

AN ORDINANCE 08-7

ORDERING AN ELECTION FOR THE PURPOSE OF SUBMITTING A PROPOSITION TO ISSUE \$300,000.00 ADDITIONAL AUDITORIUM BONDS; AND DESIGNATING POLLING PLACES AND OFFICERS OF SUCH ELECTION.

WHEREAS, heretofore, to-wit on the last day of September, 1919, the City Commissioners of the City of San Antonio passed an ordinance authorizing the issuance of Five Hundred Thousand Dollars (\$500,000.00) CITY OF SAN ANTONIO AUDITORIUM BONDS, for the purpose of constructing an auditorium in and for said City; and

WHEREAS, it has been determined that said sum of Five Hundred Thousand Dollars (\$500,000.00) is entirely inadequate to construct an auditorium to meet the needs of said City, and that it will require an additional bond issue to supplement the funds available to construct said auditorium; and

WHEREAS, the City Commissioners of the City of San Antonio deem it advisable to issue said additional bonds for said purpose; THEREFORE

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

That an election be, and the same is hereby ordered to be held on the 9th day of September, 1922, at which election the following proposition shall be submitted:

"Shall the City Commissioners of the City of San Antonio be authorized to issue the bonds of the said City in the sum of Three Hundred Thousand Dollars (\$300,000.00) payable serially one to forty years after date, bearing interest at the rate of five per cent (5%) per annum, payable semi-annually, for the purpose of supplementing the available bond fund for the construction of an auditorium, in and for the City of San Antonio; and to levy a tax sufficient to pay the interest on said bonds and create a sinking fund sufficient to redeem them at maturity."

Said election shall be held at the following places, and the following named persons are hereby appointed managers of said election:

Precinct No. 1, City Hall, (Military Plaza), Chas. Tips, Presiding Officer, Eston L. Jarvis and E. J. Hoyer, Jr., Judges, and Mark J. Wright and Albert Friedrich, Clerks thereof.

Precinct No. 2, Fire House No. 12, 1102 S. Flores Street, V.G. Shower, Presiding Officer, C. B. Treuter and Ralph Trejo, Judges; and Miss Carrie Brockman and Jas. O. Truehart, Clerks thereof.

Precinct No. 3, Y. Valdez, 1510 S. Flores Street, Henry Fest, Presiding Officer, Jas. A. Bailey and Richard Egli, Judges, and Mrs. Anita Leighton and Leonard Gittinger, Clerks thereof.

Precinct No. 4, Fire House No. 16, Pruitt Ave. and Somerset Road, Mrs. Lottie M. Coon, Presiding Officer, Robert Cherry and E. J. Epp, Judges, and Mrs. Kate Hoffman and Holly Hood, Clerks thereof.

Precinct No. 5, A. Gonzales Store, 2922 South Flores Street, A.B. Gonzales, Presiding Officer, Dr. F. H. Redmond and J. L. Rhodes, Judges, and Mrs. Minnie McCall and Chas. Rossy, Clerks thereof.

Precinct No. 6, Shurin's Place, Corner DeSoto and Thompson Place, San Fernando, Wayne Behannon, Presiding Officer, Thos. F. Hart and John E. Page, Judges, and Howard V. Mosely and Miss Mamie Pruitt, Clerks thereof.

Precinct No. 7, Rubiola's Store, Corner S. Laredo and Vera Cruz Streets, Gus Bertetti, Presiding Officer, Jas. Coultress and Anastasio Garza, Judges, and Miss Mary Bertetti and Mrs. Tona Kenney, Clerks thereof.

Precinct No. 8, Breckenridge School No. 21, on Colima Street, near S. Brazos, Dan P. Remling, Presiding Officer, A. W. Johnson and Mrs. Edith Kendall, Judges, and John R. Carson and Chas. Worthy, Clerks thereof.

Precinct No. 9, Fire House No. 11, 325 S. Frio Street, Mrs. Lena Teel, Presiding Officer, Jim A. Elliot and Paul Bertetti Judges, and Miss Ruth Moynahan, Clerk thereof.

Precinct No. 10, J. Ocon's Place, Corner San Marcos and Monterrey Streets, Frank Rieden, Presiding Officer, Mrs. Lola Melsam and Geo. Copp, Judges, and Mrs. Camille Durham and Jno. P. Freeman, Clerks thereof.

Precinct No. 11, School House, 2800 Block W. Commerce St., J. R. Bain Jr., Presiding Officer, Mrs. Louise Dillon and Andrew Hoffman, Judges, and Mrs. Edna Feille and Mrs. Cattis T. Miller, Clerks thereof.

Precinct No. 12, Fire House No. 8, 2418 Buena Vista Street, Stanley Banks, Presiding Officer, Forrest Campbell and Frank Chattam, Judges, and Miss Annie Brice and Mrs. Ralph English, Clerks thereof.

Precinct No. 13, Otto Ewart & Son, 525 N. San Saba Street, F. A. Chapa, Presiding Officer, Joe Dalrymple and Mrs. Emma Lewis, Judges and Rocco Pollo and Thos. Jett, Jr., as Clerks thereof.

Precinct No. 14, Fire House No. 15, 800 N. San Marcos St., Fritz Russi, Presiding Officer, Mrs. Jno. H. Smith and Joe Carle, Judges, and Dave Stover and Mrs. C.F. Russi, Clerks thereof.

Precinct No. 15, N. B. Delgado Place, West Commerce and Sabinas Streets, H.H. Dietz, Presiding Officer, Mrs. Nora Campbell and Albert Carolus, Judges, and Miss Little Hice, and Chas. Hofer, as Clerks thereof.

Precinct No. 16, Mrs. Mable Miller's Place, 1327 N. Laredo Street, Corner Rivas, E. J. Braswell, Presiding Officer, Mrs. Louise Herwick and L. D. Huskey, Judges, and

C. H. Vaughn and Dave Fox, as Clerks thereof.

Precinct No. 17, Zarzamora and Menchaca Streets, J. T. Dixon, Presiding Officer, Wm. H. Powell and Mrs. Louise B. Galm, Judges, and Otto Zoller and Wm. Herman as Clerks thereof.

Precinct No. 18, West End Pavilion, West End, S. G. Bechtel, Presiding Officer, W.T. Bivins and Mrs. Lida Briggs, Judges, and Davis Fee and R.T. Holstein, as Clerks thereof.

Precinct No. 19, Wheeler Auto Supply Co., Corner Main Avenue and Lakeview Avenue, Joe L. Hill, Presiding Officer, T. M. West and Walter Whittaker, Judges, and Geo. V. Schmitz and Mrs. Adele Rilling as Clerks thereof.

Precinct No. 20, Schultz Place, Corner Romana and North Flores Street, E.J. Altgelt Presiding Officer, Miss Mabel Caldwell and Jno. C. Moser, Judges and Raymond Edwards and J. D. Jennings, as Clerks thereof.

Precinct No. 21, Crystal Fountain, Corner Warren Street and San Pedro Avenue, Chas. M. Lee, Presiding Officer, Wm. B. Collins and Miss Annie Jones, Judges, and Henry De Hart and Joe O'Toole as Clerks thereof.

Precinct No. 22, Pavilion, San Pedro Park, Chas. Baumberger Jr., Presiding Officer, I. Bettison and Mrs. Elsie Dietzel, Judges, L.N. Pytel and N.R. Hawkins, as Clerks thereof.

Precinct No. 23, Fire House No. 6, 506 West Russel Place, F. A. Bontwell, Presiding Officer, Mrs. Henrietta Brueland, Joe E. Carroll, Judges, and Wm. J. Powell and J. M. Perkins, as Clerks thereof.

Precinct No. 24, Summitt Avenue Pharmacy, Corner Summitt and Grant Avenues, A. H. Cadwallader, Jr., Presiding Officer, Robert Davis and Mrs. Elsie Felthouse, Judges, James Overstreet and Wm. A. Meissner, as Clerks thereof.

Precinct No. 25, Corner Agarita Avenue and N. Flores Street, W. H. Chambers, Presiding Officer, Wm. F. Collins and C. H. Neyland, Judges, Mrs. Emma Carter and Chas. J. McGill, as Clerks thereof.

Precinct No. 26, F. F. Rodriguez Store, Corner Jones Ave. and Providence Street, Vivian Hamilton, Presiding Officer, G. H. Harrison and Miss Katherine Jarrell, Judges, and Pete Dailey and Monroe Vettors, as Clerks thereof.

Precinct No. 27, Evergreen Pharmacy, Main Avenue and Dewey Place, V. R. Hood, Presiding Officer, Arthur A. Seeligson and Mary E. Means, Judges, Joe Salber and Marshall Harris, as Clerks thereof.

Precinct No. 28, Eleanor Breckenridge School, Corner Brooklyn Avenue and E. Cypress Street, Henry S. Groesbeck, Presiding Officer, Miss Agnes Kray and Sam A. Spindle, Judges, and Wm. H. Carnal and L. A. Reile, as Clerks thereof.

Precinct No. 29, Fire House No. 4, 301 Camden Street, J. Ross Boles, Presiding Officer, Mason Schols and Miss Verna Hicks, Judges, and J. W. Null and L. M. Coin as Clerks thereof.

Precinct No. 30, Texas Fast Motor Lines Consolidated Depot, Travis Street, P. L. Anderson, Presiding Officer, Sam J. Baggett and Geo. K. DeShazo, Judges, and Miss Laura Mussey and Chas. Morgan as Clerks thereof.

Precinct No. 31, Zamzow Brothers Store, Houston and Bowie Streets, Steve Ahr, Presiding Officer, Claude E. Isom and Rob. A. Price, Judges, Miss Bettie Oliver, Robt. H. Keeton, as Clerks thereof.

Precinct No. 32, _____ Place, Corner Ave. D. and 8th Street, Arthur Beck, Presiding Officer, Tom M. Little and August Thiele, Judges, and Mrs. Kate Hymas and J. T. Harper as Clerks thereof.

Precinct No. 33, Fire House No. 14, Milam and Oak Streets, Otto A. Dullnig, Presiding Officer, Ernest T. Fairchild and E. R. Cavanaugh, Judges, and Miss Mabel Ferguson and Jake Giovani, as Clerks thereof.

Precinct No. 34, North Loop Delicatessen, 3021 River Ave., Ed Haltom, Presiding Officer, Raymond Schrimsher and Henry A. Bennett, Judges, and Miss Marjorie Will, and Aug. Filleman, as Clerks thereof.

Precinct No. 35, Jack Flaherty's, Corner W. Hackberry and Crosby Street, Chas. Boyle, Presiding Officer, Samuel D. Deniger and D. J. Moran, Judges, and Gladys W. Williams and Ed Boubel, as Clerks thereof.

Precinct No. 36, Fire House No. 5, 1015 Mason Street, W.H. Cade, Presiding Officer, Henry Humes and Mrs. Stella Vodrie, Judges, and T.P. Kelly and E. W. Biles, as Clerks thereof.

Precinct No. 37, W.T. Harris School, Calhoun and Van Ness Streets, Herman Klaus, Presiding Officer, Wm. Procknow and Mrs. Elizabeth Wright, Judges, and Wm. Auz and Fred Fishback, as Clerks thereof.

Precinct No. 38, F. L. Gibson's Store, 402 Burleson Street, Corner Mesquite Street, Geo. P. Davis, Presiding Officer, Richard Buckley and Miss Helen Kress, Judges, and L. S. Hoag and Jno. C. Belohlavek, as Clerks thereof.

Precinct No. 39, G. R. Davis Barber Shop, 832 N. Braunfels Ave., R. D. Alley, Presiding Officer, Willard L. Boone and Wm. Duffy, Judges, and Wm. Redding and Mrs. Mabel Walsh, as Clerks thereof.

Precinct No. 40, Fire House No. 3, 900 Block E. Commerce Street, W. M. Jordin, Presiding Officer, L. Krohnheimer and Jno. P. Campbell, Judges, and Thos. H. Coghill and Dick Mountjoy as Clerks thereof.

Precinct No. 41, Fannin School House, 1900 Block E. Houston Street, Robert F. Uhr, Presiding Officer, S.C. F. Arnold and Ed Hyatt, Judges, and H. M. Spangler and Mrs. Lola Vogelsang as Clerks thereof.

Precinct No. 42, Reed's Grocery Store, Corner N. Gevers and Belmont Streets, W. O. Semlinger, Presiding Officer, and W. F. Stuart and Oscar S. Abbe, Judges, and Albert A. Mair and Mrs. Ed Dimmitt, as Clerks thereof.

Precinct No. 43, Geo. Wilke's Store, Corner Matagorda and Wyoming Streets, J. H. Bollins, Presiding Officer, and Mrs. Ida E. Eickman and J. P. Gettinger, Judges, and Olive Abbey and Peter Chieslik as Clerks thereof.

Precinct No. 44, Broski's Furniture Store, Corner Hoefgen and Victoria Streets, E. Freitag, Presiding Officer, F. Kovalski and Miss Elsie Schulz, Judges, and Ben Fleming and Anton L. Krause as Clerks thereof.

Precinct No. 45, Ewald's Grocery and Market, Corner Hackberry and Dakota, W.O. Fewell, Presiding Officer, C. A. Dullnig and E. E. Mueller, Judges, and Mrs. Helen Bednark and Fred E. Wunder as Clerks thereof.

Precinct No. 46, Wagner's Store, Corner Wyoming and Piedmont Streets, J. H. Brown Presiding Officer, E. A. Greene and Alvin L. Dietzel, Judges, and Miss Della Donecker and Chas. Graap, as Clerks thereof.

Precinct No. 47, Dierolf's Grocery and Market, 311 Hedges Street, Chas. O. Dunham, Presiding Officer, Mrs. Margaret Roessler and Julius Conrads, Judges, and Wm. B. Bass and R. J. Rihn, as Clerks thereof.

Precinct No. 48, Fire House No. 9, Delmar and Mittman Streets, Beverly W. Spillman, Presiding Officer, Jno. Rector Jones and O. E. Todd, Judges, and Miss Lucille Hutton and J. C. Delgado, as Clerks thereof.

Precinct No. 49, Caroline' Meyer's Store, 1200 Delaware Street, Corner Dreiss, August Engelken, Presiding Officer, B. F. Patterson and Mrs. Eleanor Perkins, Judges, W. Dunnaway and T. L. Johnson, as Clerks thereof.

Precinct No. 50, Herff School, Hackberry, Victoria and Indiana Streets, L. M. Chapman, Presiding Officer, Emil Cuney and Fred A. Clemens, Judges, J. Ed Helmar and Miss Leslie Burnside as Clerks thereof.

Precinct No. 51, E. E. Summers Auction House, 226 Devine Street, Geo. Baldus, Presiding Officer, Adolph W. Pingenot and T.E. Barnes, Judges, and Miss Leila Capt and E. H. Bothwell, as Clerks thereof.

Precinct No. 52, Rosemere Confectionary, S. Presa and Berkshire Streets, J.J. Fox, Presiding Officer, I. L. Dixon and Oscar Ferrell, Judges, and Miss Bessie Lee Dickey and Jno. T. Halliday, as Clerks thereof.

Precinct No. 53, Highland Park School, Rigsby, St. Anthony, New Braunfels and Hammond Avenues, J. W. Walker, Presiding Officer, Herbert D. Clark and S. D. Mahavier, Judges, and Miss Bonnie Carpenter and Wm. A. Posey, as Clerks thereof.

Precinct No. 54, Schilo's Place, Corner South Alamo and North Street, Chas. Dunbar, Presiding Officer, Wm. Tolle and E.F. Wright, Judges, and Miss Olga Scholz and P. G. Kuehn, as Clerks thereof.

Precinct No. 55, Fire House No. 7, 600 S. Alamo Street, Geo. W. Huntress, Presiding Officer, Wm. Opperman and R. V. McGown, Judges, and Miss Annie Gallagher and Edw. J. Jaekle, as Clerks thereof.

Precinct No. 56, Breckenridge High School, Corner Garden and Marne Streets, Stewart M. Vicar, Presiding Officer, Victor V. Boone and Miss Edith Cory, Judges, D. D. Heinen and Henry Herzig, as Clerks thereof.

Precinct No. 57, Fire House No. 13, Corner S. Presa and Hicks Avenue, J. W. Crow, Presiding Officer, W.A. Lee and Herbert E. Hargis, Judges, and G.H. Albers and Mrs. Mollie Martin, Clerks thereof.

Said election shall be held in accordance with the laws of the State of Texas, and only qualified voters, who are property taxpayers of the City of San Antonio, shall be allowed to vote, and all voters desiring to support the proposition to issue bonds shall have printed on their ballots:

"FOR THE ISSUANCE OF \$300,000.00 ADDITIONAL AUDITORIUM BONDS"

and those opposed shall have printed on their ballots the words:

"AGAINST THE ISSUANCE OF \$300,000.00 additional AUDITORIUM BONDS".

The manner of holding said election shall be governed by the laws of the State regulating general elections.

A copy of this ordinance, signed by the Mayor, shall serve as proper notice of said election, and the Mayor is directed to cause notice of said election to be posted at three public places in the City of San Antonio, at least thirty days prior to the date of said election; and he is further directed to publish said notice of election in a newspaper of general circulation, in the City of San Antonio, at least once a week for at least thirty days prior to the date of said election.

Passed and approved the 24th day of July, 1922.

O. B. Black
Mayor

Attest:

O. C. Speight
City Clerk.

NOTICE

Notice is hereby given that on the 24th day of July, 1922, the following ordinance will be presented to the City Commissioners of the City of San Antonio, for adoption or rejection:

AN ORDINANCE 02-8

ORDERING AN ELECTION FOR THE PURPOSE OF SUBMITTING CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF SAN ANTONIO, AND DESIGNATING POLLING PLACES AND OFFICERS OF SUCH ELECTION.

WHEREAS, the Board of Commissioners of the City of San Antonio has decided to submit to the qualified voters of said City certain amendments to the Charter of the City of San Antonio, THEREFORE

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

That an election be, and the same is hereby ordered to be held, on the 9th day of September, 1922, at which election the following propositions shall be submitted:

(1) Shall Section 106, of the Charter of the City of San Antonio be amended so that the same shall be and hereafter read as follows:

"Section 106: The Board of Commissioners, subject to the limitations elsewhere provided, shall have the power, by ordinances, to annually levy and collect ad valorem taxes as follows: First: for general purposes, not exceeding one dollar and twenty five cents (\$1.25) upon every hundred dollars valuation; Second: for special purposes, not exceeding one dollar and twenty five cents (\$1.25) upon every one hundred dollars valuation; provided that no part of said tax of one dollar and twenty five cents upon every hundred dollars valuation for special purposes shall be levied by the Board of Commissioners unless such levy is specifically required by some provision of this charter, or unless such levy be made to satisfy a judgment rendered against the City by some Court of competent jurisdiction, or unless such levy shall have been first authorized by a majority vote cast by the duly qualified property tax paying voters at an election held for that purpose, or held for the purpose of authorizing the issuance of bonds; provided, further, that the total tax rate of the City, including taxes for general purposes, special purposes, interest and sinking fund, shall never exceed two dollars and twenty five cents (\$2.25) annually on the one hundred dollars valuation of all property assessed, according to the last approved assessment roll of the City, except that the tax levied by any improvement district for improvements therein, as provided in Section 54, may be twenty five cents (25¢) annually, in addition to the two dollars and twenty five cents mentioned above. The ad valorem taxes shall be levied and collected annually on the assessed value of all real estate and personal estate and property in said City, including all choses in action, franchises and privileges having a situs in said City, though the owners thereof be non-residents."

(2) Shall the Charter of the City of San Antonio be amended by adding thereto ARTICLE IV. SECTION 136, as follows:

ARTICLE IV.C I V I L S E R V I C E.

"Section 136. Paragraph 1: There is hereby created for the City of San Antonio a Civil Service Commission, to be composed of three persons to be elected by the qualified voters of the City of San Antonio, and whose term of office shall be two years, and until their successors shall be elected and qualified. The first Civil Service Commission shall be elected at the general election to be held in the month of May, 1923.

Paragraph 2: In order to be qualified to hold the office of Civil Service Commissioner, the person holding the same shall have attained (the age of twenty-five years, shall be a citizen of the United States, and shall have resided in the City of San Antonio at least five years next prior to his or her election, and shall be a qualified voter in said City, shall be able to read and write the English language, and shall not be the holder of any other public office or employment.

Paragraph 3: It shall be the duty of the Civil Service Commission to promulgate and adopt rules and regulations covering the qualifications of all applicants for appointment to positions or employment in the City of San Antonio, except persons applying for positions or employments stated in paragraph 5 hereof.

Paragraph 4: All persons desiring to be appointed to positions or employments by the City of San Antonio, except such positions or employments stated in paragraph 5 hereof, shall file written applications with the Civil Service Commission, in such form and manner as may be provided for by such Commission, and shall appear before such Commission and submit to and stand such mental and physical examinations as may be required by such Commission, touching the qualifications and fitness of such applicants for the positions or employments sought by such applicants. The examinations of all applicants are to be made in an impartial manner by such Commission, and all applicants shall be graded upon such examinations according to the rules promulgated and adopted by such Commission, and a list of the names of such persons, together with the grades made by them, shall be certified by said Commission to the Commissioner of the City of San Antonio in whose department such applicants are seeking positions or employment, provided that no person making an average grade below seventy per cent shall be eligible to be placed upon said list. Such Commissioner shall resort to said list in making appointments to positions and in giving employment in his department, and shall give preference to the applicants who have the best grades, as shown by the list so furnished by said Civil Service Commission, provided, that the Commissioner making the appointment or giving the employment may appoint or employ either of the three persons having the highest grades, as shown by said list, and provided, however, that seniority shall prevail in all departments. When two or more persons have the same grade, the Commissioner in whose department they are seeking positions or employment, shall exercise his discretion as to which of said applicants he appoints or employs. In case there is no list of available applicants for positions, or when such list of applicants shall have been exhausted, the Commissioner shall have the

right to appoint or employ any person in his department, without regard to such list. It shall be the duty of said Civil Service Board to promulgate, adopt, publish and apply rules covering the requirements and qualifications of all applicants for appointments to positions or employment in the department concerned, excepting applicants for the several positions or employments mentioned in Paragraph 5, and provided that the Board may classify the various positions or employments in the departments, and shall adopt uniform tests and requirements for all applications within each such class, and that a score of ten points shall be allowed all applicants who are now in the employ of the City.

Paragraph 5: The following officers and employees shall not be required to submit to nor stand examinations herein provided for, and shall not be subject to the provisions hereof:

- All elective officers.
- The City Attorney and his assistants.
- The City Health Officer.
- The City Auditor.
- The City Purchasing Agent.
- The City Clerk
- The Chief of the Fire Department
- The Chief of Police
- The City Electrician
- The City Building Inspector
- The Park Superintendent
- The City Fire Marshal
- The Garbage Superintendent
- The City Engineer
- The Superintendent of the Street Cleaning Department
- The Chief Deputy Assessor
- The Plumbing Inspector
- The Chief Deputy Collector
- The Market Master
- Day Laborers whose employment is for less than 30 days.

The above officers and employees shall be elected or appointed in the manner provided for in the Charter of the City of San Antonio.

Paragraph 6: Any Commissioner shall have the right to suspend for a period of ten days, any employee in his department, for incompetency, unfitness, insubordination, carelessness or neglect of duty, or for any conduct unbecoming to an employee of the City of San Antonio. When such suspension is made, it shall be the duty of such Commissioner to certify the suspension to the Civil Service Commission, and a day shall be set for a hearing upon the charges so made, which hearing shall be within the period of said suspension, and the Civil Service Commission shall notify the employee to appear before said Commission at the time set for said hearing and said Civil Service Commission shall hear evidence upon the charges filed against said employee and shall inquire into the same, and if such charges are sustained, said employee shall be dismissed, as of the date upon which he was suspended. If the charges are not sustained, such employee shall be reinstated and shall be paid for the time for which he was suspended. Provided that the Board may, in its discretion and by its order, provide for a reprimand of the employee, or for a period of suspension without pay, or for other conditions to be accepted by the employee in lieu of dismissal; and provided, further, that the Board shall, in all such matters, certify its order and action in writing and file such with the City Clerk. If, upon any such hearing, the charges are not sustained, the Board shall so order in writing and file the same with the City Clerk, and such employee shall be reinstated and shall be paid for the time during which he was suspended.

paragraph 7: The Commissioners of the City of San Antonio shall have the right to lay off or discharge at any time any and all of said appointees or employees on account of the suspension or the lack of work to be performed by them, or for the lack of funds to pay their salaries.

Paragraph 8: In case of a vacancy in said Civil Service Commission, caused by the death, resignation or inability of either of the Civil Service Commissioners to serve, the Commissioners of the City of San Antonio, shall, by a majority vote, fill such vacancy.

Paragraph 9: The Civil Service Commissioners shall hold a meeting at least once each week and shall receive ten dollars per meeting, not exceeding forty dollars per month.

(3) Shall the Charter of the City of San Antonio be amended by adding thereto SECTION 64a, as follows:

"Section 64a: To provide for the protection of the City and its inhabitants from storm or flood waters, and for such purpose to acquire, within or without the limits of the City, by gift, purchase or condemnation, private or public property in fee, or any lessor interest therein, or easement thereon; to build, construct, and improve, or cause to be built, constructed and improved, within or without the limits of the City, any improvements to prevent over-flow of rivers, creeks and streams flowing into, through or near the limits of the City; and to issue bonds for any and all of such purposes, provided that such bonds shall not be issued until the proposition to issue such bonds is first submitted to a vote of the qualified voters property taxpayers at an election to be held for the purpose of voting thereon, and unless a majority of such voters at such election shall vote in favor of the issuance of such bonds."

(4) Shall SECTION 66 of the Charter of the City of San Antonio be amended so that the same shall hereafter be and read as follows:

"Section 66: To provide funds for the maintenance of the Carnegie Library in said

City and any branches thereof that may be established in said City by the Board of Trustees of said Carnegie Library, and the Board of Commissioners shall annually levy a tax of not less than two (2) cents on the one hundred dollars of the assessed taxable values of the City and not more than three (3) cents on the one hundred dollars of the assessed values of the City, and said fund shall be protected for the use of said Library and the branches thereof in the same manner as the interest and sinking fund for the benefit of the bonded debt is protected by law. Said Library and branches and the expenditures of the fund arising from such taxation to be under the control and management of the Trustees of the said Carnegie Library.

(5) Shall SECTION 110, of the City Charter of the City of San Antonio be amended so that the same shall hereafter be and read as follows:

"Section 110: Paragraph 1: The Board of Commissioners shall have the power, by ordinance, to direct the deposit of all money of the City in any bank, banks or trust company, which the Board of Commissioners may designate as provided by law, and the officer or employe making such deposit shall not be responsible for the loss of any money of the City while so deposited by reason of the failure of any such bank or trust company. Each such bank or trust company shall pay to the City not less than three per cent (3%) interest on such deposits. Each bank or trust company designated as a city depository shall, before receiving such city deposits, execute and deliver a bond payable to the City, with sureties or bond executed by some approved surety company, and with general conditions, all as provided by the statutes of Texas. The penalty of each such depository bond shall be in double the amount of the funds to be deposited by the City and kept at any time in such bank or trust company.

Paragraph 2: In lieu of the sureties on such depository bonds, any such bank or trust company may deposit with any other approved San Antonio bank or trust company for safe keeping, bonds of the United States, the State of Texas, Federal Land Bank, or Joint Stock Land Bank located in Texas, or bonds of any County, Independent School District, Common School District or City located in Texas, owned and pledged by such depository as collateral, with full power of sale, for securing the City of San Antonio in the due performance of all of the conditions of its depository bond, the bonds deposited as such security to be in such event at least one-fifth (1/5) greater than the maximum amount of city funds such depository is authorized to keep; provided, however, that before any such bonds issued under the laws of Texas are accepted as collateral, it must appear the same have been approved by the Attorney General of the State of Texas, and that said bonds have been registered under the same rules and regulations as required for bonds in which the permanent school funds of the State are invested; and provided, further, that such bonds, except United States Bonds, shall be worth not less than par; and provided, further, that in case such bonds of any character be offered as such collateral, proofs of title and genuineness and evidences of the deposit made shall be furnished to the satisfaction of the Board of Commissioners.

Paragraph 3: Any depository bond may be rejected, or a new depository bond or additional collateral may be required, at the discretion of the Board of Commissioners, and such action of the Board shall not be subject to revision. If at any time the amount of any City funds deposited or to be deposited with any such bank or trust company be reduced in amount, then the Board of Commissioners may, in its discretion, permit a proportionate decrease in the bond and collateral security required. Such deposit of city funds in any bank or trust company shall not be increased or permitted beyond the one-half of the amount of the depository bond given to the City by such bank or trust company. All such depository bonds shall be in such lawful form as may be provided by the Board of Commissioners, with full common law liability thereon; and the Board of Commissioners may also provide further regulations and safeguards with respect to such city funds and depositories.

(6) Shall the Charter of the City of San Antonio be amended by adding thereto SECTION 110a, to read as follows:

"Section 110a: Paragraph 1: There is hereby created a body which shall be known as the Board of Finance.

Paragraph 2: The Board of Finance shall consist of five members, all of whom shall hold office for two years. The Mayor, or any commissioner may nominate the members of said Board, and such nomination shall be subject to confirmation by a four-fifths majority vote of the Board of Commissioners. Immediately after the adoption of this amendment, there shall be nominated five citizens, qualified to serve, as members of said Board of Finance, who shall hold office until June 1, 1923. Members of said Board thereafter appointed shall hold office for the full term of two years. Vacancies in the Board of Finance shall be filled for the unexpired term in like manner as originally appointed.

Paragraph 3: Each member of said Board of Finance must be at the time of his or her appointment, a qualified voter and taxpayer of the City of San Antonio, and must have been such for at least two years next preceeding his or her appointment. Members of said Board must be over 25 years of age and of wide business judgment and experience, and shall serve without compensation.

Paragraph 4: Said Board of Finance shall act in an advisory capacity and shall assist the Mayor and Board of Commissioners of the City of San Antonio in the decision of all questions pertaining to the expenditure of funds derived by the sale of bonds issued by the City of San Antonio for permanent improvement purposes. Said Board of Finance shall sit with the Board of Commissioners, as Advisors to said Board, at all meetings at which contracts, expenditures of said bond funds, and questions relative to the construction of permanent improvements to be paid out of said bond funds are voted upon; and shall have all the rights and powers of the Commissioners in voting upon such expenditures of bond funds derived from the sale of bonds issued for permanent improvement purposes; and no such bond money shall be expended, nor shall any contracts of the City to expend the same be made, except upon a majority vote of the Board of Finance and a majority vote of said Board of Commissioners, voting separately. Notice shall be given to the members of said Board of Finance at least five days before any meeting of the Board of Commissioners is held at which the expenditure of such funds shall be voted upon. The Board of Commissioners shall be authorized to prescribe the manner of giving such notice, which may be by publication.

Paragraph 5: The Board of Finance shall elect its own chairman. Three members of said

Board of Finance shall constitute a quorum for the transaction of business; but the affirmative vote of three of its members shall be requisite to authorize any such contracts or expenditures. The City Clerk shall be the Clerk of the Board of Finance and shall keep and enter minutes of its proceedings along with the minutes of the Board of Commissioners for each such meeting; and the action and minutes of the said Board of Finance shall be evidenced and verified by the signature of its chairman affixed to said minutes."

(7) Shall the Charter of the City of San Antonio be amended by adding thereto SECTION 137, to read as follows:

"Section 137: The Commissioners of the City of San Antonio shall have the power, by ordinances duly enacted, to open, extend, straighten or widen any public street, alley, avenue or boulevard within the City limits of the City of San Antonio, and for such purpose shall have the power to acquire the necessary lands, and to appropriate the same under the power of eminent domain, and to provide that the cost of improving any such street, alley, avenue or boulevard by opening, extending and widening the same, shall be paid by the owners of the property specially benefitted, whose property lies in the territory of such improvement, and to provide that the entire cost shall be charged by special assessment, and that a personal charge shall be made against any owner for the amount due by him, and to provide for the appointment by the County Judge or other officer exercising a like or similar powers, of three special commissioners for the purpose of condemning said lands, and for the purpose of apportioning the said cost, which apportionment of said costs shall be specially assessed by the commissioners of the City of San Antonio, by ordinance, against the owners and the specially benefitted in enhanced value by said special commissions. The City shall pay such portion of such costs as may be determined by said special commissioners, provided the same shall never exceed one-third of the cost, and the property owners and their property shall be liable for the balance of the same, as may be apportioned by said commissioners. That the City of San Antonio may issue assignable certificates for the payment of any such cost against such property owners and may provide for the payment of any such cost in deferred payments, to bear interest not to exceed eight per cent per annum."

(8) Shall the Charter of the City of San Antonio be amended by adding thereto SECTION 138, to read as follows:

"Section 138: The Commissioners of the City of San Antonio may, by ordinance, provide for the opening, straightening, widening or extending any of its streets, and charge the entire cost of same against the property and the owners specially benefitted in enhanced value, and lying within the territory of said improvement, and may provide that such cost shall become a lien against the property lying in the territory of such improvement specially benefitted in enhanced value, and may provide for the issuance of assignable certificates against such property so benefitted, for the payment of the cost of such improvement, and may provide that same may be paid in annual installments and bear interest not to exceed eight per cent per annum."

(9) Shall the Charter of the City of San Antonio be amended by adding thereto SECTION 139a, as follows:

"Section 139: Paragraph 1: The Board of Commissioners shall fix the nature of all street improvements, and the materials, methods and plans of constructing the same, and paying the cost thereof, and provide for paving, repaving, raising, grading and draining of streets, avenues, alleys, boulevards, public places, squares or highways, and for the construction of storm sewers, culverts, drains, curbs, gutters and sidewalks thereon, and the opening, extending, widening, narrowing and straightening thereof, and engineering and supervision in connection therewith."

The word "Highway" as used herein shall include streets, alleys, public places, squares, avenues or boulevards in the City. The City shall have the power to assess against the owners of property abutting any highway or section thereof improved, and against said property all the cost of constructing sidewalks and curbs and not exceeding 90% of the cost of making other improvements with the exception of such part thereof as may be assessable against the owners of railroads or street railroads under the terms hereof. The City shall have the power to apportion the cost of such improvement chargeable to the owners of abutting property among them, and to fix a lien against said property therefor, which shall be superior to all other liens, claim or interest, except City, County and State taxes, and to fix a charge of personal liability against the owners thereof. The City shall pay not less than 10% of the total cost of said improvements excluding the cost of sidewalks and curbs and excluding the cost payable by owners of railroads and street railroads under the terms hereof.

The entire cost of constructing and building sidewalks and curbs and that portion of the cost of other improvements which under the terms hereof is assessable against owners of abutting property, may be made payable in equal annual installments, not less than five in number, after the completion and acceptance by the City of said improvements, and which shall include reasonable attorney's fees and costs of collection, if incurred, and the Board of Commissioners shall have the power to fix the terms and conditions of payment and maturity of said assessments, and of the interest thereon, and of the assignable certificates hereinafter provided for.

Paragraph 2: The entire cost of making such improvements between and under rails, tracks, switches or turnouts of any railroad or street railroad occupying any highway, or its intersections, and for twenty-four inches on the outside of rails and tracks thereof, shall be paid by the owners thereof and secured by a lien assessed on the roadbed, rails, ties, tracks, franchises, right of way, and all other property, real personal or mixed, used in operation of said railroad or street railroad, which lien shall be superior to all other liens, rights, claims and interests in and upon said property except ad valorem taxes. Said assessment shall include reasonable attorney's fees and costs of collection, if incurred, and the ordinance making same shall provide for the time and terms of payment thereof, and for interest upon deferred payments as herein provided.

Paragraph 3: No assessment shall be made against the owners of abutting property or their property, or owners of railroads or street railroads or their property

without at least ten days written notice and an opportunity to be heard on such question of special benefits given to the owner or owners of such property, lienholders and interested parties, provided that such notice may be served either personally or by publication in some newspaper of general circulation published in the City of San Antonio; and the names of said owners and other interested parties and description of said property need not be specifically set out in said notice. The Board of Commissioners shall have power to give other and additional notice, in its discretion, but a published notice shall be sufficient and binding upon said owners, lien holders and other interested parties.

At said hearing said owners, lien holders and other interested parties shall have the right to contest in writing said assessments and to produce testimony and summon witnesses in support of such contests, and the Board of Commissioners shall, after said hearing, determine the amount, if any, to be assessed and make said assessments by ordinance.

No assessments shall be made against any owner of abutting property or said property in excess of special benefits thereto in enhanced value thereof arising from said improvements. If it be determined that any proposed assessment is in excess of the special benefits arising from such improvements, such assessment shall be reduced to the amount of special benefit ascertained to arise from such improvement, and the difference between the proposed assessment and the final sum so assessed shall be paid by the City in addition to the other sums paid by it.

Said assessments may be enforced either by suit in any court having jurisdiction brought by the City for the benefit of the holder and owner of any such assessment and the certificate issued thereon, or brought by said owner and holder, or by sale of the property assessed in the same manner as near as possible as is provided for the sale of real estate for municipal taxes.

The lien of the assessments shall relate back and take effect as to creditors and subsequent purchasers from the date of the ordinance or resolution ordering the improvement.

The Board of Commissioners shall have full power and authority to provide for all further procedure, rules and regulations, necessary or proper, for such notices and hearings, and to levy, assess and collect such assessments or re-assessments.

Paragraph 4: Nothing herein contained shall empower the City to fix an assessment lien against any property exempt by law from sale under execution, but the owner of such exempt property shall nevertheless be liable for the pro-rata portion of the cost which would have been assessed against such property, were it not exempt, and such cost shall be assessed against said owner.

The fact that any improvement is omitted in front of exempt property, or property claimed to be exempt, shall not invalidate the lien of assessments made against other property.

Paragraph 5: The City shall have the power to issue in its name assignable certificates in writing declaring the liability of owners and their property for the payment of assessments, and to fix the terms, time of payment and conditions of default and maturity thereof. If any such certificate shall recite that the proceedings with reference to the improvements therein referred to have been regularly had in compliance with law, and that all pre-requisites with reference to fixing the assessment lien against the property therein referred to, and the personal liability of its owner have been performed, said recitals shall be prima facie evidence of the facts so recited.

Paragraph 6: Subject to the terms hereof, the Board of Commissioners shall apportion the cost of improvements among all the owners of the property abutting the highway, or section thereof, improved, in accordance with the front foot rule, in proportions as the front feet of property of each owner abutting the said highway or section improved is to the whole frontage thereof; but if in particular cases the application of this rule would be unequal or unjust, the Board of Commissioners shall adopt such rule as shall effect substantial justice and equality in view of special benefits received and burdens imposed; provided that when assessments are made for benefits in the territory benefitted, the proximity of the property to the improvements made, its area and location, and other circumstances affecting the benefits, may be considered, as well as the frontage of such property, in determining the apportionment of benefits and costs to be assessed; and the Board of Commissioners shall have power to provide by ordinance all such lawful rules for determining such benefits and assessments in the territory benefitted as may not be in conflict with the provisions of this charter.

Paragraph 7: No error, mistake or informality in the ordinance of assessment, or in any other proceedings prerequisite to said assessment shall invalidate the same, but it shall be the duty of the Board of Commissioners to correct the same at any time.

No error in describing any parcel of abutting property or the name of its owner shall invalidate an assessment, but it shall notwithstanding have full force and be in effect against said property and the real and true owner thereof. The Board of Commissioners shall, at any time, by ordinance, make correction of any error or mistake, or description of names of property owners or their property in any preceding ordinance.

Whenever, in the opinion of the Board of Commissioners, any error, mistake or invalidity exists in any proceedings with reference to said improvements or assessments, it shall correct said error or mistake or invalidity, and it shall have power to re-assess said property and the owner thereof with reference to which same exists; and it shall be its duty to do so when requested by the person or persons entitled to compensation for making said improvement, or a holder of an assignable certificate issued therefor. Such re-assessment shall be made after notice and hearing as herein provided and not in excess of benefits in enhanced value of the property assessed, and otherwise as near as possible in accordance with the provisions with reference to original assessments. After such re-assessments, the City shall have the power to issue assignable certificates, evidencing the same, as hereinbefore provided, (which may be payable in deferred installments with interest, costs and attorneys fees as herein provided with reference to original assessments, the last maturing not over five years from date of said re-assessment, and the terms and conditions of said certificates shall, as near as possible, comply with the provisions hereof relating to original assessments and certificates. No re-assessment shall

be made unless proceedings therefor are begun within three years from the date of the original assessment provided that if the validity of any assessment shall be involved in litigation, the period of time consumed therein shall not be considered in computing said three years. The Board of Commissioners shall have power to adopt rules, regulations and ordinances not inconsistent herewith for the purpose of carrying into effect every part of this Section, and to effect said assessment and re-assessments.

Paragraph 8: On any suit brought for the enforcement of an assessment, re-assessment or personal liability, the allegation in the petition or pleadings that all proceedings with reference to making such improvements have been regularly had in compliance with law, and that all prerequisites to the fixing of the assessment lien upon the property assessed, and the personal liability of the owner, or the issuance of assignable certificates, have been performed, shall be deemed a sufficient allegation of every proceeding required by law, the City Charter or its ordinances with reference to such improvements or prerequisites thereto, or the fixing of such lien or liability and issuance of said certificates, and shall dispense with the necessity of pleading each of said preceding steps or prerequisites specifically, and shall in all courts be taken as if each of said steps, proceedings or prerequisites had been alleged and set out by the caption thereof in full.

Paragraph 9: Any property owner against whom, or against whose property, an assessment or re-assessment has been made, shall have the right, within twenty days thereafter, to bring suit in any court having jurisdiction, to set aside or correct the same, or any proceeding with reference thereto, on account of any error or invalidity thereof, but thereafter such owner, his heirs, assigns or successors, shall be barred from any such action or any defense of invalidity in such proceedings or assessments or re-assessments in any action in which the same may be brought in question.

Paragraph 10: The provisions of Chapter 11, Title 22, of the Revised Statutes of Texas, 1911, adopted by the City of San Antonio at an election heretofore held shall remain in effect for the purpose of assessing and collecting the cost of street improvements heretofore made by the City of San Antonio under the powers conferred by said Act, and for the purpose of re-assessing for such improvements, and for said purposes only, the powers obtained by the said City adopting the provisions of said Statute shall remain in full force and effect.

Paragraph 11: Should any part of this Section for any reason be held invalid, unconstitutional or inoperative, no other part or parts thereof shall be held affected thereby.

Said election shall be held in accordance with the laws of the State of Texas, and all qualified voters of the City of San Antonio shall be allowed to vote at said election.

Said propositions shall be printed in full upon the ballots used in said election, and in preparing said ballots, it shall be done in such a manner that the voter may vote "Yes" or "No" on any one amendment, or amendments, without voting "Yes" or "No" on all of said amendments, and after each amendment printed upon said ballots, there shall be printed the words "FOR THE AMENDMENT" and "AGAINST THE AMENDMENT". The manner of holding said election shall be governed by the laws of the State of Texas regulating general elections.

A copy of this ordinance, signed by the Mayor, shall serve as proper notice of said election, and the Mayor is directed to cause notice of election to be published in some newspaper in the City of San Antonio for thirty days prior to the date of said election; and the City Clerk is directed to mail a copy of the proposed amendments to every qualified voter in the City of San Antonio, as appears from the Tax Collector's rolls for the year ending January 31, 1922.

This ordinance shall not be passed until twenty days' notice has been given of the intention to submit said amendments, by publication for ten days in some newspaper published in said City.

BE IT FURTHER ORDAINED by the City Commissioners that there be, and there is hereby appropriated the sum of \$3000.00 out of the general funds of said City not otherwise appropriated, or so much thereof as may be necessary, to pay the expenses necessary and incident to holding said election.

Approved: O. B. Black.
Mayor City of San Antonio, Texas.

This ordinance was approved by the City Commissioners on this the 29th day of June, 1922, and filed with the City Clerk, and ordered to lay over for twenty days from date hereof, and the Mayor is ordered to have the same published in the manner and form, and for the length of time required by law.

O. B. Black.
Mayor, City of San Antonio, Texas.

Passed and approved this 24th day of July, A. D. 1922.

O. B. Black.
Mayor.

Attest:
O. C. Speight.
City Clerk.