvements districts, when on account of their age or for other reasons, uncertainty may exist as to such genuineness. Upon payment of any such bonds or coupons the City Treasurer shall at once prepare and certify and file with the City Clerk, a descriptive list of all such bonds or coupons, stating the names of the owners thereof, when ascertainable, and the names and addresses of the banks or other agencies through which and to which such payment is made by the City, and identifying the city warrant whereby such payment is made. Whenever any such bonds are paid or refunded the same shall be brought by the

City Treasurer before the Board of Commissioners, at a regular public meeting within one week after such payment; and such bonds shall then and there be carefully counted and examined, and listed or checked against the list prepared by the City Treasurer, and evidence as to the genuineness of the same and the signatures thereto shall be heard and considered by the board, and noted by the City Clerk. Each such bond shall then be canceled in their presence by red ink lines drawn across the face thereof and by the word Paid perforated through the same in several places other than through the signatures thereto. The City Clerk shall note in the minutes of such meetings the descriptive list of the bonds so canceled and a full record of such proceedings before the Board of Commissioners. After being so canceled such bonds shall be delivered to the City Auditor whose duty it shall be to paste or fix the same securely in books kept for such purpose; and all such paid bonds shall be kept and preserved in the office of the City Auditor for a period not less than ten years from and after the full maturity of the same, and thereafter shall be destroyed only on order of the Board of Commissioners. Upon any coupons of any such bonds being paid, the City Treasurer shall take the same into his possession and shall cause each such coupon to be perforated and canceled with the "Paid" and shall thereupon deliver the same to the City Auditor, who shall paste the same in numerical order securely in books kept for such purpose, and shall keep and preserve the same until the time when the respective bonds to which such respective coupons were attached shall be destroyed as aforesaid.

That SECTION 113 be amended so as to read as follows:

SECTION 113 SALARIES AND WAGES --- Paragraph 1. In General. Unless paid as provided in the second paragraph of this section, all officers and employes in the service of the City shall be entitled to city warrants for their authorized salaries or wages at the end of each month; and all officers or employes performing services for the City for uncertain periods, or periods shorter than one month, may be paid weekly, or at the end of any period of such service; all of which matters shall be fully subject to regulation by ordinances not inconsistent with the charter. All city warrants, pay check or cash issued by the City in payment of salaries or wages shall be payable and delivered to the officer or employe of the City entitled thereto according to the City's accounts; and neither the City, nor any officer thereof, shall recognize any transfer or assignment of such salaries or wages, or honor any draft or order drawn by any such person against his salary or wages; but nothing herein contained shall prevent the payee or holder of any such city warrant or pay check from transferring the same, Whenever the City shall have available funds subject to treasurer's check, all current salaries and wages shall be paid as in the following paragraph provided.

Paragraph 2. Pay Rolls for Current Payment. Whenever any auditor's vouchers for pay rolls have been approved as in the charter provided for any divisions of the city departments, and whenever the payment of the salaries or wages shown thereby to be due from the City have been authorized by special appropriation therefor, and funds are available for the immediate payment thereof, city warrants with treasurer's checks attached shall thereupon issue for each respective division payable to the City Treasurer in a lump sum sufficient to provide for the payment of such current salaries and wages in such division. Each city warrant and treasurer's check so issued shall be by the City Treasurer deposited in the city depository upon which the same is drawn, and shall be by such bank passed to the credit of a city account to be kept in the name of the City Treasurer and known as the "Pay Roll Account". If the moneys so appropriated belong to a special fund, such deposits shall be kept in a separate account and distinguished by suitable words added to the style of such account. All moneys included in such city warrants and not paid out as hereunder provided shall belong to the funds of the City from which the same were appropriated. For all salaries or wages pay-

able on a monthly basis, the City Treasurer shall thereupon draw, against the appropriate account, his checks as such treasurer, to be termed Pay Checks and made payable to the respective officers or employes of the City as named in an authorized by the pay roll vouchers, each such pay check in addition to date, number, amount and name of payee, shall also specify the city division, the name or character of the office or employment and the period of the service paid for, and shall refer by number, date and fund to the city warrant authorizing its payment, and shall have printed on its back a form for the transfer thereof, Such pay checks shall be furnished by the City Auditor to the City Treasurer, printed, numbered and bound in book form, and so arranged that a stub or carbon copy of each such check shall be retained in such book in the office of the City Treasurer. The City Auditor shall also prepare all such pay checks, and approve the same in writing, ready for the signature of the City Treasurer, and shall thereupon turn same over to the City Treasurer to be delivered to payees, all as herein provided. All such pay checks after being paid by the drawee bank shall be returned by it to the City Auditor along with other vouchers returned to the City. All officers or employes receiving their wages otherwise than on a monthly basis, and all day laborers or other persons performing services for the City for uncertain periods, may be paid by the City Treasurer as authorized by the certified payrolls, weekly or at the end of any period of such service out of the appropriate pay roll account, either by such pay checks or in cash, subject to such further regulations as the Board of Commissioners may by ordinance prescribe. To provide for making such cash payments the City Treasurer shall be authorized to draw from such Pay Roll Account on his check as such treasurer, using a separate check for each payroll, and inserting in such check the word "Cash" in place of the name of the payee, sufficient cash to make such payments; and it shall be his duty to deposit again immediately in such "Pay Roll Account" all such moneys not disbursed as authorized on such pay rolls; and such redeposits may be made without deposit warrants and the City Treasurer shall be responsible for the keeping and due application of all cash so drawn from such Pay Roll Account. The City Treasurer shall note in the pay rolls whether the respective amounts were paid by pay checks or in cash. Before any such pay checks or cash payments are delivered to the payees thereof, the signatures of such officers and employes shall be set opposite their names in the pay roll vouchers. All such pay roll vouchers shall be returned by the City Treasurer to the City Auditor within seven days after the pay day established therefor, and shall thereafter remain in the office of the City Auditor, and shall not thereafter be removed from his custody except on special order of the Board of Commissioners.

That SECTION 116 be amended so as to read as follows:

SECTION 116. BOARD OF EQUALIZATION Par. 1. In General. The several commissioners of the City shall act ex officio, and without further compensation, as a Board of Equalization for all assessments for taxation made by the City. Three of the commissioners shall constitute a quorum of said board for this purpose. The Board of Equalization shall convene and sit in regular meetings for the consideration of the general assessment lists during the months of October, November and December of each fiscal year, and may hold special meetings during any month to consider any act on any supplemental assessments, or for other authorized purposes. A majority of the commissioners present, and acting on said Board of Equalization, shall be necessary to any decision of said board. The Board of Equalization shall adopt rules fixing the times for its meetings and shall give notice thereof by publication; and may likewise adopt proper regulations for other matters with reference to its procedure; but shall conform to such regulations, if any, as may be established thereof by ordinance. The Board of Equalization shall at such meetings, regular or special, examine and approve or revise and correct, in its discretion, all assessments made on behalf of the City, in the same manner as

the same are examined, approved, revised, corrected and equalized by the County Commissioners Court for state and county assessments, except as in the charter otherwise provided. The Board of Equalization shall cause the Commissioner of Taxation to bring before them at such meetings for their inspection, in conformity with the purpose of the meeting, all general assessment lists or rolls, rendered and unrendered, for the current fiscal year, or all supplemental assessment lists or rolls for assessments newly made, together with any other desired books, maps, papers or records appertaining to assessments. The board shall see that all property is assessed as by the charter required, and if they discover that any taxable property has been omitted from any assessment list or roll, they shall cause such property to be assessed or entered by the Commissioner of Taxation as required by or under the charter. It shall be the special duty and function of the Board of Equalization, and of the several commissioners acting as members thereof, to equalize, as near as may be, the valuation of all property subject to or rendered for taxation, and they shall be authorized to adopt or approve any manner of assessment so as to equalize valuations and taxes as aforesaid; and they may in their discretion either lower or raise any assessed valuations or correct any descriptions or assessments of any property; provided however that before any change shall be made on any list of property rendered by or for any owner, whereby the valuation of such property may be increased notice and opportunity for a hearing shall be given to such owner or his agent who rendered such property. Said commissioners, as a board of Equalization, shall have power at any meeting to summon before them any property owners or other persons to testify with reference to any taxable property or its value, and shall have power to administer oaths and to punish for contempt, not exceeding a One Hundred Dollar fine. Any person so summoned but failing or refusing to appear before said board, or failing or refusing to give evidence or answer any question as to his property or any part thereof, or as to any other property, or as to the value, description, ownership, location, custody, or any other matter relating to any such property, shall be deemed guilty of contempt within the meaning of this section.

Par. 2. Hearings and Decisions. Any person owning or holding taxable property in this city, rendered by or for him during any fiscal year for taxation, who has protested such assessment as in the charter provided, shall have the right to appear, either in person or by agent, before the Board of Equalization during its sittings for such fiscal year. Any person owning or holding any property, rendered or unrendered, the assessment of which for the fiscal year then current has not been protested as aforesaid, shall nevertheless be authorized to file with the City Clerk, addressed to the Board of Equalization, at any time before or during the month of October of any fiscal year, a protest in writing, stating the postoffice address of such person, and requesting that the board set down for hearing his protest concerning such assessment of any specified property owned or held by him. The Board of Equalization shall during its sittings for such fiscal year give to all persons so protesting notice and opportunity to be heard before said board, and to show cause, if any he has, why his assessment should be altered or corrected. Notice shall be given by the clerk of the board to all persons who have protested their assessments as herein provided, advising them of the day fixed for hearing their protests; and each such person shall thereafter attend the meetings of the board until the board shall dispose of his protest; provided that if any person shall not receive such notice before the 30th day of November of such year and shall desire to prosecute his protest, he shall file with the City Clerk, addressed to the Board of Equalization, a request in writing that his protest be set down for a hearing and the City Clerk shall present the same to the next regular meeting of the Board of Commissioners. Any person not appearing on the day when his protest shall be reached for hearing by the board, or not receiving

notice to appear and failing to file written request in accordance with the foregoing proviso, shall be deemed to have waived his protest, but may nevertheless, in the discretion of the board and on his request, be heard at any time prior to the final adjournment of the regular session of the board for any fiscal year. The Board of Equalization shall continue in session and hold meetings from time to time until all protests and requests for hearings, made or filed in accordance with the charter, shall have been finally disposed of as in the charter provided; but the board shall complete its regular session on or before December 31st; and at any special meetings convened to consider supplemental assessments the board shall not be expected or authorized to consider any valid assessments made prior to November first of the fiscal year then current.

Par. 3. Minutes, Certificates and Effect. The board shall cause to be regularly kept, by the City Assessor who shall be ex officio clerk of the board, true and correct minutes of all of its meetings, proceedings, rules, regulations and business, including a record of the appearance of all owners and other persons before the board, and of the nature and subject of their protests, and the action of the board thereon; and also a record of the action of the board on all other lists, inventories, assessments and rolls, rendered and unrendered. Such minutes may be kept by writing or stamping the same on the assessment lists, concerned, or by entries in a separate minute book or books kept for such purpose, or in part by each of said methods. After the Board of Equalization shall have completed its examination, approval and correction of the general assessment lists said board shall make, and cause to be entered in its minutes, a certificate in writing to be signed by at least three of such commissioners, certifying that said board has fully examined and approved, or revised and corrected, as provided by the charter, all lists, inventories, assessments and valuations for taxation, contained in the general assessment lists, rendered and unrendered, made by the Commissioner of Taxation for the fiscal year then current; and certifying that said board has caused all property on the general assessment lists to be valued in accordance with the charter, and has completed the consideration of all matters pending before the board, and that each and all of said assessment lists, and all assessments thereon, have been approved or corrected in conformity with the findings and orders of the board. Upon the making of such final certificate, a signed or certified copy of the same shall be presented to the Board of Commissioners at a regular meeting thereof, and shall be there read in full, and thereupon shall be recorded in the minutes of such meeting of the Board of Commissioners. The decisions, corrections, approval and certificates of the Board of Equalization shall be final and conclusive as to any and all assessments on any and all assessment lists and rolls so certified, except as to property owners who, having presented their protests before said Board of Equalization, shall thereafter, prior to the city tax levy of such fiscal year, bring suit in some court of competent jurisdiction to enjoin such assessment and levy as to his property.

That SECTION 116A be added to the charter, preserving certain provisions now contained in Section 116, and to read as follows:

SECTION 116A. TAXATION --- MISCELLANEOUS PROVISIONS. "All city taxes shall be levied, assessed and collected in the same manner as may be provided by the laws of the State for the levy, assessment and collection of State and County taxes" except as in the charter by express provision or necessary implication otherwise lawfully provided. The Board of Commissioners may by ordinance provisions not inconsistent with the charter, "regulate the mode and manner of assessing and collecting city taxes as the "Board of Commissioners" may deem proper, although not in accordance with the provisions of the state laws governing the assessments and collection of county taxes, and may provide for the advertisement and sale of property for delinquent taxes in such manner as they may deem proper and provide for the payment of costs

of such advertisement and sale and execution of deeds to be made against the owner of such property. A purchaser of property at a tax sale shall be subrogated to all the rights of the City with reference to the collection of taxes against said property; provided that purchasers of property sold at tax sales for city taxes shall have, all and singular, the same rights and titles as purchasers of property sold at similar tax sales for state and county taxes. In addition to all powers and authority vested in the Commissioner of Taxation by the charter, he "shall have all the rights that are now or may be hereafter conferred upon County Assessors of this state."

That SECTION 118 be amended by adding thereto the following proviso; provided however that except as to public property used for public purposes, the owners of all real property in this City claimed as exempt from taxation, shall furnish to the City and file with the City Clerk, proof of the facts required to create such exemption; and upon such evidence being furnished the Board of Commissioners shall consider the same, and if established and approved said Board shall allow such exemption by ordinance stating the grounds of such exemption; and the Commissioner of Taxation shall include in the assessment and tax rolls of all real property in this City except such as may be exempt from taxation by reason of public ownership and use, or such as may be shown and allowed to be exempt as aforesaid.

That SECTION 124 be amended so as to read as follows:

SECTION 124. DEFINITIONS AND GENERAL PROVISIONS. Unless otherwise indicated by the context and purpose, the terms below referred to when used in the charter, or in any ordinance or resolution to be passed by the Board of Commissioners after the adoption of this section, shall be taken to have the following statutory or commonly accepted legal significations, to-wit: words used in the masculine gender shall include the feminine and neuter; the singular and plural number shall each include the other; the present or past tense shall include the future; the word "person" shall apply to and include corporation, association, firm or partnership as well as a natural person; and the word "street" shall apply to and include public streets, public alleys and all other highways in the City of San Antonio, together with all bridges culverts and other connecting parts thereof. The headlines prefixed to the sections and paragraphs of the charter, together with all cross references in parenthesis to provisions of the charter, or to provisions of law, and all historical notes in brackets following such section or paragraphs, shall be regarded as inserted for convenience only, and the same shall never be considered in construing the charter or any provision or part thereof. Whenever any section of the charter is divided into separate paragraphs, such paragraphs may be identified by number or letter and referred to or indicated as "Par." followed by the number, and letter if any, of the paragraph. Provisions of the charter in quotation marks unless otherwise state indicate language retained without change from acts of the legislature. All sections bearing the same number but distinguished by letters added to such number shall be construed as parts, or divisions, of one section. No amendment of any part of the charter shall ever be held to amend or repeal any other part or provision of the charter unless such amendment shall expressly or by necessary implication so provide.

That SECTION 124A be added to the charter following Section 124 and to read as follows:

SECTION 124A. NOTICES. Except as may be otherwise specially prescribed by law, or by the charter, or by any ordinance, whenever it is in any manner required that the City, or any officer or officers thereof, shall give any written notice to any person concerning any matter whatsoever, it shall in all cases and for all purposes be sufficient and reasonable notice, and service thereof, (Notice by Publication) to publish such notice for any specified number of times during any specified period in the official journal, either in general terms,

or specially mentioning names of persons or identifying property, businesses or occupations to which such notices relate, or in such other manner or form of publication as may be prescribed; and the affidavit of the publisher or manager of such official journal showing such publication shall be sufficient return and proof of such notice by publication; (Personal Notice) or it shall also be sufficient to serve on any such person in due time, addressed to him, the required notice in writing signed by the officer or officers whose duty it is to give such notice, and any officer or employe of the City, or other reputable person, may serve any such notice, and his return indorsed, made and sworn to on a copy of such notice, showing that the same is a copy of the original notice served by him on the addressee of such notice in person, and showing the date of such service, shall be sufficient return and proof of such service; (Notice by Mail) or it shall also be sufficient to forward such written notice by registered United States mail addressed to such person individually, and the registry receipt of the receiving postoffice, together with the registry return receipt of the addressee or any person signing for him, showing the delivery of such communication and the date of such delivery, together with a copy of such written notice, with the certificate thereon of the officer or officers who gave the same, showing that such notice is a true copy of the notice which was sent by registered mail to such addressee as aforesaid, shall be sufficient return and proof of service on such addressee; provided that other and different requirements or provisions for notices in particular cases may be provided by ordinances or city contracts, and shall control as to such matters; but unless otherwise provided notice in any of the forms above specified shall be given.

That SECTION 127 be amended so as to read as follows:

SECTION 127. PURCHASING AGENT. Par. 1. In General. The City Purchasing Agent shall be a qualified voter of the City of San Antonio, at least thirty years of age, who has had not less than three years experience in commercial business. Before entering on the performance of his duties the Purchasing Agent shall make, execute and deliver to the City, a good and sufficient official bond in a sum not less than Twenty Five Thousand (\$25,000.00) Dollars, such as shall be approved by the Board of Commissioners. It shall be the especial duty of the Purchasing Agent, using all care and prudence practicable to promote the best interests of the City, to arrange for the furnishing, purchase, procurement, inspection, examining and delivery of all materials, animals, tools, appliances, vehicles, machinery, supplies and other personal property of any kind or character whatsoever, and of miscellaneous temporary services not otherwise provided, all and singular, such as may be authorized to be procured at the expense and for the use of the City, excepting, however, such things and services as may be furnished by contractors under city contracts in connection with the construction of permanent public improvements; and the word "supplies" or "purchases" shall be understood, subject to the same exceptions, to include and refer to any or all things and services above specified. The Purchasing Agent shall also perform all further duties, and conform to all further regulations, all as now or hereafter provided by charter or ordinance.

Par. 2. Requisitions for Supplies. The Purchasing Agent shall prescribe, subject to further regulation by ordinance, forms for requisition blanks to be used by the different departments and divisions for supplies required for use by such department or division. All such requisitions shall be printed and prepared in quadruplicate, on sheets of distinctive colors, one with "Original" thereon to be filed in the office of the City Auditor, and one with "Duplicate" thereon to be retained by the Purchasing Agent, and one with "Triplicate" thereon to be delivered to the person from whom such supplies are purchased, and one with "Quadruplicate" thereon to be retained by the chief of the division making such requisition. All such requisitions shall describe the supplies desired and shall be prepared, dated, and

signed in quadruplicate by some authorized officer or employe of the division making such requisition; and the original thereof shall be signed by the chief of such division and shall then, if regular and authorized, be countersigned by the commissioner of the department. When such original, duplicate and triplicate requisitions are presented to the Purchasing Agent, if he find the same to be regular and executed in due form, he shall approve in writing such original, duplicate and triplicate copies; and he shall also present the original thereof to the Mayor for his approving signature. Thereupon the Purchasing Agent shall take all necessary steps to cause such supplies to be furnished or purchased in conformity with such requisition, and shall file the original thereof with the City Auditor, and, upon any purchase being made, he shall deliver to the seller the approved triplicate copy, who may require a receipt thereon on delivery of the supplies in question. Where the supplies have been duly delivered, the Purchasing Agent shall require and cause to be indorsed on the original and duplicate copies of the requisition therefor, receipts showing that such supplies have been delivered in good condition to the division which made requisition for the same.

Par. 3. Advertisements and Bids. Whenever any purchases of supplies shall have been authorized, or whenever so directed by the Mayor, the Purchasing Agent shall advertise for bids in the official journal for a period not to be less than five (5) days before the bids are to be opened. All such advertisements shall describe the supplies and state the quantity desired, and the date for the delivery thereof, and shall state the date on which the bids will be opened, together with any other matters proper for the information of bidders. All bids tendered shall be competitive bids, prepared in triplicate and sealed in an envelope indorsed with the name of the bidder, the subject of the bid, and the date fixed for opening same; and such sealed bids shall be filed with the City Clerk on or before the time fixed for opening such bids. When so provided by ordinance a deposit of money or check or the submission of samples, may be prescribed. All such bids shall be opened and examined at a meeting of the Board of Commissioners, and thereupon the City Clerk shall retain one of said triplicate copies of bids, and one shall be filed in the office of the City Auditor, and one shall be delivered to the Purchasing Agent. If so ordered, the Purchasing Agent shall tabulate such bids, or make any examinations of the supplies offered, and shall report thereon to the Commissioners. All copies of such bids shall be public records. In case the bids received are not satisfactory, or if it appears that there has been any collusion among bidders, it shall be the duty of the Purchasing Agent to reject such bids, and to advertise for new bids as before.

Par. 4. Contracts for Supplies. Contracts for all supplies shall be awarded to the lowest bidder, and no such contract or purchase shall be made unless the payment therefor shall have been previously provided for by ordinance; provided however that in cases of immediate need, purchases not exceeding One Hundred (\$100.00) Dollars in amount may be made by the Purchasing Agent at prevailing prices without taking or advertising for bids, but in each such case the written approval of the Mayor must be obtained on the original requisition for such supplies, and the requisitions and bills therefor shall show that the same is an "Emergency Purchase"; and provided further that notwithstanding the foregoing provisions the Board of Commissioners shall have power, in cases of urgent need of supplies or in case the purchase of any particular kind or character or supplies be deemed to be for the public interest, by ordinance specially reciting the actual reasons for such action, to waive any defects affecting the bids presented, or to authorize any contract for such particular supplies though the same be at a cost higher than the price named by other bidders for similar supplies of another kind or character. The City shall not be obligated to pay for any supplies

not purchased in conformity with the provisions of this section.

Par. 5. Bills for Supplies. All bills to be paid by the City for supplies purchased in any manner shall be filed in duplicate by the persons from whom such supplies are brought in the office of the Purchasing Agent, and in such form as he may require, on or before the tenth day of the month in which payment is expected. After appropriation made therefor, city warrants shall be issued for all such bills on auditor's vouchers prepared and executed by the Purchasing Agent. Before executing any auditor's voucher for the payment of any bill for supplies, the Purchasing Agent shall examine the bids, if any, and the receipted requisitions, or otherwise verify the prices, amounts and due delivery to the City of all supplies for which bills are presented, and shall thereupon execute such auditor's vouchers, showing the receipt of such supplies by the City, and shall then file such vouchers with the City Auditor with one copy of the bill thereto attached; provided the countersignature of the Mayor shall not be required, unless so provided by ordinance, on auditor's vouchers for supplies purchased in amounts less than One Hundred (\$100.00) Dollars. The Purchasing Agent shall retain one copy of all such bills, and, after noting thereon the date and number of the city warrants whereby the same are paid, he shall keep and preserve the same in his files, alphabetically arranged in the names of the sellers.

Par. 6. Purchasing Division --- Additional Duties. The Purchasing Division, in addition to other matters, shall comprehend three distinct services or bureaus of the City, to be maintained in the Department of Public Affairs, and under the general management of the City Purchasing Agent, to-wit:

Par. 7. Supply Bureau. The Supply Bureau shall be conducted by an officer of the City to be known as the Superintendent of Supplies, whose duty it shall be to keep appropriate stock accounts and descriptive inventories of all stock and supplies of whatsoever character owned by the City, including in said terms stock and supplies, all vehicles, machinery, animals, furniture, implements, tools, appliances, materials, supplies, equipment, and all other personal property, whether used or held in any department, division, office or service, or owned and held by the City as a stock or reserve from which to furnish to the various branches of the public service the stock and supplies requisite for the conduct of public business; and the Superintendent of Supplies shall cause and require all such stock and supplies to be kept, used and accounted for in accordance with the public purposes for which the same are provided; and shall cause to be issued as may be authorized, all additional stock and supplies required for such use in each division, office or service of the City; and shall keep proper accounts with each of them, charging them respectively with all stock and supplies held by them or issued to them, and crediting them with all stock and supplies accounted for; it shall also be the duty of the Superintendent of Supplies to exercise control over, and to keep in the authorized supply depots, all stock and supplies belonging to the City and not in current use; and said Superintendent shall manage all surplus stock and supplies and keep and maintain and reissue the same in suitable repair and condition; and all matters relating to such business shall be subject to further regulation by ordinance, or by any authorized resolution or instructions.

Par. 8. Bureau of Measures and Rates. The Bureau of Measures and Rates shall be maintained under the superintendence of the Inspector of Measures and Rates, for the supervision of regulations concerning public utility services and weights and measures, and for the testing of meters, scales and measures; and shall include the investigation and regulation, under the controlling ordinances or other provisions, and the adjustment when practicable, of matters relating to the rates, service, quantity, quality or efficiency of any or all services or commodities furnished to the City, or to any person or persons in this City, by any

public utility company, holding or using any franchise or privilege in the public streets; and also the compiling of data as to comparative service, rates, costs and values, as prevailing in this City and in other cities; and the Board of Commissioners shall have power by ordinance to provide all necessary or proper regulations with reference to said matters or any of them; and it shall be the duty of said Inspector of Measures and Rates to make all required examinations, investigations, tests and reports for all such matters and things, whether relating to public utilities or any other business.

Par. 9. Complaint Bureau. The Complaint Bureau shall be maintained under the immediate charge of a clerk whose duty it shall be to receive and transmit to the division chief concerned, all complaints concerning the public service, and all complaints concerning any matter or condition supposed to be subject to regulation or correction by the City; but no such complaint shall be held to take the place of, or to have the effect of, any notice required by law, charter, ordinance or city contract to be given to any officer of the City.

That SECTION 134 be amended so as to read as follows:

SECTION 134. Except as is or may be lawfully provided or necessarily implied in any amendment of the charter, the previous statusquo of the City and its rights, powers, immunities, officers and affairs shall not be disturbed by the adoption of any such amendment; but all officers of the City shall continue in office until their successors shall be elected or appointed and qualified, and all lawful ordinances, resolutions, acts, rules and regulations of the City, theretofore lawfully adopted and in effect, shall continue in full force, in accordance with their face, tenor and effect, all except in so far as such continuation may be inconsistent with the charter as so amended; provided all such matters shall be and remain subject to the exercise of any and all powers of amendment, alteration, regulation or other action reserved by the charter.

That SECTION 135 be amended so as to read as follows:

SECTION 135. Should any section, paragraph or provision enacted or adopted at any time as a part of the charter, for any reason, be held to be inoperative or invalid, no other provision or part of the charter which is separable from such invalid part, shall be thereby invalidated; and if any exception to or limitation upon any general provision enacted or adopted as a part of the charter shall be held to be invalid for any reason, the general provision shall nevertheless stand and remain in effect.

SECTION FIVE: That the ballot for said election shall be prepared as provided by law, and in such manner that each voter may vote "yes" or "no" on any one amendment or amendments without voting "yes" or "no" on all of said amendments:

SECTION SIX: That the managers or officers of said election for each said election precinct shall be hereafter appointed and selected in accordance with the laws and ordinances for such cases made and provided:

SECTION SEVEN: That a copy of this ordinance signed by the Mayor of the City of San Antonio, shall constitute a proper order for said election, and a copy thereof with such additions as may be appropriate, shall be sufficient proclamation and notice of said election, and the Mayor is hereby directed to cause such notice to be published by posting a copy of such notice in each of said election precincts at a public place, viz; at or near the respective voting places hereinbefore named, at least thirty (30) days before the date fixed for holding said election:

SECTION EIGHT: That the Mayor and City Clerk be, and they are hereby directed to cause publication this ordinance at once in some newspaper of general circulation published in this City, and to require and preserve proper proof of such publication; and also to have printed a sufficient number of copies of said proposed amendments and to mail a copy of each of

said proposed amendments to each qualified voter of this City as appears from the tax collector's rolls for the year ending January 31st, A.D. 1917.

SECTION NINE: That after the votes cast at said election shall have been counted, the commissioners shall make and cause to be entered an official order upon the records of the City, showing the results of said election and the approval or rejection of each such proposed amendment, and each such amendment which shall have been approved by a majority of the qualified voters voting at such election, shall be shown and declared by such official order to have been adopted, and from and after the entry as aforesaid of such official order, all amendments so declared to have been approved and adopted, shall be and become a part of the Charter of the City of San Antonio.

SECTION TEN: That a public emergency exists requiring that this ordinance become effective immediately, in that amendments of the existing charter necessary to the public welfare should be made before June 1st of the current year; and this ordinance shall take effect and be in full force and effect from and after its passage and approval.

DULY PASSED AND APPROVED THIS 20 DAY OF APRIL A.D. 1917.

Clinton G. Brown.  
Mayor, City of San Antonio.

ATTEST:

Fred Fries.  
City Clerk.

By James Simpson.  
Asst. City Clerk.

ord BLS  
 AN ORDINANCE **OF-43**

④ Amending the Finance ordinances of the City by adding certain provisions thereto.

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

That the finance ordinances ~~be~~ of the City be, and they are hereby amended by adding thereto the following provisions with reference to loans made to the City as provided by the charter and ordinances, to-wit:

Whenever at the end of any fiscal year, it shall appear that the collections of the City taxes and revenues for the general fund of such fiscal year have been insufficient for the full payment at maturity of the principal and interest of any sums borrowed by the City against the general fund for such expiring fiscal year, then and thereupon all collections of general fund taxes and revenues of the City for any and all previous fiscal years shall be and become a special fund; and, in so far as not otherwise pledged or appropriated previous to the expiration of such fiscal year, such back tax collections shall stand pledged as additional and cumulative security for the due payment of all sums so borrowed for previous fiscal years, together with the interest contracted to be paid thereon; and all such back tax collections are hereby created and declared to be a special fund which shall be held and applied as aforesaid until all loans to the City on account of any and all previous fiscal years shall be wholly paid and satisfied; and all such loans shall have priority according to the dates of the same.

And in consideration that the present city depositories, viz. the Alamo National Bank and the State National Bank, will make to the City the loans authorized by the ordinances passed and approved on May\_\_\_\_ 1917, the City hereby contracts and agrees that all back tax collections made or to be made by the City on account of any and all previous fiscal years, and not otherwise heretofore pledged or appropriated, shall stand pledged to the holders of notes of the City issued for fiscal year 1916, and shall be applied to the payment thereof as aforesaid until said notes and interest are fully paid and satisfied, all in accordance with the general provisions herein above set forth.

PASSED AND APPROVED, this the 31st day of May, 1917.

Attest:

Fred Fries,

City Clerk.

Clinton G. Brown,

Mayor City of San Antonio.

Repeals Ord. June 14-15  
O. B. P. 73

AN ORDINANCE OF-44

Requiring the grubbing and removal of weeds, brush, rubbish and any and all other objectional, unsightly or unsanitary matter from any lot or lots or parcels of real estate within this City, and the levelling, filling in, draining and regulating of the surface of any of said lots or premises so as to prevent stagnant water standing therein, declaring the same a public nuisance and fixing penalties for violation thereof; also providing that such work and improvements may be made by the City at the cost of the owners of said lots or premises, fixing a lien therefor and providing for foreclosure of such liens; repealing all ordinances and parts of ordinances in conflict herewith, and declaring an emergency.

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

Section 1. Nuisance. Whenever and wherever weeds, rubbish, and all other objectional unsightly or unsanitary matter of whatever nature, shall exist, covering or partly covering the surface of any lot or lots or parcel of real estate situated within the corporate limits of this City, or when of said lot or lots or parcels of real estate, as aforesaid, shall have the surface thereof filled with holes or be in such condition that the same holds or is liable to hold stagnant water therein, or if from any other cause shall be in such condition as to be liable to cause disease or produce, harbor or spread disease germs of any nature, or tend to render the surrounding atmosphere unhealthy, unwholesome or obnoxious, the same shall constitute and is hereby declared to constitute a public nuisance, the prompt abatement of which is hereby declared to be a public necessity. Said lot or lots or parcels of real estate, in addition to the ground within their respective boundaries, shall be held to include all lots or parcels of ground lying and being adjacent to and extending beyond the property line of any such lot or lots or parcels of real estate to the curb line of adjacent streets, where a curb line has been established, and eight feet beyond the property line where no curb-line has been established on adjacent streets, and also the center of adjacent alleys.

Section 2. WORDS DEFINED. The word "weeds" as herein used shall include all rank and uncultivated vegetable growth or matter which has grown to more ~~than~~ than one foot in height, or which regardless of height is liable to become an unwholesome or a decaying mass or breeding place for mosquitos or vermin; the word "brush" as herein used shall include all trees or shrubbery under seven feet in height which are not cultivated and cared for by the person owning or controlling the premises; the word "rubbish" shall include all refuse, rejected tin cans, old vessels of all sorts, useless articles, discarded clothing and textiles of all sorts, and in general all litter and other things usually included within the meaning of said term; the words "any and all other objectional, unsightly or unsanitary matter of whatever nature" shall include all uncultivated vegetable growth, objects and matter not included within the meaning of the other terms as herein used, which are liable to produce or tend to create an unhealthy, unwholesome or unsanitary condition to the premises of the locality generally where situated.

Section 3. Penalty Any owner, lessee, or occupant, whether a natural person or corporation, or any agent, servant, representative or employe of any such owner, lessee or occupant, including any person having ownership, occupancy or control of any lot or lots or parcel of real estate ( or any part thereof or interest therein) situated within the limits of this City, on which there exists any nuisance as herein defined, who shall allow or permit any such nuisance to be created or to remain and continue if created and established, or who shall fail, refuse or neglect to remove or abate such nuisance by grubbing or removing such weeds, brush, rubbish or other objectional, unsightly or unsan-