

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

MONDAY, NOVEMBER 29th, A. D. 1926, 10:00 A. M.

PRESENT: Honorable Phil Wright, Acting Mayor, presiding, and Commissioners, Bushick, Lambert, Steffler, Absent Hon. Mayor Tobin.

Minutes of the previous meeting were ordered approved.

---MEMORIALS AND PETITIONS---

Proposals to construct a Bridge over the San Antonio River at Villita Street, were opened, read and referred to the Flood Prevention Engineer for tabulation and report.

The following petitions, were read and referred to the Commissioner of Fire and Police.

Frank Reyna, for permit to conduct a gasoline station at Los Moras and San Luis Sts.

Action Display Adv. Co., for permit to erect Bill Boards on C. B. 2012 fronting Fredericksburg Road.

Dixie Shoe Store, for permit to erect an electric Sign.

Braden Hundson Co., for permit to erect an electric sign for South Park Pharmacy.

Magnolia Petroleum Co., for permit to install gasoline equipment for B. Baxt at 301 Seguin Rd.

Martin Wright Electric Co. for permit to erect an electric sign at Texas Theatre.

Petition for Arc Lamp at N. Flores Street, at Schwabs Alley.

Travis Investment Co., for permit to erect Bill Boards on building at Houston and Losoya Sts.

W. J. Morgan, for permit to install gasoline equipment at 808 N. New Braunfels Ave.

Travis Electric Co., for permit to erect an electric sign for Simon Motor Car Co.

Magnolia Petroleum Co., for permit to replace gasoline pump at Sunset Service Sta. 801 E. Commerce Street.

The following petition, was read and referred to the Commissioner of Streets and Public Impts.
Petition for the extension of Avenue "E".

A petition requesting revocation of a certain permit granted Gulf Refining Co., to erect and conduct a gasoline service Station at the intersection of North Flores St, and Ashby Place was read, whereupon Mr. Wayne Davis addressed the Commissioners urging the revocation asked for. Mr Carlyle representing Gulf Refining Co. protested any action by the Commissioners, involving the revocation of the permit heretofore granted, whereupon the Commissioners went into executive session on motion of Acting Mayor Wright, after which, the Commissioners reconvened and Commissioner of Fire and Police, Phil Wright offered the following recommendation, asking its adoption.

This permit was granted after due consideration, and the Gulf Refining Co., afterwards relying on such permit, acquired the property in question at an expense of \$17,500.00 in cash, and contracted to erect a filling station thereon at an expense of \$10,000.00 or more; the Company acted in perfect good faith.

Besides the matter is now in litigation in the 73rd District Court of Bexar County.

Under the circumstances, the petition to revoke the permit is refused.

Phil Wright.

Commissioner Fire and Police.

Commissioner Bushick offered a substitute motion, to revoke the permit heretofore granted Gulf Refining Co., which failed to carry on roll call by the following vote to-wit, Ayes

Bushick, Lambert. Nays, Steffler, Wright.

The recommendation of Commissioner Wright was then again offered and likewise failed to carry on roll call by the following vote, to-wit; Bushick and Lambert voting Aye, and Steffler and Wright voting Nay. Whereupon Commissioner Lambert offered a motion to grant the petition to revoke said permit, and that said permit be revoked, which also failed to carry on roll call by the following vote Bushick, Lambert, Aye, Steffler, Wright Nay.

Whereupon the following opinion by Joseph Ryan, City Attorney, was read and ordered placed of record.

The Commissioner may revoke any permit granted by them, for any sufficient reason warranting a refusal of the permit in the first instance, and the City would not be liable in damages for an honest and reasonable exercise of discretion by the Commissioners in so revoking such permit.

If however the person to whom such permit issued, on the strength thereof and relying thereon, has, in good faith, incurred expense and obligations, then extreme caution should be exercised before revoking the permit, as courts invariably sustain vested rights, acquired in good faith.

A Resolution inviting bids for remodelling the City Hall Building was introduced by Commissioner Lambert, when a Committee representing West Texas Chapter of American Institute of Architects, introduced a resolution taking exception to the manner in which the work was to be let and done. Commissioner Lambert motion to defer further action was thereupon duly seconded and carried and the resolution was ordered laid over until the next meeting of the Commissioners.

Commissioner Wright, made the following recommendations, which were read and adopted.

Braden, Hudson and Wangler Co., for permit to erect an electric sign at 407 S. Flores St.

Granted.

Petition for Arc Lamp at Cor. Mesquite and Dakota Streets. Granted.

J. M. Booth, for permit to conduct a Tourist Camp and necessary buildings, Cor. Ave. A. and 12th Street. Granted.

Commissioner Bushick, introduced the following resolution, which was read and adopted.

RESOLUTION

Authorizing the printing of Bonds.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Purchasing Agent be and he is hereby directed to have printed 3600 bonds of the denomination of \$1000.00 each at a cost of \$2,678.25, as per bid submitted by the San Antonio Printing Company.

Commissioner Steffler, introduced the following resolutions, which were read and adopted.

RESOLUTION

Accepting the paving on S. Pecos St. between Buena Vista Street and S. Laredo Street, Southwest Bitulithic Company, Contractors.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City of San Antonio does hereby accept the paving constructed by the Southwest Bitulithic Company, as per their contract dated February 22nd 1926, for the paving of South Pecos Street, between Buena Vista Street and South Laredo Street, and in accordance with certificate of the City Engineer, dated November 29th, 1926, and filed with the Board of Commissioners on this 29th day of November, 1926.

San Antonio, Texas, Nov. 29th, 1926.

Honorable Mayor & Board of Commissioners,
San Antonio, Texas.
Gentlemen:-

This is to certify that I have inspected the paving constructed by the Southwest Bitulithic Company on S. Pecos Street, between Buena Vista Street and S. Laredo Street, as per their contract dated Feb. 22nd 1926, and the same has been accepted by me, for account of the City, on this 29th day of November, 1926.

Yours truly,
I. Ewig.
City Engineer.

RESOLUTION

MC-1089

Changing the name of So. Commerce Street, from Pecos to Santa Rosa, to "Produce Row".

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,
The name of So. Commerce Street, between Pecos and Santa Rosa Avenue, be and the same is hereby changed to "Produce Row".

RESOLUTION

- 1090

Authorizing purchase of one car road oil.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,
The City Purchasing Agent be and he is hereby authorized to purchase one car road oil, approximately 10,000 gallons from Dependable Oil Co. at a cost of \$1.87½ per barrel for use of patching gangs, Street Department.

RESOLUTION

- 1091

Authorizing purchase of material necessary for completing Theo Avenue Bridge.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,
the City Purchasing Agent be and he is hereby authorized to purchase all necessary material for constructing roadway and sidewalks over new bridge on Theo Avenue.

Commissioner Steffler, introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit; Ayes, Wright, Bushick, Lambert, Steffler.

AN ORDINANCE

- 1092

ACCEPTING PROPOSAL OF Uvalde Rock Asphalt Company for paving of Fannin Street from St. Mary's to Navarro Street and authorizing Contract and Appropriating Money Therefor.

(For full text of this ordinance see Street Improvement Records, Vol. 16, page 412).

Commissioner Bushick, introduced the following ordinances, which was read and adopted by the following vote on roll call, to-wit: Ayes, Wright, Bushick, Lambert, Steffler.

- 1093
No. 144

AN ORDINANCE

Appropriating \$2,000.00 out of Auditorium Bldg Fund of 1926 for Merchants Bills and fees for services. Also \$459.97 out of the Trench Fund to pay for one car of Road Oil.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,
the sum of \$2,000.00, be and the same is hereby appropriated out of the Auditorium Bldg. Fund of 1926, for Merchants Bills and fees for services. Also that the sum of \$459.96 be and the same is hereby appropriated out of the Trench Fund to pay for one car of Road Oil.

MC-1094
o.145.

AN ORDINANCE

Appropriating \$180.00 to pay interest on debt of E. O. Evans to Central Trust Company, assumed by the City.

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

That the sum of \$180.00 be and the same is hereby appropriated out of the Street Opening and Widening Fund of 1926, for the purpose of paying, to Dr. E. O. Evans, the interest on \$4500.00 from April 26, 1926 to November 26, 1926, on the debt of Dr. E. O. Evans to Central Trust Company, assumed by the City of San Antonio in the purchase of a tract of land for the extension of Lexington Avenue, under Ordinance passed and approved on the 19th day of April, A. D. 1926, Dr. Evans having paid the amount of interest to Central Trust Company.

PASSED AND APPROVED, this 29th day of November, A. D. 1926.

Phil Wright.
Acting Mayor.

ATTEST: Fred Fries.
City Clerk.

On motion, duly seconded, and carried, the meeting adjourned.

ATTEST:

Fred Fries
CITY CLERK.

Phil Wright
Acting Mayor.