

## MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

MONDAY, AUGUST 23rd, A. D. 1926. 10:00 A. M.

PRESENT: Honorable John W. Tobin, Mayor, presiding, and Commissioners, Bushick, Lambert, Steffler. Absent, Wright.

Minutes of the previous meeting were ordered approved.

## ---MEMORIALS AND PETITIONS---

The following petition, was read and referred to the Commissioner of Sanitation, Parks, & etc. Petition requesting the improvement of Mahncke Park.

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

Alamo Amusement Co., for permit to erect Bill Board at 813 Austin Street.

Alamo Amusement Co., for permit to erect Bill Board at 1500 Broadway.

Alamo Amusement Co., for permit to erect Bill Board at Gamblins Grocery, Cincinnati Avenue and Fredericksburg Road.

Petition protesting against Filling-Station located at the intersection of East Ashby Place, and McCullough Avenue.

Yantis-Russell Motor Co., for permit to replace gasoline pump at 602 Broadway.

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

MG 930

Petition of Metropolitan African Methodist Episcopal Church, for cancellation of Assessment.

Granted.

- 931

San Antonio City Mission and Church Extension Society, for cancellation of Taxes. Granted.

- 932

Petition of Mt. Calvary Ev. Lutheran Church for exemption from taxation. Granted.

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

Reich Sign Co., for permit to erect an advertisement Bill Board on roof of building of Salling Co. 1111 S. Presa Street. Not Granted.

Merrill Service Station, for permit to install gas equipment at 2200 Blanco Road. Granted.

Jud & Ormond, for permit to install pump and tank at 9th and Broadway. Granted.

Rodgers & Stewart, for permit to install gasoline pump and tank at 330 Nolan Street. Granted.

Humble Oil Co., for permit to replace 3 old pumps with new ones for Carrol Bassetts, cor.

Lexington and Oakland Street. Granted.

Humble Oil Co., for permit to install gas equipment for Carrol Bassett, cor. Lexington and Oakland Street. Granted.

Humble Oil & Refining Co., for permit to install 3 pumps and tanks at 4223 S. Presa St. Granted.

Wendel and Wendel, for permit to erect an electric sign at 515 N. Alamo St. Granted.

Pierce Petroleum Corporation., for permit to install gasoline equipment at Hackberry Street and Denver Blvd. Granted.

Rudolph Keilman, Jr. for permit to install gasoline equipment at W. Commerce and 24th St. Granted.

Newark Shoe Co., for permit to erect an electric sign at 111 Alamo Plaza. Granted.

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The following petition, was read and referred to the Commissioner of Streets & Public Imps.

Petition for the improvement of Henrietta and Cedar Street.

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

RESOLUTION

Accepting the paving of Southwest Bitulithic Company on Mason Street, from New Braunfels to Calhoun Street.

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 paving contract, dated May 3rd, 1926, on Mason Street, from New Braunfels Avenue to Calhoun, and in accordance with certificate of the City Engineer, dated August 23rd, 1926, and filed with the Board of Commissioners on this 23rd day of August, 1926.

San Antonio, Texas, Aug. 23rd, 1926.

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

This is to certify that I have inspected the paving constructed by the Southwest Bitulithic Company, as per their contract, for the paving of Mason Street, from New Braunfels Avenue to Calhoun Street, as per their contract dated May 3rd, 1926, and the same has been accepted by me, for account of the City, on this 23rd day of August, 1926.

Yours truly,

I. Ewig.  
City Engineer.

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RESOLUTION

Accepting the paving of Alamo Paving Company on Jackson Street from Elmira to Romana Street.

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 Alamo Paving Company, as per their contract on Jackson Street, from Elmira to Romana Street, and in accordance with certificate of the City Engineer, dated August 23rd, 1926, and filed with the Board of Commissioners on this 23rd day of August, 1926.

SAN ANTONIO, Texas Aug. 23rd, 1926.

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

This is to certify that I have inspected the paving constructed by the Alamo Paving Company, as per their contract, on Jackson Street, between Elmira and Romana Street, and the same has been accepted by me, for account of the City, on this 23rd day of August, 1926.

Yours truly,

I. Ewig.  
City Engineer.

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RESOLUTION

Accepting the paving on Lexington Avenue, from Dallas to Camden Street, Alamo Paving 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 Alamo Paving Company, as per their contract on Lexington Avenue, from Dallas to Camden Street, and in accordance with certificate of the City Engineer, dated August 23rd, 1926, and filed with the Board of Commissioners on August 23rd, 1926.

San Antonio, Texas, Aug. 23rd, 1926.

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

This is to certify that I have inspected the paving constructed by the Alamo Paving Company, as per their contract on Lexington Avenue, from Dallas to Camden Street, and the same has been accepted by me on this 23rd day of August, 1926, for account of the City.

Yours truly,

I. Ewig.  
City Engineer.

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MC-933

## RESOLUTION

Authorizing purchase of solid tires for Street Maintenance Dept.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that, The City Purchasing Agent be and he is hereby directed to purchase one 40 x 12 Goodrich solid tire for the sum of \$207.47, and one 40 x 12 Goodyear solid tire for the sum of \$207.51 for use in Street Maintenance Dept.

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## RESOLUTION

Accepting the paving constructed by the Southwest Bitulithic Company on Mason Street from New Braunfels Avenue to Austin Street.

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, on Mason Street, from New Braunfels Avenue to Austin Street, with skips opposite homesteads of  
 Mrs. Mary E. Spears - Lot No. 1, New City Block No. 484  
 Mrs. Olive S. Benson " " 9 " " " " 1263,  
 and in accordance with certificate of the City Engineer, dated August 23rd, 1926, and filed with the Board of Commissioners on this 23rd day of August, 1926.

San Antonio, Tex. Aug. 23rd, 1926.

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

This is to certify that I have inspected the paving constructed by the Southwest Bitulithic Company, on Mason Street, from Austin to New Braunfels Avenue, as per their contract dated February 22nd 1926, with skips opposite homestead property at  
 Lot No. 1, New City Block 484- Mrs. Mary E. Spears.  
 " " 9, " " " " 1263- Mrs. Olive S. Benson  
 and the same has been accepted by me on this 23rd day of August, 1926, for account of the City.

Yours truly,

I. Ewig.  
 City Engineer.

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## RESOLUTION

Ordering Notice of Hearing to the Owner or Owners and all persons interested in Lot 12, Block 939 Abutting on East Guenther Street.

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

WHEREAS, The City Commission has heretofore, to-wit, on the 4th day of April, A. D. 1921, ordered the improvement of East Guenther Street between its intersection with the south line of S. Alamo Street and its intersection with the south line of Marne Avenue, and after due advertising the work of improving same was let to The Uvalde Company, Contractor, upon specifications and other procedure duly adopted in accordance with the law and the Improvement Ordinance of this City, and

WHEREAS, a contract was duly entered into between the City and The Uvalde Company for said improvements and all steps were taken legally by the City pre-requisite to the doing of said work, and

WHEREAS, in accordance with said resolution and contract and other proceedings, the City did, by an Ordinance dated the 26th day of January, A. D. 1922, assess the pro rata share of the cost of said improvements against Lot 12, City Block 939, abutting 46.7 feet on said East Guenther Street, and

WHEREAS, in accordance with said Assessment Ordinance, the City of San Antonio issued to The Uvalde Company a certain Assignable Certificate of Special Assessment, No. 11,055, which recited that a special assessment in the sum of Two Hundred Forty-Two and 84/100 Dollars

(\$242.84) has been levied against the above described lot and against J. Masur as the owner of said lot, and

WHEREAS, the above described contract between The Uvalde Company and the City was assigned to the Uvalde Rock Asphalt Company with the consent and approval of the City and said improvements were performed by the Uvalde Rock Asphalt Company in accordance with the terms of the contract and were completed and accepted by the City on March 6, 1922; as evidenced by a certificate of the City Engineer of that date, and whereas, the above described certificate of special assessment which was issued to the Uvalde Company was assigned by said company to the Uvalde Rock Asphalt Company and the Uvalde Rock Asphalt Company is entitled to compensation for the improvements in front of the above described lot, and

WHEREAS, said assessment and said Special Assessment Certificate issued thereunder was declared and adjudged to be void by the District Court of the 73rd Judicial District of Bexar County, Texas, in the case of the Uvalde Rock Asphalt Company vs. J. Masur, et al, No. 34236, on the docket of said court, and

WHEREAS, the City has determined to re-assess the cost of said improvements in front of the above described lot against said lot and against A. G. Roemer, the rightful owner of said lot at the time the above described assessment ordinance was passed.

1. That in the opinion of the Commission, it is necessary and proper to re-assess the pro rata share of the cost of said improvements in front of the above described lot against the owner or owners of said lot and against said lot.

2. That the total amount proposed to be re-assessed against the owner of said lot and against said lot is \$185.40; that the amount per front foot to be re-assessed against the said property and against the said property owner and the said property for pavement and other improvements, exclusive of curbing is at the rate of \$ 3<sup>17</sup> per front foot and for concrete curb at the rate of 80 cents per front foot of the total frontage of said lot abutting on the part of the said street to be improved.

3. That a hearing shall be given to the owner or owners of the above described property and to all persons interested therein or having a lien thereon, their agents or attorneys, before the City Commission of said City, which hearing shall begin on the 7th day of September, A. D. 1926, at 10:00 o'clock A. M. and shall be held in the City Council Chamber of said City and at which hearing said owners or other interested persons, their agents, or attorneys desiring to contest the said re-assessment proposed to be made against them or the regularity of any proceedings with reference thereto or any other matter in connection therewith, shall appear and be heard, and at which hearing any of said parties shall have the right to appear in person or by attorney and to produce testimony to be fully heard; that the said hearing shall be held in accordance with the Improvement Ordinance of the City and at the termination thereof, the said Commission will determine from the evidence before it, the amount intended to be re-assessed against said persons or their property and will so assess the same.

No re-assessment will be made against any person or his or her property in excess of the benefits in enhanced value thereof arising from the making of said improvements.

4. That each of said owner or owners and other interested parties are hereby referred to, for further information, the proceedings with reference to the said re-assessment on file with the City Clerk of the City of San Antonio.

5. That the City Clerk is directed to give notice of said hearing to the owners or owners of said property, their agents or attorneys and other interested parties, by publishing a copy of this resolution attested by him three times in the San Antonio Evening News, a newspaper of

of general circulation published in the City of San Antonio, the first of which publication shall be more than ten days before the date set for the said hearing.

Passed and Approved this 23rd day of August, A. D. 1926.

Jno. W. Tobin.  
Mayor, City of San Antonio, Texas.

ATTEST: Fred Fries.  
City Clerk.

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Commissioner Steffler, introduced the following ordinances, which were read and adopted by the following vote on roll call, to-wit; Ayes, Tobin, Bushick, Lambert, Steffler.

MC-934  
No. 75

AN ORDINANCE

ACCEPTING PROPOSAL OF Houston Structural Steel Company, Houston, Texas, for construction of Bridge over Theo Avenue over the S. A. River and authorizing Contract and Appropriating Money Therefor.

(For full text of this ordinance see Street Improvement Records, Vol. 16, page 247).

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-935  
No. 76

AN ORDINANCE

Authorizing purchase of one Ford Truck Chassis, and appropriating money to pay for same.

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

The City Purchasing Agent be and he is hereby directed to purchase on Ford Truck Chassis for use of Street Maintenance Department, and that the sum of \$444.00 be and the same is hereby appropriated out of Trench Fund to pay for same.

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-936  
No. 77

AN ORDINANCE

Appropriating \$499.88 to pay C. A. Anderson for S. Hackberry St. main extension sanitary sewer.

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

the sum of \$499.88 is hereby appropriated from the Storm and Sanitary Sewer Fund of 1926, to pay C. A. Anderson for S. Hackberry St. Main extension Sanitary Sewer.

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A Hearing was given the owners of property interested in the improvement of Corpus Christi Road from Concepcion Creek to City Limits. (See Records of Hearings page 75).

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-937

AN ORDINANCE

LEVYING SPECIAL ASSESSMENTS for the cost of the improvement of Corpus Christi Road from Concepcion Creek to South City limits line, and to provide for the issuance of assessment certificates and for other purposes.

(For full text of this ordinance see Street Improvement Records, Vol. 16, page 249).

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-938

AN ORDINANCE

DIRECTING THE INTERNATIONAL-GREAT NORTHERN RAILROAD TO CONSTRUCT A SUB-WAY ON WEST COMMERCE STREET.

1. WHEREAS, the International-Great Northern Railway Company, a railroad corporation, and its predecessors, have heretofore constructed a line of railroad, switches and appurtenances across West Commerce Street, an ancient public street in the City of San Antonio; and

2. WHEREAS, said street has become one of the principal thoroughfares in said City, serving as a direct connection between the business district and the thickly populated metropolitan and suburban areas to the west;

3. NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

4. That a public necessity exists for the separation of the grades of said rail road and said street, for the safety, and the convenience of the public, and for the general welfare of the City:

5. That the International-Great Northern Railroad Company be, and the same is hereby directed to begin forthwith the construction of a subway, at the expense of the company, and without cost to the City, under its tracks on West Commerce Street between South Medina Street and South Comal Street:

6. That the Railroad Company shall submit, and file, with the City Engineer complete plans and specifications of said work, showing in detail the structure, its drainage and lighting arrangements, and all appurtenances; and the City Engineer shall have the right to approve the same, or disapprove the same, directing such changes as he may elect; and upon the final approval of the plans and specifications, all work shall be done in accordance there-with-under the observation of the City Engineer, and to his satisfaction.

Passed and Approved, this the 23rd day of August, A. D. 1926.

Jno. W. Tobin.  
Mayor.

ATTEST: Fred Fries.  
City Clerk.

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AN ORDINANCE

*MG-939*  
AUTHORIZING The Elks Club to excavate under the Sidewalk on East Pecan Street.

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

Section One. That the Elks Club be and is hereby granted a permit to excavate under the sidewalk adjacent to Lot No. A-9, New City Block No. 409 fronting 87 feet on East Pecan Street and to use the space under sidewalk in connection with the building at No. 225 on said street.

Section Two. That the licensee shall make such excavation in accordance with the direction and under the supervision of the City Engineer, and shall construct the sidewalk, curb and retaining wall out of reinforced concrete, in a safe and substantial manner.

Section Three. It is expressly declared that the permission herein given is a grant of a privilege, revocable by the City; and the licensee by his acceptance and his acts thereunder, shall be bound by the stipulations thereof.

Section Four. The City of San Antonio expressly reserves the right to place its pipes, drains, cables, and other appliances for public utilities in said excavation; and, the licensee hereby waives all claims for damages that might arise by reason thereof; and agrees that he will at no time make any claim for damages against the City; and will hold the City harmless from all damages arising from the grant herein.

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AN ORDINANCE

*-940*  
ACCEPTING PROPOSAL OF Uvalde Rock Asphalt Company for paving of Woodlief St. from Poplar to W. Laurel Street and authorizing Contract and Appropriating Money Therefor.

(For full text of this ordinance see Street Improvement Records, Vol. 16, page 262).

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AN ORDINANCE

*-941*  
ACCEPTING PROPOSAL OF Southwest Bitulithic Company for paving of Lexington Avenue from Camden to Main Avenue and authorizing Contract and Appropriating Money Therefor.

(For full text of this ordinance see Street Improvement Records, Vol. 16, page 265).

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AN ORDINANCE

MC-942

CREDITING EWALD PRAEGER FOR PAYMENT ON ACCOUNT OF EAST MARKET STREET WIDENING ASSESSMENT.

WHEREAS, on the 26th day of July, A. D. 1926, Ewald Praeger conveyed to the City of San Antonio, a certain tract of land in City Block No. One Hundred and Sixty-nine (169), Lot No. Nine (9), fronting a distance of 57.26 feet on the new established line of East Market Street Extension, for and in consideration of the sum of One Thousand and Sixty-eight Dollars (\$1068.00) and,

WHEREAS, in lieu of the payment by the City to Ewald Praeger of said sum, the said Praeger requested that the said sum be credited against the assessment made against the remainder of the property;

NOW, THEREFORE:-

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

That the receipt of the sum of One Thousand and Sixty-eight Dollars (\$1068.00) be and the same is hereby acknowledged, and that the same be credited on the debt due from Ewald Praeger to the City of San Antonio created by virtue of the ordinance levying assessment benefit against the property of Ewald Praeger, on account of the extension of East Market Street from South Alamo Street to Rusk Street.

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Commissioner Bushick, introduced the following ordinances, which were read and adopted by the following vote on roll call, to-wit; Ayes, Tobin, Bushick, Lambert. Steffler.

943

No. 78.

AN ORDINANCE

Appropriating \$6385.87 to pay Merchants Bills.

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

The sum of \$6385.87 be and the same is hereby appropriated out of the following funds to pay Merchants Bills as per itemized invoices, duly approved, and now on file in the office of the City Auditor;

Auditorium Fund -----	280.12
Bridge Fund of 1926 -----	175.19
Golf Course Fund -----	119.34
Market House Fund -----	814.41
Storm & Sanitary Sewer Fund of 1926 -----	557.84
Street Opening & Widening Fund of 1926 -----	59.18
Street Paving Fund of 1926 -----	2288.44
Trench Fund -----	2091.35
	<u>6385.87</u>

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944  
No. 79

AN ORDINANCE

Appropriating \$1,600.00 out of various Improvement District Sinking Funds, to pay interest coupons.

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

The sum of \$1,600.00 be and the same is hereby appropriated to pay interest coupons, payable to the Alamo National Bank of San Antonio, Texas, out of the following Improvement District Sinking Funds:

Improvement District No. 3.-----	\$ 500.00
7.-----	125.00
11.-----	975.00
	<u>\$1,600.00</u>

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

MC-945  
No. 80

AN ORDINANCE

Appropriating money to pay for hay baled on City Sewer Farm.

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

The sum of Three Hundred and Sixty -Three Dollars and Fifty Cents (\$363.50) be hereby appropriated to pay Bill Long for Hay baled at City Sewer Farm, being 3635 Bales at .10¢ per bale. To be charged to Parks and Plazas.

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

ATTEST:   
CITY CLERK.

APPROVED   
MAYOR.