

AN ORDINANCE *OI-172*

AMENDING RULE 39 OF "AN ORDINANCE REGULATING THE GOVERNMENT OF TRAFFIC ON THE STREETS, PLAZAS AND PUBLIC PLACES OF THE CITY OF SAN ANTONIO".

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

1. That Rule 39-h of an ordinance entitled "AN ORDINANCE REGULATING THE GOVERNMENT OF TRAFFIC ON THE STREETS, PLAZAS AND PUBLIC PLACES OF THE CITY OF SAN ANTONIO", passed and approved on the 8 day of December, 1921, as amended, be and the same is amended hereby by adding thereto the following;

2. "East Travis Street, south side, from St. Mary's Street east to alley".

3. That Rule 39-i of an ordinance entitled "AN ORDINANCE REGULATING THE GOVERNMENT OF TRAFFIC ON THE STREETS, PLAZAS AND PUBLIC PLACES OF THE CITY OF SAN ANTONIO", passed and approved on the 8 day of December, 1921, as amended, be and the same is amended hereby by changing that part of Rule 39-i which reads: "East Travis, south side from St. Mary's to Navarro", to read as follows:

4. "East Travis, south side from alley to Navarro".

5. All ordinances and parts of ordinances in conflict herewith are repealed hereby.

6. PASSED AND APPROVED this 7 day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk.

C. K. Quin
Mayor.

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AN ORDINANCE *OI-173*

ACCEPTING PROPOSAL OF FROST NATIONAL BANK AND ALAMO NATIONAL BANK AND DESIGNATING THEM AS GENERAL DEPOSITORIES AND SPECIAL DEPOSITORIES AND SPECIAL DEPOSITORIES OF THE CITY AND AS FISCAL AGENTS FOR THE CITY: AND CREATING THE CONTRACT WITH SAID BANKS TO FINANCE THE CITY FOR THE FISCAL YEAR 1938

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

1. That the proposal of the Alamo National Bank of San Antonio and the Frost National Bank of San Antonio, dated the 6 of July, 1938, to act as depositories of the City of San Antonio, all of which is mere fully set out in said instrument attached hereto marked "A", and made a part hereof for all intents and purposes as fully as if it were copied herein, be and the same is hereby accepted.

2. That said banks be and are hereby designated as general depositories, and as special depositories, of said City, and, upon, deposit of securities approved by the City to secure the City funds, duly authorized and eligible to receive the general deposits and the special deposits of the City of San Antonio for the fiscal year beginning June 1, 1938 and ending May 31, 1939.

3. That each of said Banks be and is hereby designated as a fiscal agent for said City.

4. That the offer of said banks, subject to the conditions therein stated, to lend to the City of San Antonio for its use, in anticipation of the receipts of taxes levied for the

current fiscal year and the current revenue for said fiscal year, the amounts, and upon the terms stated in said offer, be and the same is hereby accepted.

5. That the said banks be and they are hereby declared to be authorized and eligible to lend money for the use of the City of San Antonio in anticipation of the receipts of taxes levied for the fiscal year beginning June 1, 1938 and ending May 31, 1939 and the current revenue for said fiscal year, as authorized and provided by the Charter of said City; and all uncollected taxes and current revenues of the City of San Antonio for the fiscal year 1938, and all uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, are hereby irrevocably pledged to secure such loans.

6. This ordinance and the attachments thereto creates and manifests the contracts between the City of San Antonio and the Frost National Bank of San Antonio, Texas and the Alamo National Bank of San Antonio, Texas, to act as depositories and fiscal agents of the City of San Antonio for the current fiscal year.

7. The City Treasurer and the City Auditor are hereby directed and are hereby empowered to draw city warrants or city checks on the National Bank of Commerce for all of the money of the City of San Antonio on deposit in said Bank, payable to the Frost National Bank of San Antonio and the Alamo National Bank of San Antonio as City depositories and City fiscal agents, under the conditions specified in the depository contract.

8. PASSED AND APPROVED this 13th day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk

C. K. Quin
Mayor

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San Antonio, Texas
July 6, 1938

TO THE HONORABLE MAYOR AND COMMISSIONERS
OF THE CITY OF SAN ANTONIO, TEXAS

Gentlemen:

The undersigned, Frost National Bank of San Antonio, Texas, and the Alamo National Bank of San Antonio, Texas, submit this proposal to act as depositories of the funds of the City of San Antonio, Texas, for the current fiscal year beginning June 1, 1938 and ending May 31, 1939:

1. Each of said banks bids severally for fifty (50%) per cent of said funds, and severally agrees to pay interest on such portion of said funds as the City of San Antonio, Texas may, from time to time, designate as "Time Deposits, Open Account", as follows to-wit:

A. At the rate of one (1%) per cent per annum compounded quarterly on any such deposits having a maturity date of not less than thirty (30) days after the date of the deposit.

B. At the rate of two (2%) per cent per annum compounded quarterly on any such deposits having a maturity date of not less than ninety (90) days after the date of the deposit.

"Time Deposits, Open Account" is defined by the Board of Governors of the Federal Reserve System as follows:

"Time Deposits, open account - The term "Time deposit, open account" means a deposit, other than a "Time certificate of deposit" or a "Savings deposit" with a respect to which there is in force a written contract with the depositor that neither the whole nor any part of such deposit may be withdrawn, by check or otherwise, prior to the date of maturity, which shall be not less than 30 days after the date of the deposit, or prior to the expiration of the period of notice which must be given by the depositor in writing not less than 30 days in advance of withdrawal."

2. The said banks to be designated by the City of San Antonio as general depositories and as special depositories of said funds eligible to receive all general and special deposits of said City, and each to be designated as a fiscal agent for said City.

3. The said Banks severally propose to secure the funds deposited with them, respectively, by pledge, at their option, respectively, of legally issued notes of the City

of San Antonio and/or of other valid securities.

4. This proposal is submitted subject to acceptance by the City and to the enactment of the necessary valid ordinance or ordinances covering such acceptance drawn in form satisfactory to the banks.

5. The above proposal to act as depositories of the funds of the City of San Antonio for the current fiscal year beginning June 1, 1938 and ending May 31, 1939 is made conditioned upon the acceptance by the City of San Antonio of the proposal of the Frost National Bank of San Antonio and the Alamo National Bank of San Antonio to make loans to the City of San Antonio for the use of the City in anticipation of the receipt of the taxes and current revenues of the City for the fiscal year beginning June 1, 1938 and ending May 31, 1939, which proposal is as follows:

6. Provided that the proposal of the Frost National Bank of San Antonio, Texas and the Alamo National Bank of San Antonio for depository contracts, hereinabove set out, is accepted, the said banks severally offer to make loans to the City of San Antonio for the use of the City in anticipation of the receipt of taxes levied for the current fiscal year beginning June 1, 1938 and ending May 31, 1939, and the current revenue of said fiscal year as provided by the Charter of the City of San Antonio, the City to pay interest on such loans at the rate of 3% per annum, calculated and payable monthly,

7. All notes evidencing such loans and/or advances to draw interest after maturity at the rate of 5% per annum, all notes and/or advances to be in the amounts and upon the terms which may be hereafter agreed upon by the undersigned banks and the City.

8. This proposal is submitted subject to agreement upon the amounts and terms of such loans and/or advances and to the conclusion and execution of valid contracts covering such loans and/or advances and for the proper securing thereof.

THE ALAMO NATIONAL BANK OF
SAN ANTONIO, TEXAS

FROST NATIONAL BANK OF
SAN ANTONIO, TEXAS

BY WALTER P. NAPIER
ITS PRESIDENT

BY J. H. FROST
ITS PRESIDENT

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OI-174

AN ORDINANCE

CREATING THE CONTRACT BETWEEN THE FROST NATIONAL BANK OF SAN ANTONIO AND THE ALAMO NATIONAL BANK OF SAN ANTONIO TO MAKE LOANS TO THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1938

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

1. This ordinance creates and manifests the contracts between the City of San Antonio and the Frost National Bank of San Antonio and the Alamo National Bank of San Antonio, to make loans to the City of San Antonio for the use of the City in anticipation of the receipts from taxes levied for the current fiscal year beginning 1 June 1938 and ending 31 May 1939, and the current revenues for said fiscal year as provided by the Charter of the City of San Antonio, in the amounts and upon the terms stated herein.

2. the money borrowed by the City hereunder to be advanced by the banks on legally contracted notes, which instruments shall provide for final maturity not later than June 30, 1939, with privilege of pre-payment prior to maturity, which instruments shall be drawn in form acceptable to the banks.

3. Interest to be charged on the loans at the rate of 3 per cent per annum, calculated and payable monthly, notes and/or advances to draw interest after maturity at the rate of 3 per cent per annum, calculated and payable monthly, notes and/or advances to draw interest

after maturity at the rate of 5 per cent per annum,

4. The City to pledge as security for such loans the receipts of taxes and the current revenue of the City for the fiscal year beginning June 1, 1938 and ending May 31, 1939, and all uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, and the notes given by the City to the banks to cover such loans shall constitute a first lien upon such receipts of taxes and current revenue for said fiscal year and upon such uncollected back taxes for previous years.

5. The loans and advances to be made by the banks to the City shall be for the following purposes, for the following months, and in the following amounts, to-wit:-

<u>MONTH</u>	<u>YEAR</u>	<u>GENERAL FUND</u>	<u>LIBRARY FUND</u>	<u>PENSION FUND</u>
June	1938	\$250,000.00	\$5,000.00	\$4,000.00
July	1938	250,000.00	5,000.00	4,000.00
August	1938	250,000.00	5,000.00	4,000.00
September	1938	225,000.00	5,000.00	4,000.00
October	1938	225,000.00	5,000.00	3,000.00
November	1938	225,000.00	5,000.00	3,000.00
December	1938	200,000.00	5,000.00	3,000.00
January	1939	200,000.00	5,000.00	3,000.00
February	1939	200,000.00	5,000.00	3,000.00
March	1939	225,000.00	5,000.00	3,000.00
April	1939	225,000.00	5,000.00	3,000.00
May	1939	207,000.00	5,000.00	3,000.00

Provided, however, that the amount of the loans and advances for General Fund purposes shall not exceed seventy-five per cent of the estimated full collections based upon the General Fund tax rate fixed for the fiscal year as applied to the assessed taxable valuations for the fiscal year, plus all other revenues for general purposes, and the total loans shall not exceed eighty per cent of all the estimated revenues of the City available for general purposes for said fiscal year, and in no event shall the total amount of said loans exceed \$2,682,000.00.

6. The banks shall be under no obligation to lend during any calendar month any amount in excess of the amount above specified for that month, provided, if the City should borrow, during any calendar month, less than the amount specified for that month, then and in that event it may borrow the amount of such deficiency during any future month of said current fiscal year.

7. If the City should incur, during any calendar month of said fiscal year, any expenses, debts or obligations payable out of the receipts of taxes and current revenue of the City for said fiscal year or out of said pledged back taxes, in excess of the amount specified above for each month, then and in that event each of the banks shall, at its option, stand and be released from any obligation to make further advances to the City hereunder.

8. If the City should default in the payment of any installment of the principal of or of the interest on any of its bonds during this fiscal year, then and in that event each of the banks shall, at its option, which may be exercised when such default occurs or at any time such default continues, stand and be released from any obligation to make further advances to the City hereunder.

9. In case any check drawn by the City or its authority, during said current fiscal year, upon either of its depositories, is approved by the City Auditor, and is presented to one of the depositories for payment, and such depository raises the question whether same is drawn pursuant to law and in accordance with this proposal, and the City nevertheless insists upon payment thereof by the depository, then and in that event each of the banks shall, at its option, stand and be released from any obligation to make further advances to the City hereunder.

10. If either of said banks should, at any time, for any reason, cease to be City depository under the proposal for depository contract submitted herein, or, if any question should arise at any time respecting the kind, amount or value of the securities deposited or tendered by either bank to secure the City funds deposited or to be deposited with it, which

is not settled to the satisfaction of such bank, then and in either event such bank shall, at its option, stand and be released from any obligation to make any further advances to the City hereunder.

11. The City shall have no right to demand that the banks make any advances hereunder unless and until the City lawfully adopts its budget for this fiscal year, and not then if the amount of the budget adopted exceeds the above said amounts which the banks propose to lend the City.

12. The City to furnish to the banks legal opinion satisfactory to them of an attorney or attorneys selected by the banks respecting the validity of the notes issued by the City to the banks for the money to be advanced by them to the City hereunder, the banks to be under no obligation to advance money on any note until such opinion is furnished.

13. In case the City shall fail to comply with any of the terms and/or conditions hereof, then and in that event each of the banks shall, at its option, stand and be released from any obligation to make further advances to the City hereunder.

14. The proportion of financing, as above outlined, which each of the undersigned banks proposes to carry is, the Frost National Bank 50 per cent, and the Alamo National Bank 50 per cent, the obligations of the banks hereunder being several, and not joint or joint and several, and being limited to the said percentage to be carried by each, neither of the banks to be responsible in any way for the other.

15. PASSED AND APPROVED on the 13 day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk

C. K. Quin
Mayor

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16. IN WITNESS WHEREOF, the Frost National Bank of San Antonio, Texas, aforesaid has caused these presents to be signed by J. H. Frost, its President, thereunto authorized by a vote of said corporation, a copy of which is hereto annexed, and its common seal hereunto affixed; and the Alamo National Bank of San Antonio, Texas, aforesaid has caused these presents to be signed by Walter P. Napier, its President, thereunto authorized by a vote of said corporation, a copy of which is hereto annexed, and its common seal hereunto affixed; this 13 day of July, A. D. 1938.

ATTEST: NED MCILHENY
Secretary

THE FROST NATIONAL BANK OF
SAN ANTONIO, TEXAS,

BY J. H. Frost
Its President

ATTEST: W. E. Herpel
Cashier

THE ALAMO NATIONAL BANK OF
SAN ANTONIO, TEXAS,

BY Walter P. Napier
Its President

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AN ORDINANCE

01-175

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$2,682,000.00 TO PAY
THE CURRENT EXPENSES OF SAID CITY DURING THE FISCAL YEAR 1938

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

1. That, for the purpose of paying the debts of the City of San Antonio incurred for current expenses during the fiscal year beginning June 1, 1938, and to pay the current expenses of said City for the remainder of said fiscal year ending May 31, 1939, there shall be borrowed and secured from the Frost National Bank of San Antonio, Texas, advances of money for

said purposes in the amount of \$1,350,000, and there shall be borrowed and secured from the Alamo National Bank of San Antonio, Texas, advances of money for said purposes in the amount of \$1,332,000, which amounts do not exceed the estimated current income of said City for said Fiscal year, and to evidence said loans and advances promissory notes of the City of San Antonio shall be executed and delivered to said Frost National Bank and said Alamo National Bank as hereinafter provided, under the power vested in the City of San Antonio by its Charter and the Constitution and Laws of the State of Texas.

2. That said notes shall be numbered consecutively from 1 to 108, both inclusive, and notes Nos. 1 to 107, both inclusive, shall be for the sum of \$25,000.00 each, and note No. 108 shall be for the sum of \$7,000.00. The proceeds of notes Nos. 1, 3, 5 and 7 shall be applied as far as necessary to the payment of notes for \$100,000.00 issued by the City to the Frost National Bank, dated the 15th day of June, 1938 and the 30th day of June, 1938, and the proceeds of notes Nos. 3, 4, 6 and 8 shall be applied so far as necessary to the payment of notes for \$100,000.00 issued by the City to the Alamo National Bank, dated the 15th day of June, 1938, the 16th day of June, 1938 and the 30th day of June, 1938, payable on or before June 30, 1939, with interest at the rate of 3 per cent per annum from date until maturity, and 6 per cent after maturity until paid, the money received by the City on said notes for \$200,000.00 having been used by the City in payment of current expenses of the City for said 1938 fiscal year.

3. That the above said notes bearing odd numbers, aggregating \$1,350,000.00 shall be payable to the order of said Frost National Bank, and the above said notes bearing even numbers, aggregating in amount \$1,332,000.00 shall be payable to the order of the said Alamo National bank; all said notes to be dated the day and date they are executed, and shall bear interest at the rate of 3 per cent per annum from date, thereof, calculated and payable monthly, as it accrues, provided, that interest shall be paid only on cash actually advanced on said notes, and only from the dates of such advancements, and, provided, that said notes or advances made by said banks to said City shall draw interest after the maturity thereof at the rate of 5 per cent per annum; said notes shall be signed by the Mayor, countersigned by the City Auditor of said City, and attested by the City Clerk of said City, and the corporate seal of said City shall be impressed upon each of said notes; said notes shall provide for final maturity not later than June 30, 1939, with privilege of pre-payment prior to maturity.

4. That the uncollected taxes and revenues of the City of San Antonio for the fiscal year beginning June 1, 1938, and ending May 31, 1939, and all of the current revenues of the City of San Antonio arising from taxation and all other sources during said fiscal year, and all uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, be and the same are hereby irrevocably pledged for the payment of the above said notes and advances, and that said notes and all interest thereon shall constitute a first lien upon and against all said taxes and revenues for said fiscal year, and all said uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, and shall be paid therefrom and from the current incomes and revenues of the City and such uncollected back taxes before any such taxes, revenues or incomes or back taxes may be lawfully appropriated to any other purpose or object whatsoever.

5. That the money to be borrowed by the City from the said banks as above provided shall be borrowed as provided by and in accordance with the terms of the contract between the City and the banks for the loan thereof by the banks to the City, which contract is set out in and evidenced by ordinance passed by the Commissioners of the City, dated July 13, 1938, and recorded in Ordinance Book "I" of the City of San Antonio.

6. That the proceeds of said loans shall be used to take up and pay off the outstanding indebtedness of the City of San Antonio legally incurred for the current expenses of

said City during the said current fiscal year, and in the payment of the current expenses of said City for the remainder of this fiscal year, as provided by and in accordance with the Charter and Ordinances of said City.

7. That the form of said notes shall be substantially as follows:

"No. _____ \$ _____

CITY OF SAN ANTONIO
1938 GENERAL FUND NOTE

The City of San Antonio, a municipal corporation, in the County of Bexar and State of Texas, for value received, acknowledges itself indebted, and hereby promises to pay to the order of (- - name of bank - -) of San Antonio, Texas, on or before the 30th day of June, 1939, at the office of the Treasurer of the City of San Antonio, the principal sum of (- - state amount in dollars - -) in lawful money of the United States of America, together with interest thereon from the date hereof until maturity at the rate of 3 per cent per annum, payable monthly, and at the rate of 5 per cent per annum after maturity until paid.

This note is one of a series of 108 notes numbered from 1 to 108, both inclusive, aggregating \$2,682,000.00, authorized to be issued from time to time by the City of San Antonio to the Frost National Bank of San Antonio, Texas, in the aggregate sum of \$1,350,000.00, and to the Alamo National Bank of San Antonio, Texas, in the aggregate sum of \$1,332,000.00, evidencing loans made to said City by said Banks, for the purpose of paying off certain indebtedness incurred for current expenses of said City during the fiscal year beginning June 1, 1938 and to supply the needed funds to pay the current expenses of said City for the remainder of said fiscal year ending May 31, 1939, said notes having been issued under and by virtue of the Charter and Ordinances of the City of San Antonio, and the Constitution and Laws of the State of Texas, and in pursuance of an ordinance passed by the Commissioners of said City on the 13 day of July, 1938, which ordinance is recorded in ordinance book "I" of the City of San Antonio.

The date of this note, in conformity with said ordinance, is the date of the advancement and payment to the City by the payee herein of the amount hereof.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this series of notes, have been properly, done and performed, and have happened in regular and due time, form and manner, as provided by law; and that the full faith and credit of said City of San Antonio, and the taxes and current revenues of said City for the fiscal year beginning June 1, 1938 and ending May 31, 1939, and all uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, are hereby irrevocably pledged for the punctual payment of the principal and interest of this series of notes.

IN TESTIMONY WHEREOF, the City of San Antonio, Texas, has caused its corporate seal to be hereto affixed, and this note to be signed by the Mayor, countersigned by the City Auditor and attested by the City Clerk of said City this the 13 day of July, A. D. 1938.

8. That the Mayor of said City be and he is hereby authorized and directed to deliver said promissory notes to the payees thereof upon payment by said payees of the amount designated in each of said notes, said notes to be delivered to said payees in consecutive numerical order hereinabove designated.

9. PASSED AND APPROVED this the 13th day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk

C. K. Quin
Mayor

AN ORDINANCE ⁰⁵⁻¹⁷⁶

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$60,000.00 TO PAY THE
CURRENT EXPENSES OF THE CITY OF SAN ANTONIO FOR PUBLIC LIBRARIES

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

1. That for the purpose of paying the current expenses of the City of San Antonio for the support and maintenance of the public libraries of said City for the fiscal year 1938 beginning June 1, 1938, there shall be borrowed and secured from the Alamo National Bank an advance of money in the sum of \$30,000.00, and from the Frost National Bank an advance of money in the sum of \$30,000.00, as provided by the Charter and Ordinances of said City, which amounts do not exceed the estimated current revenue and income of said City for said fiscal year applicable to said purpose.

2. That to evidence said loans and advances by said banks, there shall be executed and delivered to them 60 promissory notes of the City of San Antonio, numbered consecutively from 1 to 60, both inclusive, and said notes shall be for the sum of \$1,000.00 each, the notes bearing the odd numbers shall be payable to the order of the Frost National Bank and the notes bearing even numbers shall be payable to the order of the Alamo National Bank, all as provided by the Charter and Ordinances of the City of San Antonio, the said notes aggregating the sum of \$60,000.00, and shall bear interest at the rate of 3 per cent per annum from date until maturity, provided, that interest shall be paid on money actually advanced on said notes and only from the dates of advancement to the dates of payment, and, provided, that said notes shall bear interest at the rate of 5 per cent per annum after maturity until paid; said notes shall be signed by the Mayor, countersigned by the City Auditor, and attested by the City Clerk, and the corporate seal of the City shall be affixed thereto, all advances shall be made on lawful warrants and/or notes which shall provide maturity not later than the 30th day of June, 1939, with privilege of pre-payment prior to maturity; and the said warrants and/or notes given by said City to said banks shall constitute a first lien upon the revenue arising from the special tax levied and collected to create such Library Fund for said fiscal year, and all uncollected back taxes arising from the special tax levied for this purpose for previous years, subject only to existing prior valid pledges of said back taxes, and said taxes and revenues are hereby irrevocably pledged for the payment of said loans and advances and said warrants and/or notes and all interest thereon shall be paid from said taxes and current income and revenues before said taxes, income and revenues may be lawfully appropriated for any other purpose whatsoever.

3. The proceeds of said loans shall be used to pay the current expenses of the City of San Antonio as provided by the Library Fund Ordinance of Said City, for this fiscal year, and the remainder shall be retained in said fund subject to the stipulations thereof.

4. The form of said notes shall be substantially as follows:-

"CITY OF SAN ANTONIO LIBRARY FUND NOTE - 1938.

The City of San Antonio, a municipal corporation, in the County of Bexar and State of Texas, for value received, acknowledges itself indebted and hereby promises to pay to the order of (- - name of bank - -) of San Antonio, Texas, on or before the 30th day of June, 1939, the principal sum of (- - state amount in dollars - -), in lawful money of the United States of America, together with interest thereon from date hereof until maturity, at the rate of 3 per cent per annum payable monthly, and at the rate of 5 per cent per annum after maturity until paid.

This note is one of a series of 60 notes, numbered 1 to 60, both inclusive, being of denomination of \$1,000.00 each, aggregating \$60,000.00, authorized to be issued from time to time by the City of San Antonio to the Alamo National Bank and the Frost National Bank, of

San Antonio, Texas, evidencing loans made to said City by said Banks, for the purpose of paying indebtedness incurred and to be incurred for current expenses of said City for support and maintenance of public libraries of said City, for the fiscal year beginning June 1, 1938 and ending May 31, 1939, said notes having been issued under and by virtue of the Charter and Ordinances of the City of San Antonio, and the Constitution and Laws of the State of Texas, and in pursuance of an ordinance passed by the Commissioners of said City on the 13 day of July, 1938, which ordinance is recorded in Ordinance Book "I", of the City of San Antonio.

The date of this note, in conformity with said ordinance, is the date of advancement and payment to the City by the payee therein of the amount hereof.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to the issuance of this series of notes, have been done, and performed properly and have happened in regular and due time, form and manner, as stipulated by law and that the revenue arising from the special tax levied and collected to create the Library Fund for said fiscal year, and all uncollected back taxes arising from the special tax levied for this purpose for previous years, subject only to existing prior valid pledges of said back taxes are pledged irrevocably for the payment of this series of notes and this loan."

5. The City of San Antonio will levy a tax as stipulated by law at a rate sufficient to produce a return to pay the series of notes specified herein, according to their tenor and effect.

6. That the Mayor of said City be and he is hereby authorized to execute and deliver said promissory notes to the payees thereof upon payment by said payees of the amount designated in each of said notes, said notes to be delivered to the payees in consecutive numerical order hereinabove designated.

7. Upon the payment of said notes, or any of them the same shall be cancelled by the holder and returned to the City Auditor.

8. PASSED AND APPROVED this 13th day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk

C. K. Quin
Mayor

AN ORDINANCE

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$40,000.00 FROM THE FROST NATIONAL BANK AND THE ALAMO NATIONAL BANK TO PAY CURRENT EXPENSES IN THE MATTER OF THE FIREMEN, POLICEMEN AND FIRE ALARM OPERATORS' PENSION FUND

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

1. That the City of San Antonio is authorized to borrow from the Frost National Bank and the Alamo National Bank of San Antonio, Texas, \$40,000.00, to pay that part of the current expenses for the fiscal year beginning June 1st, 1938 and ending May 31st, 1939, which represents the obligations of the City for the payments of benefits stipulated under the terms of an Ordinance creating a Special Fund to aid the disbursements of the Board of Firemen, Policemen and fire Alarm Operators' Pension Fund trustees, passed and approved on the 1st day of July, A. D. 1929; which sum does not exceed the estimated income of said City for said fiscal year for said purpose.

2. As evidence of said loan 40 promissory notes of the City of San Antonio shall be executed and 20 notes delivered to each of said banks representing the amount borrowed from each of said banks respectively, which notes shall be drawn and executed as stipulated by the

Charter and Ordinances of the City of San Antonio and the Constitution and Laws of the State of Texas, which notes shall be numbered consecutively from 1 to 40, both inclusive, and shall be for the sum of \$1,000.00 each, aggregating the sum of \$40,000.00, and shall bear interest at the rate of 3 per cent per annum from date until maturity, interest to be paid only on money actually advanced on said notes and only from the dates of the advancement to the date of payment, which notes shall be signed by the Mayor, countersigned by the City Auditor, and attested by the City Clerk, and the corporate seal of the City shall be applied thereto, and said notes shall bear interest after maturity at the rate of 5 per cent per annum. All advances shall be made on lawful warrants and/or notes which shall provide for maturity not later than June 30th, A. D. 1939, with privilege of prepayment prior to maturity and the aggregate amount of the warrants, notes or other obligations outstanding at any one time shall not exceed the unpledged current revenue of the Firemen, Policemen and Fire Alarm Operators' Pension Fund remaining uncollected for such current fiscal year, and said warrants and/or notes shall constitute a first lien upon said uncollected and unpledged revenue arising from the special tax levied and collected to create such fund for the current fiscal year, and all uncollected back taxes arising from the special taxes levied for this purpose for previous years, subject only to existing prior pledges of said back taxes, are hereby irrevocably pledged for the payment of said advancements, and said warrants and/or notes and all interest thereon shall be paid from said current incomes, before such revenues may be lawfully appropriated for any other purpose.

3. The proceeds of said loan shall be used to pay the current expenses of the City of San Antonio under the provisions of the Firemen, Policemen and Fire Alarm Operators' Pension Fund Ordinance for the current fiscal year, and the remainder shall be retained in said fund subject to the stipulations thereof.

4. The notes bearing odd numbers, aggregating the sum of \$20,000.00, shall be payable to the order of the Frost National Bank, and the notes bearing even numbers, aggregating \$20,000.00, shall be payable to the order of the Alamo National Bank.

5. The form of said notes shall be substantially as follows:-

"CITY OF SAN ANTONIO PENSION FUND NOTE - 1938.

The City of San Antonio, a municipal corporation, in the County of Bexar and State of Texas, for value received, acknowledges itself indebted and hereby promises to pay to the order of (- -name of bank - -) of San Antonio, Texas, on or before the 30th day of June, A. D. 1939, the principal sum of (- - state amount in dollars - -) in lawful money of the United States of America, together with interest thereon from date hereof until paid, at the rate of 3 per cent per annum, payable monthly and from maturity until paid at 5 per cent per annum.

This note is one of a series of 40 notes, numbered from 1 to 40, both inclusive, notes being of the denomination of \$1,000.00 each, aggregating \$40,000.00, authorized to be issued from time to time by the City of San Antonio, evidencing loans made to said City by the Frost National Bank and the Alamo National Bank, for the purpose of paying off certain indebtedness incurred for current expenses of said City during the fiscal year beginning June 1st, A. D. 1938, ending May 31st, A. D. 1939, under the provisions of the Firemen, Policemen and Fire Alarm Operators' Pension Fund Ordinance, said notes having been issued under and by virtue of the Charter and Ordinances of the City of San Antonio, and the Constitution and Laws of the State of Texas, and in pursuance of an Ordinance passed by the Commissioners of the City on the 13 day of July, A. D. 1938, which Ordinance is recorded in Ordinance Book "I" of the City of San Antonio.

The date of this note, in conformity with said ordinance, is the date of the advancement and payment to the City by the payee herein, of the amount hereof, notes issued alternately

to the Frost National Bank and to the Alamo National Bank.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this series of notes, have been properly done and performed, and have happened in regular and due time, form and manner as required by law; and that the full tax authorized by the Ordinance creating the Firemen, Policemen and Fire Alarm Operators' Pension Fund of said City for the fiscal year June 1st, A. D. 1938, to May 31st, A. D. 1939, and all uncollected back taxes arising from the special tax levied for this purpose for previous years, subject only to existing prior valid pledges of said back taxes, are hereby irrevocably pledged for the punctual payment of the principal and interest of this series of notes."

6. The City of San Antonio will levy a tax as stipulated by law at a rate sufficient to produce a return to pay the series of notes specified herein, according to their tenor and effect.

7. That the Mayor of said City be and he is hereby authorized and directed to deliver said promissory notes to the payees thereof upon payment by said payees of the amount designated in each of said notes, said notes to be delivered to said payees in consecutive numerical order hereinabove designated.

8. Upon payment of said notes, or any of them, the same shall be cancelled by the holder and returned to the City Auditor.

9. PASSED AND APPROVED this 13th day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk

C. K. Quin
Mayor

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AN ORDINANCE

01-178

TO PERMIT THE SAN ANTONIO BELT & TERMINAL RAILWAY COMPANY TO EXCAVATE ON WESTFALL AVENUE

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

1. That the San Antonio Belt & Terminal Railway Company, its successors or assigns, is granted an easement for the use of a tract of land 45 feet wide extending from New Braunfels Avenue East to Mittman Street out of the south part of Westfall Avenue adjacent to the north line of the right-of-way of the San Antonio Belt & Terminal Railway Company, for the purposes herein specified and subject to the conditions herein specified, which shall be considered conditions precedent.

2. The San Antonio Belt & Terminal Railway Company, its successors or assigns, shall have the right to include this land within its right-of-way enclosure by good and substantial fence of such a character as will prevent a passage of persons and animals; and, shall have the right to excavate and move the earth from this area to lines and grade approved by the City Engineer; and, shall keep the weeds, grass and brush cut to a height of less than 6 inches at all times.

3. The San Antonio Belt & Terminal Railway Company, its successors or assigns, agree to maintain otherwise such area in the manner and form directed by the Commissioner of Streets and Public Improvements in accordance with the lines, grades and system of drainage approved by the City Engineer; and, to make such changes from time to time, as may be ordered by the Board of Commissioners of the City of San Antonio; and, to hold the City of San Antonio free and harmless and reimburse it, from all demands and damages to persons or property that

may result from the grant of this permit or the exercise of any right thereunder; and, to defend all actions brought against the City as a result thereof; and, to pay all costs and expense to which the City may be put as a result thereof.

4. The grant herein is subject to the rights of the public, and to the rights of the other abutting property owners in westfall avenue, and, is subject to revocation at the will of the governing body of the City of San Antonio if public necessity and convenience require such action.

5. This grant shall never mature into a vested right for which compensation will inure to the benefit of the San Antonio Belt & Terminal Railway Company, its successors or assigns, on account of the revocation of this grant, or any change made therein.

6. The exercise of any act under this ordinance shall be a complete acceptance of all its terms and conditions by the San Antonio Belt & Terminal Railway Company, its successors or assigns.

7. The San Antonio Belt & Terminal Railway Company has filed plans for this work, dated the 15 of April, 1937 and revised to the 10 of May, 1938, consisting of 4 sheets, with the City Engineer, and said work shall be done in strict accordance with said plans.

8. PASSED AND APPROVED this 21st day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk

C. K. Quin
Mayor

ACCEPTED AS WRITTEN:

SAN ANTONIO BELT & TERMINAL RAILWAY COMPANY,

BY F. W. Grace
Vice-President

OE-179

AN ORDINANCE

ACCEPTING AND APPROVING THE SECURITIES PLEDGED BY THE FROST NATIONAL BANK OF SAN ANTONIO, AND THE ALAMO NATIONAL BANK OF SAN ANTONIO TO SECURE THE CITY FUNDS DEPOSITED AND TO BE DEPOSITED IN SAID BANKS BY THE CITY DURING THE FISCAL YEAR 1938, AND DIRECTING THE DEPOSITING OF SAID SECURITIES

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

1. That the securities pledges with the governing body of the City of San Antonio by the Frost National Bank of San Antonio, Texas, and the Alamo National Bank of San Antonio, Texas, as City Depositories, to secure the funds of said City deposited and to be deposited in said banks, respectively, during the fiscal year beginning June 1, 1938 and ending May 31, 1939, be and the same are hereby accepted and approved, and that receipt signed by the Mayor, counter signed by the City Auditor, and attested by the City Clerk, be given to each of said banks for the securities pledged by it, which said securities are described as follows:

1-(a) Securities pledged by the Frost National Bank are described in the attached Exhibit "A" which is made a part of this ordinance by reference as fully as if it were specified herein.

1-(b) Securities pledged by the Alamo National Bank are described in the attached Exhibit "B" which is made a part of this ordinance by reference as fully as if it were specified herein.

2. The receipt given to each bank for the securities pledged by it shall recite in substance, that the said securities have been duly pledged with the governing body of the City of San Antonio, by the bank pledging same, as a depository of said City, for the purpose of securing the funds, of said City deposited and to be deposited in said bank during the fiscal year beginning June 1, 1938, upon the terms and conditions prescribed and provided by law.

3. It is directed that said securities be deposited by the Mayor, for safe-keeping in safe deposit boxes in the vaults of said banks rented by the City from the banks, those pledged by the said Alamo National Bank in its vaults and those pledged by the Frost National Bank in its vaults.

4. PASSED AND APPROVED this the 28th day of July, A. D. 1938.

ATTEST: Jas. Simpson
City Clerk

C. K. Quin
Mayor

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San Antonio, Texas,
July 26, 1938

"EXHIBIT "A"

RECEIVED of the Frost National Bank, San Antonio, Texas, the following securities pledged by the said Bank to the Governing Body of the City of San Antonio for the purpose of securing fund deposited and to be deposited by said City for the fiscal year 1938.

U. S. Treasury $2\frac{1}{2}\%$ Bonds of September 15, 1948, dated 3/15/38, due 9/15/48, with 9/15/38 and subsequent coupons attached - #439-440-441-442-443, 5 at \$100,000.	500,000.00
State of Texas $2\frac{1}{2}\%$ Relief Bonds, Fourth Series Second Installment, dated 4/1/35, due 4/1/39-41, with 10/1/38 and subsequent coupons attached, 309 at \$1,000, #1472-1481 inc. 1873-1922 inc. 1967,2026 inc. and 2347-2535 inc.	309,000.00
U. S. Treasury $1\frac{1}{4}\%$ Notes, Series C-1942, dated 12/15/37, due 12/15/42, with 12/15/38, and subsequent coupons attached 8 at \$10,000, #623-630 inc.	80,000.00
U. S. Treasury $2\frac{1}{2}\%$ Bonds of 1945, dated 12/15/37 due 12/15/45, with 12/15/38 and subsequent coupons attached, 7 at \$10,000.00 \$123-129 inc.	70,000.00

U. S. Treasury 1-3/8% Notes, Series D-1939, dated 6/15/37, due 9/15/39, with 9/15/38 and subsequent coupons attached 3 at \$10,000.00 #954-955-956,	30,000.00
City of San Antonio 5% San Antonio River Improvement Bond, dated 9/1/1919 due 9/1/41/ with 9/1/38 and subsequent coupons attached, #110,	1,000.00
TOTAL	\$990,000.00

The said securities have been deposited in safe deposit box No. 2163 and have been duly pledged with the Governing Body of The City of San Antonio by the said Frost National Bank, as a depository of said City, for the purpose of securing the funds of said City, deposited and to be deposited in said Bank by virtue of Ordinance passed July 13, 1938, of said City, upon the terms and conditions prescribed and provided by law.

COUNTERSIGNED

Walter Tatsch
Auditor

Jas. Simpson
City Clerk

W. J. Heye

CITY OF SAN ANTONIO, TEXAS

BY C. K. Quin
Mayor, City of San Antonio,
Texas

BY Frank H. Bushick
Tax Commissioner, City of
San Antonio, Texas

WITNESSES:

BY Jno. W. Gaddis
Vice- President

R. A. Veazey

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San Antonio, Texas
July 26, 1938

"EXHIBIT "B"

Received from the Alamo National Bank of San Antonio, Texas, the following described securities pledged by said Bank with the governing body of the City of San Antonio, Texas, for the purpose of securing the funds of said City of San Antonio, deposited and to be deposited in said bank, by virtue of ordinance passed July 13, 1938, of said City, to-wit:-

U. S. 2 1/2% Treasury Bonds of 1949-53, due 12/15/53, with all unmatured coupons attached, being - Nos. 11897H, 15767H; 32760L, 32812B, 32827H, and 32861A @ 500 each	3,000.00
Nos. 588930, 58894D, 63606F, 114201A to 114204D inclusive @ \$1,000.00 each	7,000.00
Nos. 8501A, 23286F, 23287H, 24938J to 24940L inclusive, 26217H and 27240L @ \$5,000.00 each	40,000.00
Nos. 12018J, 23848J, 30851A, 30854D, 30856F, 4444674D, 45982B, 466830, 46684D, 46685E, 50356F, 50357H, to 50360L incl @ \$10,000.00 each	150,000.00
Nos. 4397H, 4624D, 4729K to 4732B and 5541A @ \$100,000 each	700,000.00
TOTAL	\$900,000.00

The said securities have been deposited in Safe Deposit Box No. C-37 and have been duly pledged with the governing body of the City of San Antonio, Texas, by the Alamo National Bank of San Antonio, Texas, as a depository of said City for the purpose of securing the funds of said City deposited and to be deposited in said Bank by virtue of ordinance passed July 13, 1938 of said City, upon the terms and conditions prescribed and provided by law.

THE CITY OF SAN ANTONIO, TEXAS

BY C. K. Quin
Mayor

BY Frank H. Bushick
Commissioner

COUNTERSIGNED

WALTER TATSCH
Auditor

Jas. Simpson
City Clerk

W. J. Heye

BANK REPRESENTATIVES

Ernest N. Brown

H. W. Graff