

October 8th, 1959

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE CITY COUNCIL CHAMBER, CITY HALL,
ON THURSDAY, OCTOBER 8, 1959, AT 8:30 A.M.

The meeting was called to order by Mayor Kuykendall, presiding officer.

PRESENT: KUYKENDALL, PASSUR, McMAHON, JOHNSON, SIMPSON, OLIVARES, PINSON AND SAN MARTIN; ABSENT: DIETERT.

Invocation by Rev. Gus Schulze, Minister of Aldersgate Methodist Church.

Reading of minutes of previous meeting dispensed with on order of Mr. Passur, seconded by San Martin.

The Mayor then announced that the City Public Service Board has been called upon to appear and clarify the use of "demand" meters - their use and purpose - in measuring the charges being made for electricity.

Mr. O. W. Sommers, Manager for the City Public Service Board was recognized and he proceeded to comply with the request of the Council by making the following statement:

CITY PUBLIC SERVICE BOARD STATEMENT OF DEMAND METERS

The present system of rates of the San Antonio Electric System was made after extended study of the rate schedules of major utilities, including municipal utilities, throughout the United States and with the advice of competent rate experts.

Approximately one-fourth of a group of 665 residential rates which have been examined included a demand factor measured by use of demand meters.

The residential electric rate in San Antonio now in effect is lower than the rates which were in effect when the properties were acquired by the City in 1942 and placed under the jurisdiction of the City Public Service Board.

During this seventeen-year period since the properties were acquired by the City the price of every commodity and service entering into the cost-of-living has increased over 70%. The City Public Service Board has been able to maintain these favorable rates because of the increased efficiency in generating equipment and the constant increase in the volume of sales of electric energy. Another factor in maintaining the rates without increase has been the fact that the Board entered into a fifteen-year contract for the purchase of gas in 1947, which has stabilized the cost of gas used in the generation of electricity at a uniform level..

Until early in 1959, no substantial number of complaints were made by the larger residential customers whose service was metered with demand meters. The few complaints that were made in the 10 or 12 years prior to early 1959 were explained to the customers apparent satisfaction.

Recently, controversies with reference to the use of demand meters and the application of the demand factor to residential rates was made a public issue in Houston and given publicity in San Antonio. Following this publicity, more of the residential customers commenced to raise an issue with reference to the use of demand meters and requested explanations. The problem of personally explaining the demand factor to more customers has become time-consuming. Very few people are informed with reference to the basic factors in measuring electric service and determining electric rates, or other utility rates, and the matter is so complex that the average person does not have the time or patience to secure a full understanding of the simplest form of utility rates. This is unfortunate, because it is the aim of the Board to please the customers and cause them to be satisfied that they are receiving good service at reasonable rates.

There is no question that the "demand" or "ready-to-serve" feature must be incorporated in some form in all utility rates in order for them to be proper and fair rates. It is the purpose of the demand feature to take care of the fixed charges on the equipment that must be installed to satisfy the customers' requirements. This is supported by every responsible rate expert and has been sustained by all Regulatory Commissions of the various States and all of the Courts who have passed on the question. The "demand" or "ready-to-serve" feature is included in all water rates and electric rates in San Antonio and elsewhere throughout the United States. For the vast majority of small customers, this feature is included by fixing of a "minimum bill" and by assigning substantially higher rates per kilowatt hour to the first two or three steps or blocks of kilowatt hour usage.

The "demand" or "ready-to-serve" factor in the San Antonio residential electric rates for customers having a demand below 5 kilowatts is taken care of in this way.

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This includes nearly 96% of the 160,000 residential electric customers. Approximately 6,600 residential electric customers whose monthly demand exceeds 5 kilowatts, representing slightly over 4% of the 160,000 residential customers have their service metered by a demand meter and are billed with the additional demand above 5 kilowatts at approximately \$1 per kilowatt of maximum demand a month. The average customer with a demand meter averages about \$2.50 per month on account of the measured demand factor in the rate.

In considering the effect of the demand charge on the residential bill, the over-all rate schedule must be taken into account. Because a customer with a demand meter is usually one with a relatively large KWH consumption, the rate schedule results in about 14% lower cost per KWH for the average demand meter.

The total amount paid annually by the 6,600 larger residential customers on account of the demand factor is approximately \$200,000, or about 1% of the electric revenues.

As stated above the demand or ready-to-serve factor is a necessary element in the residential electric rate. The use of the demand meter is an accurate way of giving effect to this element in the rates. However, it is not the only way of giving effect to it. The principal defect in the use of demand meters is the fact that their functioning and application are misunderstood by customers and are difficult to explain. Since only a small minority - about 4% - of the electric customers have a demand above 5 kilowatts requiring the use of demand meters, this minority feels that they are being discriminated against even though this feeling is without sound basis.

This question is being given careful consideration by the City Public Service Board. It is suggested that further discussion of the matter be postponed for a reasonable time until the matter can be properly considered and reviewed.

We have now reached the cooler season of the year--the season when the demand of practically all of the 6,600 customers will fall below the 5 kilowatt demand and their billings will not be affected by the demand provision in the rate. Therefore, a slight delay in reaching a decision, whatever it may be, will result in no material effect on residential customer billings. The decision will be reached in the near future.

10/8/59

Mr. W. W. VanDerHeck, Chairman of the Anti Demand Meter League, then presented the following resolution:

A RESOLUTION

Whereas, The City Public Service Board of San Antonio and its many holdings and operations are wholly owned by the citizens of the City of San Antonio, and

Whereas, The City Public Service Board has accomplished a magnificent job of supplying electric power and light through its plant facilities, distribution system, and other facilities to the citizens and users and that they should be commended on the efficient manner in which they have provided for expansion coupled with the rapid growth of the City, and

Whereas, According to the recent financial and operating statement, the City Public Service Board is in excellent condition from a financial standpoint and also should be commended for their astute management in the financial affairs of the Board,

Whereas, in the zeal and endeavor of the City Public Service Board to ever increase their earnings, a grave mistake has been made by the unauthorized and unfair increase of rates through the use of so called "Demand Meters", and

Whereas, the installation of Demand Meters by the City Public Service Board is illegal and discriminatory in at least 2 ways, to-wit: 1) that there is no basis in fact or theory for the imposing of a higher rate by means of a Demand Meter against the residential consumer because of his using larger amounts of electric current, 2) that only arbitrarily selected customers are being installed uniformly among customers of some and similar circumstances, which conditions create an unfair and unjust extra charge on those selected residential consumers who pay for electric current on the Demand Meter rate,

Whereas, it is the sole duty and responsibility of the City Council of the City of San Antonio to establish rates for electric services furnished by the City Public Service Board, and

Whereas, the City Council of the City of San Antonio has not fully approved the present electric rates charged by the City Public Service Board and has not approved the installation and use of Demand Meters by the City Public Service Board, and

Whereas, the City Council through its legislative powers should assume the

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the full duties vested in it by law and the City Charter to determine and establish fair and equitable rates for electric services provided by the City Public Service Board and eliminate the unjustified, unfair and discriminatory practice by the City Public Service Board of installing Demand Meters for certain arbitrarily selected residential customers of electric power and current, and

Whereas, it is felt that it is mandatory for the City Council to regulate all unfair, unjust and discriminatory rate structures of the City Public Service Board without further delay, now therefore,

Be It Resolved by the members of the Anti-Demand Meter League that the City Council of the City of San Antonio enact an ordinance at the earliest practicable date forbidding the use by the City Public Service Board of "Demand Meters", and establish a reasonable and fair rate schedule for electric services provided to residences by the City Public Service Board of San Antonio.

This is to certify that the foregoing resolution was adopted by the Anti-Demand Meter League at its Public Meeting on Tuesday, 29 September 1959 in the Alamo Heights High School Auditorium by unanimous action, without any contrary vote.

W. W. VANDERHECK CHAIRMAN

ATTEST: F. A. CUABELLO SECRETARY

After discussion of the matter by the Council, Mr. Sommers and Mr. VanderHeck, Mr. Pinson moved that the matter be taken under consideration until the first Thursday in November, being November 5th, seconded by Dr. McMahon the motion carried by the following vote: AYES: Kuykendall, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Dietert.

The following ordinances and resolutions were passed and approved by the following vote: AYES: Kuykendall, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Dietert.

AN ORDINANCE 27, 987

ACCEPTING THE ATTACHED LOW QUALIFIED ALTERNATE BID OF MIKE PERSIA CHEVROLET, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH ONE FOUR DOOR SEDAN FOR NET TOTAL OF \$1,948.40.

(Full text in Ordinance Book II Page 497).

AN ORDINANCE 27, 988

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF ROY KLOSSNER COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PUBLIC WORKS WITH TWO SHEEPS-FOOT ROLLERS FOR A TOTAL OF \$2,839.66.

(Full text in Ordinance Book II Page 497).

AN ORDINANCE 27, 989

APPROVING THE LOCATION OF RIGHT OF WAY FOR THE RITTIMAN ROAD BRIDGE PROJECT; ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF SUCH RIGHT OF WAY LOCATION; AND DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR CERTAIN WORK THEREIN.

(Full text in Ordinance Book II Page 498).

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AN ORDINANCE 27, 990

REPEALING ORDINANCE NO. 26, 674, WICH AUTHORIZED A CONTRACT BETWEEN THE RIVER AUTHORITY AND THE CITY; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A NEW CONTRACT WITH THE RIVER AUTHORITY CONCERNING THE CONSTRUCTION OF WOODLAWN LAKE DRAINAGE PROJECT NO. 98 ON THE ALAZAN CREEK FLOOD CHANNEL.

(Full text in Ordinance Book II Page 498).

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AN ORDINANCE 27, 991

APPROPRIATING \$3,969.01 OUT OF STREET IMPROVEMENT BOND FUND, 1957 SERIES, NO. 479-10, PAYABLE TO EARL J. WENTWORTH, ENGINEER, FOR SERVICES RENDERED IN CONNECTION WITH THE ZARZAMORA STREET PROJECT.

(Full text in Ordinance Book II Page 499).

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AN ORDINANCE 27, 992

GRANTING PERMISSION TO JAMES D. CRAVEN AND WIFE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS AT 812 MORNINGSIDE DR. IN TERRELL HILLS, TEXAS.

(Full text in Ordinance Book II Page 500).

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AN ORDINANCE 27, 993

AMENDING SECTION 60-41A OF THE CITY CODE AS AMENDED ENTITLED "FULL SIGNAL OPERATION LOCATION" BY ADDING THERETO SPECIFIED INTERSECTIONS WHERE THE OPERATION OF TRAFFIC SIGNALS IS AUTHORIZED, AT THOMPSON PLACE AND CUPPLES ROAD AND ZARZAMORA AND S. W. MILITARY DR.

(Full text in Ordinance Book II Page 500).

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AN ORDINANCE 27, 994

ABANDONING AND CLOSING CERTAIN ALLEYS IN NCB'S 9020 AND 9021, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED THEREFOR TO FONTAINEBLEAU APARTMENTS, INC., A TEXAS CORPORATION, FOR THE CONSIDERATION OF \$1,798.00.

(Full text in Ordinance Book II Page 501).

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AN ORDINANCE 27, 995

ABOLISHING THE INTEREST AND REDEMPTION FUNDS FOR THE GENERAL OBLIGATION BONDS WHICH WERE ISSUED IN 1919, TRANSFERRING ALL MONIES CREDITED TO SUCH FUNDS AND DIRECTING THAT DELINQUENT TAX COLLECTIONS FOR SUCH FUNDS BE DEPOSITED IN THE INTEREST AND REDEMPTION FUNDS FOR OTHER GENERAL OBLIGATION BONDS.

(Full text in Ordinance Book II Page 501).

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AN ORDINANCE 27, 996

AUTHORIZING CLAUDE ANIOL AND ASSOCIATES TO PLACE MUNICIPAL ADVERTISING IN CERTAIN PUBLICATIONS AS RECOMMENDED BY THE MUNICIPAL ADVERTISING COMMITTEE AND AUTHORIZING PAYMENT OF \$1,513.00 THEREFORE, HOLIDAY MAGAZINE-DECEMBER AND LIFE EN ESPANOL NOVEMBER 16.

(Full text in Ordinance Book II Page 502).

A RESOLUTION

APPROVING THE AMENDMENT OF RULE XXXI, SECTION 152, OF THE FIRE AND POLICE CIVIL SERVICE RULES BY PROVIDING THAT CANDIDATES FOR ORIGINAL APPOINTMENT IN POLICE AND FIRE DEPARTMENTS MUST BE AT LEAST 20 YEARS OF AGE AND NOT OVER 30 YEARS OF AGE AT THE TIME OF APPOINTMENT.

(Full text in Ordinance Book II Page 502).

AN ORDINANCE 27, 997

AUTHORIZING THE TAX ASSESSOR AND COLLECTOR TO CORRECT AND ADJUST CERTAIN ASSESSMENTS APPEARING ON THE CITY TAX ROLLS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW, OWNERS ALAMO SERVICE CO. NCB 169 ACCOUNT NO. 3-1767; ALAMO SERVICE CO. , NCB 212, ACCT. NO. 6-224;

Julio Banda
Bestway Washatorium
Mary Burns
Norman E. Clanton
The Cottage
Teofila G. DeMontalvo
Pete H. Dunnam
Emerald Cocktail Lounge
Friedman Realty Corp.
Gorn-Eau Envelope and Stationery Co.
Edward Herbsleb
J. & P. Inc.
Johnny's Place
Kansas City Market and Grocery
La Chalupa
C. B. Lee
Mars Drive Inn
Evangelina Z. Mendoza
Audry M. & Pearl Moore
Nelson's Inn
Louise Norwood
Parker's
Prosperity Cleaners
Dora Robinson

Joe S. & Eulalea Saens
Saras Beauty Shop
Suburban Water Co.
Mrs. O. L. Sultenfuss
Yellow Cab Company

Bel-Aire Housing Corp.
Bexar County
Hrs. of J. J. Cavanaugh
Michael and Jessie B. Cook
S. C. Daugherty
Dixie Steel Company
Bobby Dykes Drive Inn
Martin Epstein
Mrs. J. Gonzales
Hart Roofing & Bldg. Co.
Hill Top Trailer Sales
V. H. Jaycox
M. E. Joseph Jewelers
Kelleys Barber & Beauty Shop
Ledlow & Adams
Margas Cafe
Gonzalo & Emilia V. Martinez
Mission Cafe
Josefina G. Moya
Julia K. Nevils
Louise Norwood
Poplar Street Parts
H. G. Purdy Co., Inc.
Rodham C. Routledge&Florence
R. Miskimin
San Antonio Land Co.
Claudie H. & Hortensia Solis
Suburban Water Co.
Moses Waiters

AN ORDINANCE 27, 998

TRANSFERRING THE RESPONSIBILITY OF ADMINISTERING AND PROCESSING APPLICATIONS FOR CITY ON-PREMISE AND OFF-PREMISE BEER AND WINE LICENSES FROM THE CITY CLERK TO THE DIRECTOR OF HOUSING AND INSPECTIONS.

(Full text in Ordinance Book II, Page 507).

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AN ORDINANCE 27, 999

DIRECTING THE SALE OF PERSONAL PROPERTY, CONSISTING OF 86 BICYCLES, 32 FRAMES, 2 WHEELS, 6 FENDERS, 2 CARRIERS, 1 SEAT, AND 3 FORKS, IN THE POSSESSION OF THE POLICE DEPARTMENT NOT OWNED OR CLAIMED BY THE CITY OF SAN ANTONIO.

(Full text in Ordinance Book II, Page 507).

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AN ORDINANCE 28,000

TRANSFERRING THE SUM OF \$5,862.30 FROM CERTAIN ACCOUNTS OF THE GENERAL FUND TO SPECIAL PROJECT ACCOUNT 09-06-02 EQUIPMENT, PUBLIC WORKS, OF THE GENERAL FUND.

(Full text in Ordinance Book II, Page 508).

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A RESOLUTION

APPOINTING MEMBERS OF THE ADVISORY COMMITTEE OF TEXAS PIONEERS, 'TRAIL DRIVERS', AND TEXAS EX-RANGERS MEMORIAL BUILDING.

(Full text in Ordinance Book II, Page 509).

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AN ORDINANCE 28, 001

CONSENTING TO THE INSTALLATION OF WATER FACILITIES BY THE BEXAR METROPOLITAN WATER DISTRICT IN DESIGNATED AREAS WITHIN THE CITY OF SAN ANTONIO.

(Full text in Ordinance Book II, Page 509).

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AN ORDINANCE 28, 002

ADOPTING A REVISED MASTER PLAN FOR THE DEVELOPMENT OF SAN ANTONIO INTERNATIONAL AIRPORT.

(Full text in Ordinance Book II, Page 509).

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AN ORDINANCE 28, 003

APPROPRIATING \$974.51 OUT OF STREET IMPROVEMENT BOND FUND, ACCOUNT NO. 479-11, PAYABLE TO THE SAN ANTONIO HOUSING AUTHORITY, IN CONNECTION WITH PARTICIPATION PAVING PROJECT 28-E.

(Full text in Ordinance Book II, Page 510).

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AN ORDINANCE 28, 004

ACCEPTING THE BID OF AMERICAN WASTE PAPER COMPANY, IN THE AMOUNT OF \$15,204.00, FOR SALVAGE RIGHTS AT VARIOUS CITY DUMPS FOR A PERIOD OF ONE (1) YEAR, BEGINNING OCTOBER 16, 1959, AND ENDING OCTOBER 15, 1960; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR.

(Full text in Ordinance Book II, Page 510).

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AN ORDINANCE 28, 005

AUTHORIZING THE CITY MANAGER TO QUITCLAIM CERTAIN SEWER EASEMENTS IN NEW CITY BLOCKS 8397 AND 8399 TO TERRY ANDERSON AND V. T. IRBY, JR., FOR \$50.00.

(Full text in Ordinance Book II, Page 512).

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AN ORDINANCE 28, 006

APPROPRIATING CERTAIN SUMS OF MONEY FROM THE NAMED FUNDS IN CONNECTION WITH THE CITY'S LAND ACQUISITION PROGRAM. \$40,000.00 TO FRED HUNTRESS AND D. U. HOWARD FOR NCB 8676 AND NCB 8676; \$26,500.00 TO COMMERCIAL ABSTRACT & TITLE COMPANY FOR LOTS 6 AND 7 IN NCB 8676; \$100.00 TO ALAMO TITLE COMPANY FOR ROBBIE AND G. A. TUTTLE FOR NCB 8416; \$6,400.00 TO ALAMO TITLE COMPANY FOR STEVE S. AND ANGELITA I. SANCHEZ FOR NCB 7990; \$15,500.00 TO STEWART TITLE GUARANTY COMPANY FOR FRANK H. AND LUCY V. MUEGGE FOR NCB 11963; \$10,540.00 TO STEWART TITLE GUARANTY COMPANY FOR EMILY A. KIEL FOR NCB 11962; \$14,875.00 TO STEWART TITLE GUARANTY COMPANY FOR IDA F. KIEL WHITE FOR NCB 11962, LOT 16.

(Full text in Ordinance Book II, Page 512).

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A RESOLUTION

ACCEPTING THE DEDICATION OF A CERTAIN EASEMENT FOR SANITARY SEWER PURPOSES FROM J. DORFMEISTER AND WIFE, MARIE DORFMEISTER FOR NCB 10311, LOT 2.

(Full text in Ordinance Book II, Page 513).

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AN ORDINANCE 28, 007

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO ZOOLOGICAL SOCIETY FOR THE USE OF CERTAIN CITY EQUIPMENT BY SAID SOCIETY.

(Full text in Ordinance Book II, Page 513).

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AN ORDINANCE 28, 008

AMENDING SECTION 13-21 "RULES OF OPERATION", PARAGRAPH (i), TO EXCLUDE DRIVERS OF BUSES OWNED AND OPERATED BY THE SAN ANTONIO TRANSIT SYSTEM.

(Full text in Ordinance Book II, Page 514).

A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR MODIFICATIONS TO THE DIMMER CONTROL SYSTEM AT MUNICIPAL AUDITORIUM.

(Full text in Ordinance Book II, Page 514).

AN ORDINANCE 28,009

AMENDING CERTAIN PORTIONS OF CHAPTER 23 OF THE CITY CODE PERTAINING TO FOOD, FOOD ESTABLISHMENTS AND FOOD HANDLERS.

(Full text in Ordinance Book II, Page 515).

AN ORDINANCE 28, 010

ABANDONING AND CLOSING CERTAIN STREETS IN EAST SEIDEL HILLS AND AUTHORIZING THE CITY MANAGER TO QUITCLAIM THESE STREETS TO LLOYD A. DENTON IN RETURN FOR THE REPLATTING OF EAST SEIDEL HILLS AND THE DEDICATION TO THE CITY OF OTHER STREETS THEREIN.

(Full text in Ordinance Book II, Page 517).

Mr. Albert Pena, Jr., representing the American G. I. Forum, addressed the Council regarding a Fair Employment Practice Code, submitted for the Council's consideration in February of this year. He gave a brief history of the code which he said was sponsored by the G. I. Forum and supported by many organizations. He then introduced the following persons who endorsed adoption of the ordinance:

Rev. C. W. Black

Mr. W. R. Carreon, representing the American G. I. Forum

Mr. Joe Lopez, representing Lulac Council No. 2

Rev. Emerson Marcee, President of the Local Chapter of the N.A.A.C.P.

Dr. Frieden Wall

Mr. George De La Garza, President of Lulac Council No. 2.

Mr. Archie Johnson told of alleged discrimination by the City against Emerson Neil, Jr. who had applied for a drafting job.

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Mrs. Adele Navarro told of a survey made of private employment agencies showing alleged discrimination in pay for certain positions because of race.

Mr. Pena then urged the council to take action on the matter.

Dr. San Martin told of employment practices by the City Public Service Board and the City Water Board. He then made the following statement:

"As a citizen of San Antonio and as a member of this council, I cannot help but being concerned with the problems that have been presented here this morning. For the last 15 years I have been personally familiar with many of these problems, and I am sure that other members of the Council have been too.

I sincerely wish that this type of Legislation were not necessary.

However, I am concerned that so many of our citizens must bring these problems to our attention year after year without apparent solution.

I therefore wish to introduce a motion that the City Council instruct the City Manager to have the City Attorney prepare the necessary ordinances setting out fair employment practices by the City of San Antonio and all its municipally-owned utilities or agencies."

Dr. McMahon then explained that it was the policy of the Council not to take any action on such matters when pressure groups were present.

Mr. Olivares, stated he was prepared to second Dr. San Martins' motion but in view of Council policy would withhold the second until Council was ready to take action. The motion therefore failed for lack of a second.

Dr. San Martin then announced that he would again move to take action whenever the Council was prepared to take action.

The Mayor thanked Mr. Pena and the others for appearing before the Council.

There being no further business, the meeting adjourned.

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The following ordinance was passed and approved by the following vote: AYES: Kuykendall, Passur, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Dietert.

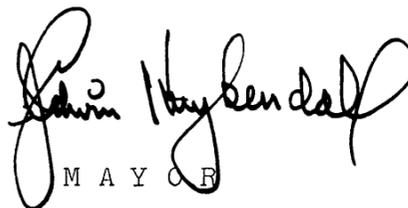
AN ORDINANCE 28, 011

GRANTING TO THE FIESTA SAN ANTONIO COMMISSION
A LICENSE TO USE CERTAIN STREETS AND PLAZAS
DURING THE PERIOD BEGINNING APRIL 17, 1960,
AND ENDING APRIL 23, 1960.

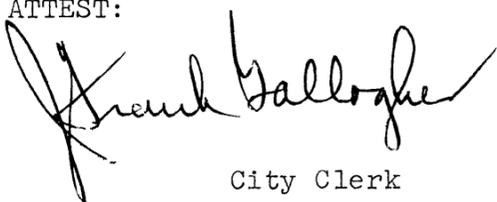
(Full Text in Ordinance Book I.I. Page 518).

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APPROVED:


MAYOR

ATTEST:


City Clerk