

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

THURSDAY, JULY 24TH, A.D.1919, 4 P.M.

PRESENT: Honorable Sam C. Bell, Mayor, presiding, and Commissioners Coy, Lambert, Heuermann, Wright.

Minutes of previous meeting were ordered approved.

---MEMORIALS AND PETITIONS---

The following petitions were read and referred to Commissioner of Streets and Public Improvements:

For paving of Fairplay Avenue.

For permit to lay sewere in certain alleys in Highland Park, L.P.Peck.

W.A.Baity, for permit to lay sewerer in Highland Park.

The following petitions were read and referred to Commissioner of Taxation:

O.M.Fitzhugh, Agent for exemption of certain church property from taxation.

S. Brown, for correction of assessment.

F.G.S.Zepeda, for refund of taxes.

Brown Bros, for refund of taxes.

Aloise Mueller, for refund of license.

Eugene Nördhaus, for refund of taxes.

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

John Schmidt, for permit to install gasoline tank on River Avenue.

Petition to have name of West End Lake changed was read and referred to Commissioner of Sanitation, Parks and Public Property.

Bids for purchasing one gasoline pump and tank, Coal, and for the lithographing of Bonds of Improvement Dist. No. 14 were opened and referred to City Purchasing Agent.

Commissioner Heuermann introduced the following ordinance which was read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Coy, Lambert, Heuermann, Wright.

MC-1037

AN ORDINANCE

No. 95

Appropriating \$4200.00 to pay Uvalde Rock Asphalt Co.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$4200.00 be and the same is hereby appropriated out of the 1919 General Fund to pay Uvalde Rock Asphalt Company for paving Avenue D, from 3rd to 10th streets, as per final estimate of City Engineer on file in the office of the City Auditor.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

Commissioner Coy introduced the following ordinances, which were read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Coy, Lambert, Heuermann, Wright.

No. 96

- 1038

AN ORDINANCE

Appropriating \$1368.55 to pay sundry merchants bills.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of Thirteen hundred, sixty eight and 55/100 dollars. (\$1368.55) or so much thereof as may be

necessary, be and is, hereby appropriated out of the 1919 General Fund to pay sundry merchants bills per itemized invoices on file in office of City Auditor.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

No. 97 **MC-1039** AN ORDINANCE

Appropriating \$1264.62 to pay J.E.Lewis.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$1264.62 be and is hereby appropriated out of the 1919 General Fund, warrant for which shall be made payable to J.E.Lewis for services rendered in connection with the hearing of the San Antonio Public Service Company on its application for permit to charge increased street car fares, all in accordance with bill on file in the office of the City Auditor.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom and the same shall take effect at once.

No. 98 **-1040** AN ORDINANCE

Appropriating \$2000.00 to pay expenses of holding election July 26, 1919.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$2000.00, or so much thereof as may be necessary, be and the same is hereby appropriated out of the 1919 General Fund to pay expenses of holding election to vote on the issuance of Bonds of the City of San Antonio, July 26th, 1919.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

-1041 AN ORDINANCE

Authorizing the execution of a quit claim deed to J.C.Reese to the east 52.5 feet of lot 1, Block 7, New City Block 1507, in consideration of redemption from tax sale.

WHEREAS, the City of San Antonio recovered judgement against E.P.Thompson, in cause No. B-8074, Thirty seventh District Court of Bexar County, Texas, for taxes owing to the City of San Antonio, Texas for the years 1901 and 1903 on Lot No. 1, Block 7, New City Block 1507, of the City of San Antonio, Bexar County, Texas, with foreclosure of said tax lien; and

WHEREAS, on December 5th 1916, the sheriff of Bexar County, Texas, under and by virtue of an order of sale issued on said judgement, made a sale of said property and executed a deed therefor to the City of San Antonio, which said deed is recorded in volume 505, page 60, Deed Records of said County; and

Whereas, said J.C.Reese has acquired the title of the said E.P.Thompson to the east 52.5 feet of said lot, subject to the sale made to the City of San Antonio, and is entitled to redeem that part of said lot from said tax sale; and

Whereas, all of said judgment has been paid with the exception of the court costs; Therefore.

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

Section 1. That the City of San Antonio accepts the sum of Twelve and 50/100 (\$12.50) Dollars, which amount is equal to one third of the balance due on the judgement for cost in said cause in favor of the City of San Antonio vs. E.P.

Thompson, together with interest to this date, as the full amount required to redeem the east 52.5 feet of Lot One (1) Block Seven (7), New City Block Fifteen Hundred and Seven (1507), said 52.5 feet being one-third of said Lot 1.

Section 2. That the Mayor be and he is hereby authorized and directed to execute and deliver to J.C.Reese, the present owner of said east 52.5 feet of said lot, a quit claim deed conveying all the right, title and interest vested in the City of San Antonio by virtue of Sheriffs deed dated December 5th, 1916, and recorded in Volume 505, page 60, Deed Records of Bexar County, Texas, in and to said 52.5 feet of said lot 1, Block 7, New City Block 1507, upon payment of the consideration named in Section 1 hereof.

Commissioner Wright made the following recommendations:

Jewett Cornice and Roofing Co. for permit to erect electric sign 359 E.Commerce St. granted
D & A. Oppenheimer, for special building permit, granted.
T.T.Vanderhoven, for special building permit, granted.
For watermain in W.Travis St. Los Moras Street to Zarzamora St. granted. Adopted.

Commissioner Wright introduced the following ordinances, which were read and adopted by the following vote on roll call, to-wit: Ayes, Bell, Coy, Lambert, Heuermann, Wright.

No. 99 **MC-1042** AN ORDINANCE

Appropriating \$82,50 for fines remitted by order of the Mayor and refunded out of Incidental Expense a/c.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$82.50 be and is hereby appropriated out of the 1919 General Fund for fines remitted and ordered refunded by order of the Mayor and paid by the City Clerk out of the Incidental Expenditures Fund.

No. 100 **- 1043** AN ORDINANCE

Appropriating \$56.45 to pay J.S.Saunders, Police Dept.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$56.45 be and the same is hereby appropriated out of the 1919 General Fund to pay J.S. Saunders, Police Dept. for services rendered the City, as per pay roll on file in office of City Auditor.

Commissioner Heuermann introduced the following resolution, which was read and adopted:

A RESOLUTION

Ordering a public hearing of property owners and others interested in street improvements ordered to be constructed on Burleson St. On Clifford. On Callaghan Ave. On Gevers St. On Elmira St. On Palmetto Ave. On Henrietta. approving plat and statement of City Engineer and ordering special assessments to be made and levied and for other purposes.

Whereas, heretofore the Commissioners of the City of San Antonio, by resolution duly ordered the improvement of _____ Street in this City between _____ Street &

On Burleson St. from Hackberry to New Braunfels Avenue
On Clifford Court from Presa to Chery Streets
On Callaghan Avenue, corner of Presa and Callaghan Ave,
On Gevers Street, from Porter Street to Denver Blvd.
On Elmira Street, from Jones Ave to Atlanta
On Palmetto Ave, from Houston St to Hays St.
On Henrietta Street, corner of Temple

by laying and constructing permanent sidewalks and constructing and re-setting permanent curbing where required, and performing other work on said highway so ordered to be improved, and ordered that the entire cost of said improvements be paid by special assessments or levies of special taxes to be made as herein and in the procedure ordinance of this City provided; and

WHEREAS, thereafter, to-wit, on the 16th day of June A.D.1919, said Commissioners, after taking bids for said work, declined and refused to accept any bid submitted therefor and thereupon duly determined to construct said improvements and effect said work on the City force account, instead of by contract; and

WHEREAS, said improvements to be effected consist, generally speaking, in bringing the sidewalk portion of said street to the required grade and laying and construct-

ing permanent sidewalks, and constructing or resetting permanent curbing where required, in conformity with the specifications and requirements of this city, relating to the construction of sidewalks in public streets and public places, as contained in an ordinance passed and approved August 10, A.D.1914, as amended by an ordinance passed and approved September 18th, A.D.1916, and in accordance with specifications and drawings prepared by the City Engineer and on file in the office of said City Engineer, all of which have been duly adopted and approved by the Commissioners, and all proceedings required by law or by ordinance of the City have been sufficiently had and performed: Therefore,

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

FIRST: That said plat and statement of said City Engineer be and they are hereby in all things approved and the originals thereof ordered to be preserved among the records of the office of the City Engineer.

Second. That a public necessity exists that said improvements be constructed and that the cost thereof be assessed, as aforesaid, against property abutting upon said street to be improved and against the respective owners thereof,

Third. Each such lot or parcel of property so to be assessed is located in the City of San Antonio, Bexar County, Texas, abutting on said highway, or portion thereof to be improved, and is hereunder described whenever practicable by the New City Block ("N.C.B.") number and by lot numbers in each block, but each parcel of property, if any, indicated hereunder in any such block by letters ("A.B.C, etc) in lieu of or in connection with the lot numbers, is the same property indicated by the corresponding letter in the corresponding block as shown on said plat of the City Engineer, which plat is made a part hereof; and each of said lots and parcels of abutting property, and the frontage thereof on said highway as shown hereunder in feet in the column headed "Front Ft." and said letters, if any, indicating said parcels, and also all intersecting streets, are hereby noted and set forth for each side of said street or public place and for each block in the same order down the following list as same are found on Burleson St., from Hackberry to New Braunfels Ave. On Clifford Crt, from Presa to Cherry Streets, On Callaghan Ave. corner of Presa St. On Gevers St. from Porter St to Denver Blvd. On Elmira St. from Jones Ave. to Atlanta. On Palmetto Ave, from Houston to Hays Sts. On Henrietta cor. Temple St. in said plat and on the ground; and each such description and assessment shall be held to extend back from said line abutting on said highway and to include the entire depth and area of each such respective parcel, lot or lots of abutting property as same may be owned and bounded at the date when such assessments shall be made; and the abbreviations "NO", "So", "Ea" and "We" when used hereunder shall be taken to mean respectively the "Northerly, Southerly Easterly" or "Westerly" parts of the lot or block before the number of which any of said abbreviations may be placed.

Fourth: That the total estimated cost of said improvements to be assessed against the abutting property and owners, and other data with reference to said improvements, including the description of such property, and the name of the supposed respective owners thereof, and the respective amounts estimated and proposed to be assessed against such parcels of property and owners thereof, are set forth hereunder, all as the same appear in said statement of the City Engineer, to-wit:

City Engineer statement and estimate for the improvement to be constructed and effected on the following streets:

Name of owner	Street.	C.B.	Lots	Lin. Ft.	Price	Curb.	Sidewalk
Mary B. Clark	Burleson	521	8-9	105.54	60¢	\$63.32	
Annie Minnie Probandt	Burleson	521	6	41.55	60¢	24.93	
Mary & Albert Probandt	Burleson	521	5	41.55	60¢	24.93	
George Hoag	Burleson	521	7	75.05	60.	45.03	
Mary Ellen Hutcheson	Burleson	521	1-2	177.97	60¢	108.76	
Cornelia B. Noonan	Burleson	515	5 to 8	190.00	60¢	114.00	
Josie Mass	Burleson	1301	A -15	322.00	60¢	193.20	
Aug. Hartmann	Burleson	1301	18	46.25	60¢	27.75	
Charlotte Ryan & Alice Ryan Lockley	Burleson	1006	7 & 8	155.00	60¢	93.00	
Julia Swart Bremond wife of John Bremond, Edwin W. Swart & Carolina Swart Meek, wife of John E. Meek, all heirs of Julia Swart decd.	Burleson	1006	9	80.00	60¢	48.00	
Mrs E. A. Ragsdale	Burleson	1006	12	245.3	60¢	147.18	
Chas.H.Jordan	Burleson	1006	W-14	119.9	60¢	71.94	
Chas Nagel	Burleson	1006	W-14	119.9	60¢	71.94	
G.C.Westervelt	Burleson	1007	14	208.00	60¢	124.80	
E.M.Dyan	Burleson	1008	40	75.00	60¢	45.00	
Hayden F. Smith by Shf.deed to Jno Slavin	Burleson	1008	14	279.5	60¢	167.70	
John W.Hildebrand	Burleson	1008	37 to 39	172.2	60¢	103.32	
Emily de Connick	Burleson	1008	35-36	279.5	60¢	167.70	
M.Dunlap	Clifford	3064	1	48.13	60¢	26.87	
J.Ira Sidwell	Clifford	3065	11	55.00	60¢	33.00	
E.E.Teichgraber	Clifford	3064	5	55.00	60¢	33.00	
Chas. & Louisa Franz	Callaghan Ave	9236	116'	curb 60¢		68.40	
Chas and Louisa Franz	Callaghan Ave	923	6 103'	walk @ 20¢ sq. ft		78.40	82.40
E.S.Davis Gevers		1618	26 150'	walk			129.20
Elsie G. Conroy & Estate of Thos L.Conroy, decd.						78.40	78.40
Commercial Loan & Trust Co. Adm. Elmira 856 B&C 98' walk						58.80	
Elsie G.Conroy & Estate Thos L.Conroy, decd.						93.60	
Commercial Loan & Trust Co. Adm. Elmira 856 B&C 98' curb 60¢						49.60	49.60
J.Daum Palmetto Ave 2872 11&12 156' curb 60¢							
Henry Kunzmann Henrietta St 2912 11&12 walk							
						1956.19	339.60

Fifth. That proper portions of the cost of such improvements shall be in lawful manner determined and assessed against all said abutting property and the owners thereof, respectively, by ordinance to be passed after the hearing hereafter mentioned; and the respective amounts as assessed shall constitute a lien against each parcel of said abutting property and shall be a personal liability of the owner thereof, all as provided by law and ordinance; and said assessment shall be made in accordance with the procedure ordinance of this City passed and approved December 18, 1913, and amendments thereto, said ordinance being entitled "An ordinance establishing a uniform plan under which all permanent paving and certain other street improvements in this City shall be made and be paid for wholly or partly by special assessments; defining the procedure with reference to such improvements and assessments; and prescribing certain rights and liabilities of property owners, contractors and others, and for other purposes", provided, however, that said assessment shall be payable in two equal installments instead of five in accordance with Section 12 of an ordinance entitled "An ordinance prescribing specifications for sidewalks and curbing for public streets and places, and providing measures to compel the laying, construction and repair of the same by owners of abutting property, requiring the cost thereof to be paid by the owners of such property and declaring such cost a personal liability of such owners and a first and prior lien and charge against such property, and prescribing the manner of ordering and compelling the construction of such work, and the punishment for failure to comply with such orders", passed and approved August 10, 1914.

Sixth. That a hearing shall be given to owners of property abutting on the proposed improvement, and to their agents or attorneys, to all of whom this resolution and notice is addressed; and that such hearing shall be held on the 14th day of August A.D. 1919, in the Council Chamber of the City Hall of this City at 4 o'clock p.m. at which date, hour and place said owners of abutting property and their agents and attorneys, or other persons interested in said matters, are hereby notified to be and appear to show cause, if any they have, why a special assessment shall not be made and declared as aforesaid against any and all of said abutting property and the owners thereof, respectively, and that said hearing and further proceedings shall be had and conducted in accordance with said procedure ordinance. And the true owners of said property are hereby required to take notice of said proceedings, whether or not they be correctly named in this resolution.

Seventh. That the City Clerk be and he is hereby directed to give notice of said hearing as provided by Section Nineteen and Twenty of said "Procedure Ordinance".

Commissioner Heuermann introduced the following resolution, which was read and adopted:

A RESOLUTION

Ordering street improvements and inviting bids for the construction and completion of sidewalks on certain public streets and public places of this City.

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

1. That a public necessity exists for the construction of permanent sidewalks on certain public streets and public places of this City, along or in front of certain lots or parcels of real property abutting thereon, said streets or public places and said lots and parcels of land being as follows: to-wit:

City Engineer statement and estimate for the improvements to be constructed and effected on the following streets.

Name of Owner	Street	C.B. Lots	Lin. Ft.	Sq. Ft.
Mike Nareiso	Frio & Travis	287 W-11		634.4
Ernest & Grace V.Rische	River Ave	464 8-9-10		688.00
Julian Corrigan	" "	464 N.13-14.S.15		402.4
Claudia L.A. Seekins	" "	464 N-15,16		340.8
Julia E. Abraham	Ashby Place	A-66 1 to 10	418.5	
Mrs Mathilda Herff, Ferdinand Herff, Ind.	" "	1892 9-10-11	196.3	
Ex. Ferd Herff Z.T. Nesbit & Perry J. Lewis	Ruiz St.	199 3-4	83.3	
Patrick & A.M. Donoghue	" "	2182 5	55.5	
Marcalino Salinas	" "	2183 W-a B	48.6	
Modesto & Ernestine Garcia	" "	2183 E-A,B	102.0	
Mrs T.M. Buttler	" "	2183 4	56.0	
F.H. Woodham	New Braunfels	1494 1	90.0	
Elsie & Thos Z. Barry, A.W. Moursund, Admr. Est.	" "	1509 2-3	111.3	
F.W. Doebbler, Decd.	" "	1494 C-6	90.00	
Francisco B. Perez	" "	2784 7	165.0	
Fred Grossman	" "	1437 1	137.5	
Sam & Chas Jacobs	" "	3792 1	165.0	
Sam & Chas Jacobs	" "	3792 7	165.0	
Mrs Elizabeth Pyne	" "	3888 12	150.0	
R.P. Wupperman	" "	1458 1	160.0	
M.B. Brandt	" "	1458 A-24	84.0	
Adolph Vidal	" "	1473 1	73.0	
Pedro Huizar	" "	1742 5	55.6	
Margaret Sherman	Locust St.	1856 9-10		456.0
Mrs H. Gerfers	Woodlawn	2051		
Margaret D. Laughlin	Kentucky & Calaveras	1-2	122.6	
Brigda G. de Apoliner & Juan Apolinar	New Braunfels	1494 3	70.66	
Amelia & A. Newbauer	Pine & Sherman	1300 1		592.0
Chas & Carolina Allbrecht	Piedmont Ave	1387 11-12		926.8
Mrs Kate Zurcha	Mission & Pereida	C.B. 932 Lot 13		828.

11. All of said sidewalks shall be constructed and completed in conformity with the

specifications and requirements of this City relating to the construction of sidewalks in public streets and public places, as contained in Section One of a certain ordinance of this City, passed and approved on September 18th, 1916, and entitled "An ordinance amending an ordinance of this City passed on August 10th, 1914, relating to the construction of sidewalks..... All of said sidewalks shall be four (4) feet in width, unless specially required to be wider by any specifications made in these proceedings in connection with any particular parcel or parcels of said property. Wire or steel reinforcing materials, and any other special materials authorized by ordinance to be used at the option of property owners, will be used only where special arrangements are made by property owners for paying the additional cost thereof.

111. As provided by law and the ordinance of this City, the entire cost of such work shall be assessed against said respective parcels of abutting property and the owners thereof, and the assessment certificate shall be issued to and received by the contractor in payment for said work. If in any case it shall appear that said part of said work has been, in good faith and prior to the date of the contract of the City, contracted for by the owner of the abutting property for immediate construction, then, if so required by written demand of such owner, the City Engineer shall be authorized to direct by his written order or orders that contractor shall omit the work along or in front of such parcel or parcels of property, and such work shall thereupon be so omitted and contractor shall not be entitled to any assessment or payment on account of any such omitted work; and no omissions of any part of said work shall affect any other part of said contract or any assessment for any other part of said work.

1V. Bids are hereby invited from all persons desiring to bid on said improvements; and each such bidder shall file with his bid a guaranty deposit in the form of a certified check or cashiers check on a San Antonio Bank, made payable unconditionally to the "City Treasurer of the City of San Antonio", in the sum of the nearest even hundreds of dollars approximating two and one-half (2½) per cent of the estimated maximum contract price of the work included in such bid. All bids and checks shall be filed with the City Clerk on or before the 18th day of August A.D.1919 at 4 P.M. at which date and hour such bids will be opened at a public meeting of the City Council.

V. Proposal blanks should be obtained from the City Engineer, and all bids be made on such forms. Bids should always state unit prices. The City Council reserves the right to reject any and all bids. The nature of the proposal and the date for opening bids and the full name and place of residence of each bidder must appear on the envelope containing bids.

All checks will be returned upon rejection of bid or upon execution and approval of contract and bonds.

VI. Said improvements and the bids, arrangements, contract and bonds in connection with said work, and payment for said work shall be made under and governed by the provisions of an ordinance of the City Council of the City of San Antonio, known as the "procedure ordinance", passed and approved on December 18th, A.D.1913, entitled "An Ordinance establishing a uniform plan under which all permanent paving and certain other ~~street improvements~~ permanent street improvements in this City shall be made and be paid for wholly or partly by special assessments; defining the procedure with reference to such improvements and assessments; and prescribing certain rights and liabilities of property owners, contractors and others, and for other purposes", together with all amendments to said ordinance in effect at this date; provided however, that in conformity with the ordinances specially governing sidewalk construction, (a) the bond guaranteeing said work shall govern a period of two years; and (b) the assessment certificates shall be payable in two installments, the first in thirty days and the second in one year, from and after the date of the certificate of acceptance by the City of the work executed under said contract and (c) the improvements so ordered shall constitute separate and distinct improvements for each parcel of such real property, neither affecting nor affected by any other such improvement included in the same proceedings or contract; and provided further, that in the event the bid accepted is the bid of any contractor licensed and bonded in accordance with the provisions of Section Two of said ordinance, entitled "An ordinance amending an ordinance of this City passed on August 10th, 1914, relating to the construction of sidewalks,....., passed and approved on September 18th, 1916, the guaranty and maintenance of said work shall be governed by the provisions of Paragraph (h) of said Section Two thereof, and covered by the general contractors bond in the sum of Two Thousand (\$2000.00) Dollars, executed in accordance with the requirements of said ordinance; said bond being made ~~payable~~ applicable to the work performed under city contracts by virtue of the provisions of paragraph (k) of said Section Two.

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

ATTEST:


CITY CLERK.

APPROVED


MAYOR