

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

MONDAY, AUGUST 13th, A. D. 1923 4. P.M.

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

Minutes of the previous meeting were ordered approved.

---MEMORIALS AND PETITIONS---

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

H. A. Wolf, for permit to install gasoline pump and tank 317 South Alamo St.

E. M. Brack, for permit to erect a gasoline pump and tank at 820 E. Commerce Street.

Citizens objecting to the erection of a bill board at River and Ira Avenue.

Protest against the erection of a bill board at Ira Avenue and River Avenue.

Penn D. Dixon, for permit to install gasoline pump and tank 1132 Hays Street.

Report on Milk Inspection for July, 1923, was read and filed.

The following petitions were read and referred to the Commissioner of Streets and etc.

Petition for the improvement of two blocks on Aganier Avenue.

Residents, of Queen Anne Court complaining of S. A. Water Supply Co. on account of leaks under pavement.

Mrs. Ida Mueller, complaining of grade and property lines established by the City Engineer in front of her property on Wicks Street.

Citizens on Cavalier Avenue in Palm Heights Addition to improve drainage conditions.

The following petitions referred to the Commissioner of Taxation.

R. McMonigal, for refund of taxes.

Mrs. Loretta King, for refund of taxes.

Grace English Lutheran Church, for exemption from taxation.

Saul Wolfson, for reduction of assessment.

St. Francis Home for the Aged, for exemption from taxation.

A petition to name Losoya Street, Avenue "VG" and River Avenue, Broadway, heretofore submitted by a committee of property owners was again read, and after some discussion ordered filed until next meeting.

A petition requesting that Pennsylvania Avenue be named W. Craig Place, was read the third time. On motion of Commissioner Steffler, action thereon was deferred until next meeting.

Bids for furnishing uniforms for Police and Fire Depts, for supplying lumber for Street Commissioners Dept, were opened and referred to the City Purchasing Agent.

Bids to construct sidewalks at Westcott Square, and for paving a part of South Zarzamora Street, were opened and referred to the Street Commissioner.

Bids

Bid of Burrough Adding Machine Co. for one adding machine \$490.00, accepted on recommendation of the City Purchasing Agent.

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

E. A. Gomez, for correction of assessment. granted.

St. Pauls Methodist Church, for correction of assessment. granted.

W. A. Silvens, for return of amount paid for building permit. granted .

Bledsoe and Barnes, for refund of sum paid for building permit. granted.

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

Sunset System of San Antonio to erect 35' bulletin board South Flores and Cass Streets. granted.

San Antonio Amusement Company, to erect Bulletin Board South side Military Plaza. granted.

Perrenot and Moore, for installation of One - five bbl. 12 gauge underground gas tank, 1-5 gal Fry Gurantee Gasoline. 511 Garden Street. granted

W. W. Harrison, to install gasoline tank 2302 Blanco Road. granted

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

ME-1522

No. 119

AN ORDINANCE

Appropriating Funds to pay interest on City Warrants.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$818.04, be and the same is hereby appropriated out of 1822 General Fund (Contingencies Dept.) payable to City National Bank, to pay interest @ 5% on 1922 General Fund Warrants for July 1923, amounting to \$209,016.29

-1523

No. 120

AN ORDINANCE

Appropriating Funds for semi-monthly pay-rolls August 1 to August 15th, inc. 1923.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the following sums be and the same are hereby appropriated for semi-monthly pay-rolls, August 1st to Aug. 15th, inc.;

Sanitary Sewer Funds of 1919 - - - - -	\$ 875.00
Auditorium Bldg Fund of 1919 - - - - -	\$600.00
Trench Fund - - - - -	\$900.00
	<u>\$2375.00</u>

-1524

No. 121

AN ORDINANCE

Reimbursing John L. Richter \$18.80 paid to San Antonio Water Supply Company account broken water pipe broken by City Sanitary Wagon.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$18.80 be and the same is hereby appropriated out of contingencies for the purpose of reimbursing Mr. John L. Richter for this same amount paid by him to the San Antonio Water Supply Company account of repairing broken water pipe claimed to have been broken by city Sanitary Wagon.

Commissioner Steffler submitted reports of the Plumbing Inspector and the Sewer Engineer covering the application of the City of Alamo Heights for permission to connect its sewer System, with that of the City of San Antonio on River Avenue, and recommended that considering the fact that the City Sewer, was already running to capacity, the application of the City of Alamo Heights be not granted.

ME-1524 City Engineer recommending that bid of W. G. Fraser for constructing curbs at Municipal Playgrounds on Crockett Street, be accepted.

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

ME-1525 No. 122

AN ORDINANCE

Appropriating \$2,380.00 Two Thousand Three Hundred and Eighty Dollars to pay H.A.Schoenfeld for work done on Municipal Golf Links Club House.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of (\$2,380.00) Two Thousand Three Hundred and Eight Dollars is hereby appropriated from 1922 General Fund (Conting. Dept.) to pay H. A. Schoenfeld for work done on Municipal Golf Links Club House.

AN ORDINANCE

-1526 Authorizing the S. L. Jeffers to excavate under a portion of the Avenue E and Third Street sidewalk on property owned by said company at the Southwest corner of Avenue E and Third Streets.

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

Section One: That the S. L. Jeffers Company be and it is hereby given permission to excavate under a portion of the Ave. E. and Third Street sidewalk in front of property owned by said company at the Southwest corner of Avenue E and Third Streets; and that the said company is further granted permission to use such space under sidewalk for basement purposes in connection with the building which the said Company is preparing to erect at said location.

Section Two: The said Company shall make such excavation in accordance with instructions from and under the supervision of the City Engineer, from whom it shall obtain lines enclosing such excavation.

Section Three: It is expressly declared that the permission hereby given is purely a grant of privileges, revocable by the City at any time in the future, and the said S. L. Jeffers Company by its acceptance of the permission herein granted, shall be deemed to have accepted the same with full assent to the right of revocation retained by the City.

Section Four: The City of San Antonio expressly reserves the right to place its water mains, electric cables and other appliances for fire alarm signal system, and similar utilities in said excavation and the said S. L. Jeffers Company by the acceptance of the privilege herein granted agrees to, and does hereby waive all claim for damages that might arise by reason of such appliances being placed therein, and agrees that it shall at no time make any claim for damages against the City for any injuries arising out of the placing of such appliances therein.

AN ORDINANCE

ME-1527 Authorizing the Dr. H. H. Ogilvie to excavate under a portion of the Avenue D sidewalk on property owned by said Dr. H. H. Ogilvie on Avenue D, adjoinint the Y. M. C. A. Building.

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

Section One: That the Dr. H. H. Ogilvie be and it is hereby given permission to excavate under a portion of the Avenue D sidewalk in front of property owned by said Dr. H. H. Ogilvie on Ave. D. near Third Street; and that the said company is further granted permission to use such space under the sidewalk for basement purposes in connection with the building which the said Company is preparing to erect at said location.

Section Two: The said Dr. H. h. Ogilvie shall make such excavation in accordance with instructions from and under the supervision of the City Engineer, from whom it shall obtain lines enclosing such excavation.

Section Three: It is expressly declared that the permission hereby given is purely a grant of privileges, revocable by the City at any time in the future, and the said Dr. H. H. Ogilvie by its acceptance of the permission herein granted, shall be deemed to have accepted the same with full assent to the right of revocation by the City.

Section Four: The City of San Antonio expressly reserves the right to place its water mains, eletric cables and other applinances for firm alarm signal system, and similar utilities in said excavation and the said Dr. H. h. Ogilvie by the acceptance of the privilege herein granted agrees to, and does hereby waive all claim for damages that might arise by reason of such appliances being placed therein, and agrees that is shall at no time make any claim for damages against the City for any injuries arising out of the placing of such appliances therein.

-1528 No 123.

AN ORDINANCE

Appropriating \$600.00 for gravel from pit of B. F. Schmidt.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$600.00 be and the same is hereby appropriated out of the 1923 General Fund, Contingencies, to be paid at the rate of \$200.00 per acre for lease of approximately three acres of land from B. F. Schmidt, said strip of land being located on the Castroville Road, near the Leona Creek, the City having the right to obtain gravel from said pit until January 1st, 1929.

-1529 No. 124

AN ORDINANCE

Appropriating \$441.36 to pay San Antonio Sewer Pipe Works.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$441.36 be and the same is hereby appropriated out of the Sanitary Sewer Fund of 1919, to pay San Antonio Sewer Pipe Works for one car of 8" sewer pipe and fittings as per itemized invoice duly approved and now on file in the office of the City Auditor.

AN ORDINANCE

-1530 Cancelling a contract between the City of San Antonio and Southwest Bitulithic Company for the improvement of Locust Street from Main Avenue to San Pedro Avenue and repealing, rescinding and annulling a certain ordinance levying special assessments for the cost of such

improvements which ordinance was passed and approved by the Commissioners of said City on August 7, 1922:

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

WHEREAS, the Commissioners heretofore, to-wit, on January 22, 1921 entered into a written contract with the Southwest Bitulithic Company for the improvement of Locust Street from Main Avenue to San Pedro Avenue by paving the same with Warrenite Bitulithic paving and in connection with said contract Southwest Bitulithic Company executed and delivered to the City certain bonds, one designated a construction bond and being for the sum of \$13,000.00 and the other designated maintenance bond in the sum of \$6,500.00, both of which bonds are of even date said contract; and

WHEREAS, thereafter, to-wit, on the 7th, day of August, 1922 the Commissioners of said City of San Antonio duly passed an ordinance levying special assessments for the cost of said improvements on Locust Street from Main Avenue to San Pedro Avenue and providing for the issuance of assessment certificates and for other purposes, which ordinance is of record in Street Improvement Records of the City, Volume 11, pages 23 to 32 inclusive; and

WHEREAS, certain complications have arisen with reference to the construction of said improvements upon said improvements upon said street which render it inadvisable to have the same made upon the plans and specifications upon which said contract is based and Southwest Bitulithic Company has in writing signified its willingness to have said contract for the improvement of said street between said intersection cancelled and annulled and to have the said ordinance levying said assessments against the owners of property on said street repealed, rescinded and annulled;

NOW THEREFORE, BE IT FURTHER ORDAINED:

Section 1. That the contract entered into by and between the City of San Antonio and Southwest Bitulithic Company dated January 22, 1921 for the performance by Southwest Bitulithic Company of the work of improving Locust Street from Main Avenue to San Pedro Avenue by paving the same be, and the same is hereby cancelled, annulled and held for naught and said Southwest Bitulithic Company is hereby released and relieved from any responsibility or liability by reason of the execution and delivery to the City of said two bonds of even date with said contract, one being for \$13,000.00 and designated construction bond and the other being for \$6,500.00 and designated maintenance bond and each of said bonds being signed by United States Fidelity & Guaranty Company as surety for Southwest Bitulithic Company principal in said bonds.

Section 2. That the ordinance levying special assessment for the cost of improvements of Locust Street from Main Avenue to San Pedro Avenue passed and adopted by the Commissioners of the City of San Antonio on the 7th, day of August, 1922 and recorded in Street Improvement Records of said City, Volume 11, pages 23 to 32 inclusive, be and the same is hereby in all respects repealed, rescinded, cancelled and held for naught and that the assessments therein made against the owners of abutting property and against such abutting property be cancelled, released and freed from any claim or lien heretofore existing by virtue of said assessment ordinance.

Passed and approved this 13th, day of August, A. D. 1923.

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

RESOLUTION

Changing certain polling places for the Charter Amendment Election to be held on August 21, 1923.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that, the polling place for precinct No. 29 be and is hereby established at F. F. Rodriguez place, 1703 Jones Avenue instead of Jones Pharmacy, 1301 Jones Avenue as advertized, and that the polling place for precinct 45 be and is hereby established at A. L. Reus place, 932 E. Commerce Street instead of Tailor Shop at Pine Street and Aransas Avenue, as advertized.

1530.1 ---

RESOLUTION

Authorizing the purchase of two 40 x 12 cushion tires for use in Street Department.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that, the City Purchasing Agent be and is hereby directed to purchase two (2) heavy duty cushion tires 40 x 12 for use on trucks in Street Department .

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

ATTEST:

Alfred J. Smith
CITY CLERK.

APPROVED

J. M. Dobson
MAYOR

ME-1530.1