AN ORDINANCE 11564

ORDERING AN ELECTION TO BE HELD ON MAY 9, 1950, TO AMEND THE CHARTER OF THE CITY OF SAN ANTONIO AND TO ADD CERTAIN SECTIONS THERETO.

* * *

1. WHEREAS, on heretofore, to-wit, the 22nd day of December, A.D. 1949, the Board of Commissioners of the City of San Antonio, by a majority vote, passed and approved an ordinance, as required by law, calling an election to be held on January 24, 1950, submitting to a vote of the qualified voters of the City of San Antonio certain amendments to and in lieu of certain sections of, the Charter of the City of San Antonio; and, WHEREAS, thereafter, on heretofore, to-wit, the 23rd day of December, A.D. 1949, the Honorable A. C. White, Mayor of the City of San Antonio, did, in the manner provided by law and the Charter of said City, veto said ordinance, thereby preventing the holding of said election; and,

2. WHEREAS, it thereupon became evident, in the opinion of the majority of the members of the Board of Commissioners of the City of San Antonio that if an election were subsequently thereto called for the purpose of submitting to the qualified voters of the City of San Antonio the amendments to the Charter of said City proposed in the petition of certain citizens of said City, or on their own motion, the same could not be held prior to April 1, 1950, and that any election held subsequent to said April 1, 1950, could not be held in time for new city officials to be elected to take office by June 1, 1950, in the event that said proposed amendments should be adopted at such charter amendment election; and, WHEREAS, on heretofore, to-wit, the 9th day of February, 1950, a resolution of the Commissioners of the City of San Antonio was passed and approved, as required by law, declaring the intention of said Commissioners, on petition of certain citizens and on their own motion, to pass an ordinance on March 16, 1950, submitting to a vote of the qualified voters of said City at an election to be held on the 9th of May, 1950, certain amendments to, and in lieu of certain sections of the Charter of the City of San Antonio, all of which is more fully set out in said resolution, to which reference is made for more particular description of said amendments; and, WHEREAS, said resolution became effective without the signature and approval of the Mayor of the City of San Antonio; and, WHEREAS, said Commissioners of the City of San Antonio caused notice of 20 days of such intention to be given, as required by law, by the publication in the "COMMERCIAL RECORDER", a newspaper of general circulation published in the City of San Antonio, said 20 days' notice being from the first day said notice was published, and said notice was published in every issue of said newspaper on the following days, to-wit: February 15, 16, 17, 20, 21, 23, 24, 27, 28 and March 1, 1950; NOW, THEREFORE:-

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

3. That an election be had, and the same is ordered to be held, on the 9th day of May, A.D. 1950, in which election the following propositions will be submitted:-

PROPOSITION ONE.

Providing for a Council-Manager form of Government with a seven member Council consisting of a Mayor and six Councilmen elected at large and a City Manager employed by the Council, the distribution of powers and duties among the Council, the City Manager and Executive Personnel, and repealing provisions of the Charter to conform therewith:

Section 1. Paragraph 1. GOVERNING BODY. The governing body of the City shall be a City Council of seven members consisting of a Mayor and six Councilmen, all of whom shall be elected at large and shall be citizens qualified as electors of the City. The Mayor shall be the Chief Executive Officer of the City. He shall preside at meetings of the Council, and the Council shall fix the time for its regular meetings and adopt rules governing its proceedings. Wherever the words "Board of Commissioners" or "Commissioners" are used in the City C harter referring to the governing body of the City, the same are hereby amended to read "City Council", and wherever the word "Commissioner" or "Commissioners" is used in referring to one or more members of the governing body, the same is hereby amended to read "member (or members) of the Council", as the context may require. All powers of the City heretofore vested in the Board of Commissioners are hereby vested in the City Council, except such powers and duties as are specifically vested in the City Manager and administrative personnel by provisions of this amendment. (Sec. 7, Par. 1, of present City Charter).

Paragraph 2. CITY DEPARTMENTS. The administrative duties shall be distributed among departments as follows: (1) Department of Finance, (2) Department of Public Property, (3) Department of Health, (4) Department of Sanitation, (5) Fire Department, and (6) Police Department. The Council may create other administrative departments and define their duties. Each department shall be administered by a department head acting under the supervision of the City Manager, and each department head shall have the duties hereinafter provided and such additional duties as may be prescribed by ordinance. (Sec. 7, Par. 2, of present City Charter).

Paragraph 3. CITY MANAGER. The City Council shall appoint a City Manager who shall be the chief administrative officer of the City. He shall receive such salary as the Council may determine, and shall be subject to discharge by the City Council at any time, upon the payment of two month's salary in advance. The City Manager, subject to the approval of the City Council, shall appoint and have the power to discharge department heads of the administrative departments. He shall appoint and have the power to discharge, without approval of the City Council, the personnel of the administrative departments and shall have general supervision over all administrative affairs, department heads and personnel of the City, and shall be responsible to the Council for the enforcement of all laws and ordinances and for the efficient administration of all City affairs. He shall sign all contracts authorized by the Council except deeds, mortgages and conveyances, bonds, warrants and other instruments evidencing interest-bearing obligations of the City, which shall be signed by the Mayor. He shall bring before the Council all statements, reports and information required by law, or requested by the Council. He shall be present at all meetings of th e Council, unless excused by the Council. (Sec. 7, Par. 3, and Sec. 10 and 17 of present City Charter).

Paragraph 4. DEPARTMENT OF FINANCE. The Department of Finance shall be under the supervision of a Director, who shall assess and collect all taxes and other revenues of the City. The Department shall have as a part of its personnel, a City Auditor and a City Treasurer. Said Department shall be the general bookkeeping and accounting department of the City. The Director of Finance shall have all of the authority with reference to tax matters conferred on the "Commissioner of Taxation" by the present Charter of the City and the laws of Texas. The Department shall prepare and keep accounts and records of the City relating to taxation and revenues, and shall issue all tax statements and tax receipts. All funds collected shall be

deposited daily in the City Depository. (Sec. 7, Par. 4 of present City Charter).

Paragraph 5. DEPARTMENT OF PUBLIC PROPERTY. The Department of Public Property shall be under the supervision of a Director, Said Department shall supervise the construction of all public buildings and public works and the maintenance of all streets, public ways, parks, playgrounds, cemeteries, water courses and sewers, the City Hall and all other public buildings and grounds. (Sec. 7, Par. 5, in part, and Par. 6 of present City Charter).

Paragraph 6. DEPARTMENT OF HEALTH. The Department of Health shall be under the supervision of the City Health Officer, who shall administer and enforce all laws and ordinances relating to public health and the control of disease. (Sec. 7, Par. 5, in part of present City Charter).

Paragraph 7. DEPARTMENT OF SANITATION. The Department of Sanitation shall be under a Director who shall supervise the operation of the sewer lines and plants, cleaning of the streets, ways and water courses, and collection and disposal of garbage.

Paragraph 8. FIRE DEPARTMENT. The Fire Department shall be under the direction of the Fire Chief who shall be responsible for the operation of all fire stations and fire fighting equipment and the efficiency of fire fighting personnel. He shall be responsible for the enforcement of all laws and ordinances with reference to fire protection and prevention. (Sec. 7, Par. 7, in part, of present City Charter).

Paragraph 9. POLICE DEPARTMENT. The Police Department shall be under the direction of the Chief of Police, who shall be responsible for the efficiency of police personnel and for the enforcement of all laws and penal ordinances, and shall operate the City Jail and Pound. (Sec. 7, Par. 7, in part, of present City Charter).

Section 2. COMPENSATION OF MAYOR AND COUNCILMEN. Each member of the City Council, including the Mayor, shall receive $40.00 for each meeting of the Council attended by him, provided the total attendance fees for no member shall exceed $2400.00 in any year. In addition to such fees the Mayor shall receive $6,000.00 per year. The Mayor and members of the City Council shall also receive such expenses incurred on account of the duties of their offices as may be allowed by the City Council. (Sec. 18 of present City Charter).

Section 3. TERM OF OFFICE OF MAYOR AND COUNCILMEN. The term of office of the Mayor and Councilmen ~~elected~~ elected at a regular City election shall be two years commencing on the first day of June following their election. The regular City election shall be held on the second Tuesday in May, 1951, and on the second Tuesday in My every two years thereafter. (Sec. 7 and 12 of present City Charter).

Section 4. ELECTIONS. All elections shall be held in accordance with the General Laws of the State and all voters shall have resided in the City for at least six months and be qu alified voters under the Constitution and laws of Texas. The officers of all elections shall be appointed by the City Council in open meeting not more than ten days prior to the election, and such officers shall be qualified voters of the City, and none shall be an officer or employee of the City. The ballot used in all elections for the election of the Mayor and Councilmen shall list separately the candidates for Mayor and the candidates for Councilmen under

six separate "Places " numbered from 1 to 6. Any person desiring to become a candidate shall, at least twenty days prior to the election, file with the City Clerk a statement announcing his candidacy and, if he be a candidate for Councilman, he shall designate the Councilman place number for wh ich he desires to run. At least 10 days prior to the election the City Clerk shall cause to be published once in the official newspaper of the City the names of the candidates as they are to appear on the ballot. The arrangement of the names of the candidates for Mayor and for Councilmen for each numbered place shall be determined by lot drawn by the C ity Clerk. All ballots shall be prepared by the City Clerk and printed and distributed or arranged on voting machines under his supervision. The election returns shall be made in quadruplicate, one of which shall be delivered to the Mayor, one to the City Clerk, one retained by the presiding officer, and the fourth placed in the ballot box before sealing. Public announcement of the returns shall be given as they are delivered to the Mayor and City Clerk. On the day following the election the City Council shall meet and canvass the returns and declare the result of the election. (Sec. 12 of present City Charter).

Section 5. VACANCIES IN OFFICE. In the event of a vacancy in the office of Mayor or Councilman, the same shall be filled by the majority vote of the remaining members of the Council, and the person so appointed shall hold office until his successor is elected at the next succeeding general election. (Sec. 15 of present City Charter).

Section 6. APPOINTEES OF THE CITY COUNCIL. The City Council shall appoint for a term not to extend past June 1st following the next general election (1) the City Attorney and his assistants, (2) one or more judges of the Corporation Court and the Clerks and Bailiffs of said Court, and (3) the City Clerk and his assistants. Any of said appointees may be removed at any time by a majority vote of the Council for cause specified in writing. Each of said appointees shall perform the duties and have the authority conferred upon such officers in the present City Charter and the City Clerk and his assistants shall be the custodians of all corporate minutes and records of the City and of the City seal with authority to authenticate and certify any of the records of the City, and to administer oaths and give certificates thereof. The Council shall appoint an independent auditor or auditors to prepare annual audits and to make such special audits and reports as the Council may prescribe from time to time. (Secs. 16 and 17 of present City Charter).

Section 7. BONDED PERSONNEL. The City Manager, Director of Finance, City Auditor, and City Treasurer shall each enter into a bond executed by a surety company or companies acceptable to the City Council in the sum of $100,000 or such greater amounts as the Council may prescribe, conditioned upon the faithful performance of duties and accounting for all public funds; and the Council may require other City personnel to give bond. Premiums and fees of corporate sureties on all such bonds shall be paid by the City. (Sec. 56 of present City Charter).

Section 8. OPERATING BUDGET - SALARIES AND WAGES. The City Manager with the aid of the City Auditor and the heads of the City departments, shall prepare and submit prior to May first of each year an operating budget for the City and each department thereof, which shall include an estimate of the cost of operations during the twelve months connecing the following June 1st, said budget shall show the amount to be paid in salaries and wages to the department heads and each class of personnel, giving the number of persons in each class and the cost of supplies, equipment and special services for each department. The salaries and wages of all officials, department hedds and personnel of the City (except the Mayor and Councilmen) shall be fixed by the City Council notwithstanding any provision of the present city charter fixing or limiting the same. The

number of persons employed in each department of the City shall be fixed by the Council as a part of and at the time of adopting the operating budget of the City. Said operating budget with such changes as the Council may deem proper shall be adopted by ordinance and upon being adopted no expenditure shall be made except in accordance with the budget, unless authorizied by ordinance, and if such budget change involves increased expenditure, the ordinance making the change shall provide for and specify the source of the additional funds for meeting the sa me. The total estimated cost and expenses covered by the operating budget shall not exceed the estimated revenues of the City for the budget period available for the general and special purposes covered by the budget. A temporary budget shall be prepared and adopted in June 1951, pending the adoption of a budget for the year. The Council may prescribe a new fiscal year, budget year and tax assessment and collection year, and change the dates provided above for the preparation and submission of the budget so as to conform thereto. (Secs. 39 and 56 of present City Charter).

Section 9. PURCHASING AUTHORITY. The authority to make purchases for the City shall be vested in the City Manager and such purchasing agent or agents as may be provided by ordinance. Before purchasing any supplies, materials, equipment or contractual services, competitive bids shall be taken under such rules and regulations as may be prescribed by ordinance. All expenditures for supplies, materials, equipment or contractual services of more than $100 shall be made on written purchase order or contract, and such purchase order or contract shall be awarded to the lowest responsible bidder.

Section 10. CITY DEPOSITORIES. All funds of the City shall be deposited in one or more depositories selected by the City Council and all checks and vouchers shall be drawn on said depository by or under the direction of the City Manager and counter-signed by either the Director of Finance, City Auditor or City Treasurer, or in case of the absence of such signers, the same may be signed in such manner as may be author ized by ordinance.

Section 11. ADMINISTRATIVE BOARDS. None of the provisions of this amendment shall change or affect the powers or jurisdiction of any executive or administrative board of the City created under authority of any State statute or any provision of the City Charter, or by any ordinance of the City.

Section 12. BOARD OF EQUALIZATION. The City Council shall by ordinance appoint a Board of Equalization of 5 members of which 3 members shall constitute a quorum. The members of said Board of Equalization shall be property tax-paying residents of the City and each member shall be compensated at a rate per day for each day he sits as a member of the Board to be fixed in the ordinance of appointment. The Board shall have the powers conferred by state law on County Boards of Equalization, and the powers and authority to do all things heretofore provided by the City Charter to be done by the Board of Commissioners when acting as the Board of Equalization. (Section 116 of the present City Charter).

Section 13. REPEALED PROVISIONS. The following provisions of the present City Charter of the City of San Antonio are hereby repealed: Sections 7, 8, 9, 10, 12, 15, 16, 17, 18, 19, 24, 27, Paragraph 1 of Section 32, and Sections 39, 50, 56, 110, 116 and 127. All other provisions of the present City Charter, including amendments thereto adopted at or prior to the election at which this amendment may be adopted, are hereby repealed insofar as the same may be in c onflict with provisions hereof.

Section 14. EFFECTIVE DATE. This amendment shall become effective on June 1, 1951, except the provisions for the election in May 1951, and the Mayor and Commissioners of the City shall do all things necessary to provide for the holding of said election and shall canvass the returns thereof.

Section 15. ARRANGEMENT AND NUMBERING. The City Council shall provide by ordinance for the rearrangement and/or renumbering of all articles, sections and paragraphs of the Charter of the City of San Antonio, Texas, as amended hereby, as it shall deem appropriate.

Section 16. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase, or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

5. PROPOSITION TWO. (6)

Providing for amendments to the City Charter creating office of City Manager and vesting executive and administrative powers in Commissioners.

Section 1. The executive and administrative powers, authorities and duties shall be vested in the Board of Commisioners, and there shall be five departments, as follows:

(a) The Department of Public Affairs in General
(b) The Department of Taxation
(c) The Department of Sanitation, Parks and Public Property
(d) The Department of Streets and Public Improvements
(e) The Department of Fire and Police

Section 2. The Mayor shall be at the head of and have charge of the Department of Public Affairs in General. He shall be Chairman of the Board of Health. He shall sign all contracts and obligations on behalf of the City; provided, that should the Mayor refuse to sign any contract or obligation, the same shall become effective without his signature upon being signed by any three of the other commissioners. He shall cause to be prepared and published all statements and reports required by law or ordinance or by resolution of the commission. He shall preside at all meetings of the Board of Commissioners and shall appoint such committees as may be provided by ordinance, order or resolution of the Board of Commissioners.

Section 3. Paragraph 1: The Mayor, together with the four City Commissioners, shall constitute a Board to conduct the affairs of the City, and they shall have such powers as may be necessary for the proper conduct of the following:

(a) The Department of Taxation
(b) The Department of Sanitation, Parks and Public Property
(c) The Department of Streets and Public Improvements
(d) The Department of Fire and Police

provided, however, that the Commissioner of Taxation shall assess and collect taxes as set out in Sections 30 and 31 of Article I of the present City Charter.

Paragraph 2: The conduct of the business of all departments and offices, officers and employees of the City shall be under the direction of a City Manager or Superintendent, and such directors or assistants as the Board of Commissioners may deem necessary for the efficient conduct of the affairs of the City, and they shall have such powers and duties as may be delegated to them by the Board of Commissioners. The Mayor and the Commissioners at the first meeting of the

Board of Commissioners shall organize a committee in conjunction with each of the four departments named in paragraph 1 of this Section 3. Each such Committee shall consist of three members of the Board of Commissioners and each shall be headed by the respective City Commissioner elected for that department, who will act as Chairman. Each said committee shall have general supervision over its department, and it shall be the specific duty of each of said committees to keep fully informed on all affairs of the department in conjunction with which it serves, so that the Board of Commissioners will have the benefit of their advice in conducting that particular department of the City.

Section 4. The health of the City shall be protected by a Board of Health, consisting of eleven members who shall be appointed by the Mayor and confirmed by the Board of Commissioners. It shall be the duty of the Board of Health to advise the City Health officer and the City Commissioners with respect to public health and the control of disease. It shall have such powers, duties, authority and remuneration as may be conferred upon it by the Board of Commissioners.

Section 5. Paragraph 1: The City employees shall be appointed by the Board of Commissioners.

Paragraph 2: The Board of Commissioners shall have the right by majority votebto create such offices or employments as may in their opinion be necessary; and impose such duties upon the holders thereof as they may deem proper, and shall, by a majority vote, have the right to abolish any office or employment created by them. The salaries of all officers and employees, including that of the City Purchasing Agent, shall be fixed by the Board of Commissioners.

Section 6. REPEALED PROVISIONS. The following provisions of the present City Charterbof the City of San Antonio, are hereby repealed: Sections7, Paragraphs 2, 3, 4, 5, 6 and 7; Section 16, Paragraphs 2 and 3; Section 17; Section 18; Paragraph 2 and that part of Section 127 fixing the salary of the Purchasing Agent. All other provisions of the present City Charter, including amendments thereto adopted at or prior to the election at which this amendment may be adopted, are hereby repealed insofar as the same may be in conflict with provosions hereof.

Section 7. EFFECTIVE DATE. This amendment shall become effective on June 1, 1951.

Section 8. ARRANGEMENT AND NUMBERING. The Board of Commissioners shall provide by ordinance for the rearrangement and/or renumbering of all articles, sections and paragraphs of the Charter of the City of San Antonio, Texa, as amended hereby, as it shall deem appropriate.

Section 9. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase, or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception or limitation upon any general provision herein contained shall be held to be unconstitution or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be held unconstitutional or invalid or ineffective.

PROPOSITION THREE.

Appointive Officers and Employments in the Municipal Civil Service.

Section 1. APPLICATION OF THESE MUNICIPAL CIVIL SERVICE PROVISIONS. The Civil Service provisions of this charter amendment, except as otherwise provided herein, shall apply to all appointive officers and employments in the administrative service of the City, and to all persons in the service of the City, with the following specific exceptions:

(a) Members of the Governing Body of the City;
(b) The City Clerk;
(c) The City Manager, if any, and the assistant City Manager, if any;
(d) The heads of Departments and only such first assistants thereto as provided by ordinance;
(e) The Director of Personnel and such assistants as provided by ordinance;
(f) The Director of Planning, if any;
(g) The City Attorney, his assistants and his confidential secretary;
(h) The Judge or Judges of the Corporation Court;
(i) Members of Boards, Commissions or Committees;
(j) The officers and employees of the City who are under the jurisdiction of the Firemen's and Policemen's Civil Service Commission;
(k) The officers and employees of the Board of Trustees of the Water Works and/or Water System of the City of San Antonio, Texas, while employed under the terms of the indenture and/or trust agreement under which revenue bonds were issued and sold by the said City for the purchase by the said City of the Water Works and/or Water System;
(l) The officers and employees of the Board of Trustees of the Electric and Gas Systems of the City of San Antonio, Texas, while employed by the said Board under the terms of the indenture and/or trust agreement under which revenue bonds were issued and sold by the said City for the purchase by the said City of the said Electric and Gas systems.

All other appointive officers and employments in the administrative service of the City shall constitute the classified Civil Service of the City.

Section 2. STATUS OF APPOINTIVE OFFICERS AND EMPLOYEES HOLDING POSITIONS WHEN THIS CHARTER AMENDMENT TAKES EFFECT. All appointive officers and employees in the service of the City other than the officers and employees excepted by this charter amendment, whose offices and employments have not been abolished by any amendment to the Charter of the City of San Antonio, Texas; and who have served in their respective offices and employments for six months preceding June 1, 1951, shall be, on and after that date, subject in all respects to the civil service provisions of this charter amendment, continuing in their offices and employments without further preliminary or probationary tests.

Section 3. THE MUNICIPAL CIVIL SERVICE COMMISSION. There is hereby created a Municipal Civil Service Commission of three (3) members, none of whom shall hold any other City office or employment. The members of the Municipal Civil Service Commission shall be appointed by the City Council. Of the first three (3) members of the Municipal Civil Service Commission appointed under the provisions of this charter amendment, one (1) shall be appointed for a term of one (1) year, one (1) shall be appointed for a term of two (2) years, and one (1) shall be appointed for a term of three (3) years. Thereafter the members of the Municipal Civil Service Commission shall be appointed for a term of three (3) years, and each member of said Commission shall serve until a successor is appointed, confirmed and qualified.

All members of the Municipal Civil Service Commission shall be qualified electors of the City, and shall not have held any public office within the preceding three (3) years. Vacancies in the membership of the Municipal Civil Service Commission shall be filled in the manner prescribed hereinabove for regular appointments to membership on the said Commission; provided, however, that such appointments shall be only for the unexpired term of the member of the Commission whose withdrawal for any reason from the Commission created such vacancy in the membership of the Commission. Each member of the said Commission shall receive as compensation for his services as a member of the said Commission the sum of Twenty (20.00) Dollars for each regular meeting thereof attended by him or her, provided that the total of such compensation shall not exceed One Thousand and Forty Dollars ($1,040.00) per annum.

Section 4. POWERS AND DUTIES OF THE MUNICIPAL CIVIL SERVICE COMMISSION. The Municipal Civil Service Commission created by the provisions of this charter amendment shall:

(1) Advise the governing body and the personnel Director, hereinafter provided for, on problems concerning personnel administration;

(2) Advise and assist the Personnel Director in fostering the interest of institutions of learning, civic, professional and employee organizations in the improvement of personnel standards in the municipal service.

(3) Upon its own initiative, or upon the request of the appointing officer, or the governing body, make investigations regarding personal matters, and report in writing its findings and recommendations to the appointing officer or the governing body, as the case may be;

(4) Hear appeals in case any officer or employee in the classified service is suspended, reduced or removed, and report in writing to the governing body, its findings and recommendations, if any;

(5) Perform such other duties with reference to personnel administration not inconsistent with this charter amendment or the laws of the State of Texas, as the governing body may require by ordinance;

(6) Approve or disapprove the personnel rules and amendments thereto as prepared by the Personnel Director.

Section 5. PERSONNEL DIRECTOR. There shall be a Personnel Director, who shall be appointed and removed by the governing body. Said Personnel Director shall have had training and experience in Personnel administration and he shall be paid such compensation as may be set by the governing body.

Section 6. PERSONNEL DIRECTOR: POWERS AND DUTIES. The Personnel Director shall have power and shall be requiredto:

(1) Hold competitive examinations for all appointments in the classified service, to determine, as far as possible, the relative qualifications of those considered for entrance to the City service and for promotions in the City service. Wide publicity shall be given through appropriate channels in each case to all announcements of competitive examinations to the end of encouraging qualified persons to take such examinations. Upon the basis of such tests the Personnel Director shall establish employment lists of persons eligible for appointment, which shall not be continued in effect for a longer period than one year following the establishment of such lists, unless the Director of Personnel, with the approval of the Municipal Civil Service Commission shall renew such ~~ixi~~ lists for reasons presented in writing to the said Commission; but in no event shall such lists be continued in effect for a longer period than eighteen months.

All tests for entrance into the service of the City shall be

the open competitive type; the nature, character, content and manner of conducting which shall be determined by the Director of Personnel, with the approval of the Municipal Civil Service Commission; however, upon the recommendation of the governing body, approved by said Commission, such tests may be non-competitive for positions which require exceptional qualifications of scientific managerial or professional character.

(2) establish and maintain a roster of all persons in the municipal service in which there shall be set forth, as to each officer and employee:

(a) The class title of the position held;
(b) Salary or pay;
(c) Any changes in class title, page or status;
(d) Such other data as may be deemed desirable or useful to produce significant facts pertaining to personnel administration.

(3) Ascertain and keep written records of the duties, responsibilities and authority appertaining to each office and employment in the City service.

(4) Prepare and recommend to the governing body a classification plan and amendment thereto for the entire service of the City, by said Council, and administer the classification plan approved. The classification plan recommended to the governing body shall include titles for the various classes of positions. Each class shall include all positions in the City service which are sufficiently similar with respect to duties, responsibilities, and authorities so that the same descriptive title may be used to designate each position allocated to the class, that the same requirement as to education, experience, intelligence, general and specialized knowledge, skill, physical condition, and other qualifications may be demanded of incumbent for the proper performance of their duties, that the same tests of fitness may be used in choosing qualified appointees and that the same schedule of pay can be made to apply with equity under like working conditions. After adoption of the classification plan by the governing body, the Director of Personnel, with the approval of the Mayor shall adopt written specifications for each class and allocate positions to classes. The class titles shall be used in personnel, budget and financial records and communications, and, if individual positions are designated in the appropriations ordinances, in designating such positions.

(5) Prepare and recommend to the Mayor at least sixty days before the beginning of each fiscal year, for presentation upon approval by the Mayor to the governing body, a pay plan including a proposed schedule of pay for each class of position, with minimum and maximum rates and where necessary, intermediate rates and, following the adoption of the appropriation ordinances by the governing body, see that payments to officers and employees holding positions in the classified service are made in accordance therewith.

(6) Certify to the Department of Finance before payments for salaries and wages are made, that the names of the persons holding positions in the classified service to whom it is proposed to make payments for personal services were, during the period for which payment is proposed to be made, on the roster of officers and employees, that such persons were appointed and employed and were performing services in accordance with the provisions of this charter and the rules and regulations established thereunder, and that the rate of pay proposed has been established in accordance with the provisions of this charter. No payment for personal service to any person in the classified service of the City shall be made unless the payroll vouchers bear the certificate of the Personnel Director or his authorized agent.

(7) Upon written notice of the appointing authority that a position in the classified service is to be filled, certify the names of the three persons highest on the employment list for the class who are willing to accept appointment. If there is no employment list available from which appointments may be made, the Director of Personnel may authorize a provisional appointment to either an extra position or a permanent position to continue until a list can be established and certification made; provided, however, that no provisional appointment shall continue in effect for a longer period than ninety days, and provided that provisional appointments shall not be renewed. It is hereby declared to be the purpose of this charter to authorize and provide for a complete, adequate and systemic procedure for handling the personnel matters of the City. Under no circumstances and for no reason whatsoever, therefore, shall provisional appointments be made to defeat the declared purpose of this charter.

(8) Establish for each class probationary periods of not less than three months and not more than siz months to enable the appointing officers to observe whether new officers and employees are able and willing to perform their duties in a satisfactory manner. Appointing officers must submit to the Personnel Director, reports, at least once each month during the probationary period of the probationary officer or employee, regarding the efficiency of probationary appointees. No permanent appointment shall be made except on certificate of the Personnel Director, based upon the aforementioned monthly reports of appointing officers, that the officer or employee has satisfactorily passed his or her probationary period.

(9) Develop and establish training and educational programs for persons in the municipal service.

(10) Recommend to the Mayor measures for co-ordinating the work of the various departments and for increased individual, group and departmental efficiency.

(11) At the request of the Mayor, or on the initiative of the Municipal Civil Service Commission, investigate and report upon the administration and effect of the Civil Service provisions of this charter and the rules and regulations adopted thereunder.

(12) Appoint, with the approval of the governing body, such employees as may be necessary to administer the Civil Service Provisions of this charter, and to define their duties and responsibilities.

(13) Establish by rule a procedure by which any officer or employee without further competitive test may be transferred from a position in a given class to another position in the same class or to a position in a different class for which he is qualified and for which no higher maximum rate of pay has been established.

(14) Provide by rule for the manner of fixing hours of work, checking attendance, asking payments for overtime, establish training course, determining the order of law off when forces are reduced because of lack of work or funds, and handling annual, sick and special leaves of absence with or without pay or with reduced pay.

(15) Establish by rule a system of service ratings designed as far as possible to reflect the worth of each officer and employee in the classified service of the City.

(16) Establish by rule a procedure, in conformity with this charter, for making suspensions, reductions, and removals of officers and employees in the classified service for misconduct, inefficiency, and other good reasons.

(17) Prepare and recommend to the Municipal Civil Service Commission such other rules as he may consider necessary, appropriate or desirable to carry out the provisions of this charter amendment.

Section 7: PERSONNEL RULES. The Director of Personnel shall, as soon as practicable, and in any case, within six months after this charter amendment takes effect, prepare such personnel rules as are required by this charter amendment and recommend their adoption to the Municipal Civil Service Commission. After a public hearing thereon, the Commission shall approve or reject the rules wholly or in part, or modify them, and approve them as modified. Rules and amendments thereto which are approved by the Commission or on which the Commission takes no action within sixty (60) days after they are recommended by the personnel Director shall be transmitted by filing with the governing body. Rules and amendments thereto shall become effective when approved by the governing body or on the twentieth day after submission if prior thereto the governing body shall not have rejected them by resolution. Thereafter the Commission shall have power to amend, repeal or add to the rules on the recommendation of the Personnel Director or on its own initiative, subject to the requirement of a public hearing and all the other subsequent steps of procedure required herein for adoption of the original set of such rules. Copies of the personnel rules and of the amendments thereto shall be transmitted by the Personnel Director to the governing body, and to the head of each department, and shall be made available to all officers and employees in the classified service of the City.

Section 8. LIMITATIONS OF APPOINTMENTS. No person shall be appointed to any office or employment in the classified service of the City except after certification by the Personnel Director or except upon authorization by the Personnel Director of a provisional appointment as provided in this charter. No person shall be appointed to or employed in any appointive office or employment in the classified service of the City under any title not appropriate to the duties to be performed.

Section 9. SUSPENSIONS, REDUCTIONS AND REMOVALS. Any officer or employee in the classified service of the City who has not completed his probationary period or who has been certified from an employment list or who is serving under provisional appointment may be suspended, reduced in pay or class, or removed at any time by the officers having power to appoint a successor. A copy of the notice of such suspension, reduction, or removal shall be transmitted to the Personnel Director.

Any officer or employee in the classified service of the City who has completed the probationary period may be suspended, reduced in pay or class, or removed by the officer having authority to appoint a successor in the manner prescribed hereinafter. A written notice of the suspension, reduction or removal stating the reasons therefor and when it is effective, shall be given to such officer or employee or transmitted by registered mail to his usual place of residence. Such officer or employee, within ten days, not including Sundays and legal holidays, after the delivery or mailing to him of such written notice, may appeal in writing to the Municipal Civil Service Commission for a hearing. The Municipal Civil Service Commission shall immediately fix a place and a time not later than ten business days after such appeal for holding a hearing, at which time the officer or employee suspended, reduced or removed shall have the right to appear and be heard in person, or by counsel. The Municipal Civil Service Commission shall, at the request of the officer or employee who has appealed for such a hearing, or at the request of the officer ordering the suspension, reduction or removal, compel other persons to attend the hearings to serve as witnesses. All testimony given at such hearings shall be under oath. The members of the Municipal Civil Service Commission shall have the power to administer oaths and affirmations and to compel the attendance of witnesses and other persons by subpoena and other processes provided by law, and to compel the production of all pertinent records, by ~~xxxxx~~ whomsoever held. The Muni-

cipal Civil Service Commission may make any further investigation which it might deem proper. Within twenty-four hours after the completion of the public hearing or such investigatigation, the said Commission shall report its findings and recommendations to the appointing officer. A copy of the written statement given the officer or employee, a copy of the written reply thereto, if any, and a copy of the findings and decision of the Municipal Civil Service Commission, shall be filed as a public record in the office of the Personnel Director.

Section 10. CONTRACTS FOR PERSONAL SERVICES PROHIBITED. The governing body of the City, the Mayor and all officers and employees of the City are hereby specifically prohibited from entering into a contract, on behalf of the City, to engage the personal services of any person whatsoever; provided, however, that the governing body, on behalf of the City, may enter into a contract to engage the personal services of a person whose services are of such nature that an officer or employee of the classified service of the City is not qualified to render such services. It is hereby declared to be the purpose of this charter amendment to preclude the use of personal service contracts for the purpose of evading the civil service sections of the charter of the City of San Antonio.

Section 11. INFORMATION, REPORTS AND ACCESS TO PREMISES AND RECORDS. Ev ery officer or employee in the service of the City shall furnish the Personnel Director any information required by him in the administration of the personnel provisions of this charter and the rules and regulations made thereunder and shall allow members of the Municipal Civil Service Commission and members of the staff serving under the Personnel Director reasonable access to premises, buildings and records under his charge and direction.

Section 12. COMPENSATION OF OFFICERS AND EMPLOYEES. The salary or compensation of officers and employees in the classified service of the City shall be established by ordinance, which shall provide minimum and maximum compensation for each class of service.

Section 13. OFFICIAL BONDS. The Head of the Department of Finance and such other Officers and employees as may be required by this charter or by ordinance enacted by the governing body to do so, shall give bond in such amount and with such surety as may be required by this charter, or as may be required and approved by the governing body. The premiums on such bonds shall be paid by the City.

Section 14. POWERS AND DUTIES OF THE MUNICIPAL CIVIL SERVICE COMMISSION AND OF THE DIRECTOR OF PERSONNEL, NOT TO BE DIMINISHED OR ASSIGNED TO ANY OTHER BOARD, COMMISSION, COMMITTEE, DEPARTMENT, OFFICER OR EMPLOYEE. The functions, powers, duties, and responsibilities given by this charter amendment to the Municipal Civil Service Commission and to the Personnel Director and his subordinates shall not be diminished or assigned to any other Board, Commission, Committee, agency, officer or employee of the City or to any other unit of government.

Section 15. CITY COUNCIL REQUIRED TO APPROPRIATE SUFFICIENT FUNDS TO PLACE AND CONTINUE IN EFFECT THE PERSONNEL PROVISIONS OF THIS CHARTER. The governing body of the City is hereby required to appropriate a sufficient fund annually to carry out the civil service provisions of this charter amendment.

Section 16. PROHIBITIONS. No person shall wilfully or corruptly make any false statement, certificate, mark, rating or report in regard to any test, certification, or appointment held or made under the Civil Service provisions of this charter amendment or in any manner commit any fraud preventing the impartial execution of such civil service provisions or of the rules and regulations made thereunder. No officer or employee in the classified service of the City shall continue in such position after becoming a candidate for nomination or election to any public office. No person seeking appointment or promotion in the classified service of the City shall either directly or indirectly, give, or pay any money, service or other valuable thing to any person for or on account of or in connection with his test,

appointment, proposed appointment, promotion or proposed promotion.

Any person who by himself or with others wilfully or corruptly violates any of the provisions of this section shall be subject to such penalties as shall be prescribed by ordinance. Any person who is convicted under this section shall for such period as may be determined by the Civil Service Commission, be ineligible for appointment as an officer or employee of the City, and shall immediately forfeit any office or position he holds.

Section 17. MUNICIPAL RETIREMENT SYSTEM. The governing body is hereby authorized to establish a municipal retirement system, which shall be applicable only to appointive officers and employees in the classified service of the City, in accordance either with the provisions of House Bill No. 166, Acts of the Fiftieth Legislature of Texas, or in accordance with an independent municipal retirement plan which shall conform to the following requirements:

(1) Any such retirement system shall be established on a jointly contributory basis, with the officers and employees sharing the cost equally with the City, except as to prior service, charges for which may be borne entirely by the City:

(2) The cost of the retirement system shall be determined actuarily on the basis of such mortality and service tables as the governing body approves, and shall be calculated and contributed as a uniform or decreasing percentage of the payroll of members. No system requiring an increase in the payroll to pay for the contributions of the members shall be established.

(3) The provisions of the ordinance establishing such a retirement system shall require periodic actuarial evaluations which shall serve as the basis of any changes in the rates of contributions and shall also provide for the maintenance at all times of adequate reserves.

(4) Any appointive officer or employee in the classified service of the City at the time of the establishment of such system shall have for a reasonable time thereafter the privilege of becoming a member of the system so established and to share its benefits. Officers and employees thereafter appointed in the classified service shall be required to join the system as a condition of employment.

(5) Any independent municipal retirement system established or administered under the provisions of this section shall be administered by the Director of Personnel, except that the collection, custody, investment, and payment of funds shall be administered by the Finance Department.

(6) Any appointive officer or employee of the Board of Trustees of the Water Works and/or Water System of the City of San Antonio, Texas, other than the members of said Board of Trustees, shall be eligible to participate in any municipal retirement system established by the governing body for the benefit of appointive officers and employees in the classified service of the City if the said Board of Trustees employing such officer or employee pays into the Treasury of the City of San Antonio, Texas, an amount annually or oftener as might be required by the governing body, for each such appointive officer or employee of the said Board of Trustees, which said amount shall equal the same percentage of compensation as is contributed by the City as the City's equal share of the cost of the municipal retirement system for and on behalf of the appointive officers and employees in the classified service of the City.

(7) Any appointive officer or employee of the Board of Trustees of the Electric and Gas Systems of the City of San Antonio, Texas, other than the members of the said Board of Trustees, shall be eligible to

participate in any municipal retirement system established by the governing body for the benefit of appointive officers and employees in the classified service of the City, if the said Board of Trustees employing such officer or employee pays into the Treasury of the City of San Antonio, Texas, an amount annually or oftener as might be required by the governing body, for each appointive officer or employee of the said Board of Trustees, which said amount shall equal the same percentage of compensation as is contributed by the City as the City's equal share of the cost of the municipal retirement system for and on behalf of the appointive officers and employees in the classified service of the City.

Section 18. REPEALED PROVISIONS. The following provisions of the present City Charter of the City of San Antonio are hereby repealed: Sections 8, 16, 17, paragraph 2 of Section 18, Sections 24, 56, 111, and 136 to 152, both inclusive. All other provisions of the present City Charter, including amendments thereto adopted at or prior to the election at which this amendment may be adopted, are hereby repealed insofar as the same may be in conflict with the provisions hereof.

Section 19. EFFECTIVE DATE. This amendment shall become effective on June 1, 1951.

Section 20. ARRANGEMENT AND NUMBERING. The governing body shall provide by ordinance for the rearrangement, and/or renumbering of all articles, sections and paragraphs of the Charter of the City of San Antonio, Texas as amended hereby, as it shall deem appropriate.

Section 21. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this Charter amendment, or any section, part, sentence or part of a sentence, phrase, or clause of this Charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

7. PROPOSITION FOUR.

PROVIDING FOR THE GRANTING OF FRANCHISES UNDER CERTAIN CONDITIONS.

Section 1: Definition of "Net Capital Investment": "Net capital investment" means the actual and reasonable cost of all properties and capital outlay used and useful for service within the City, less accrued depreciation as determined by regular accounting procedure, plus working capital necessarily supplied by the investors, applicable to operation within the City.

Section 2: Granting of Franchises. The governing body of the City shall have power to grant a franchise to any private corporation organized under the laws of the State of Texas, only, for the use of streets and other public places in the furnishing of any public utility service to the City and to its inhabitants, provided that the term of duration of such franchise shall not exceed 25 years. All franchises and any renewals, extensions and amendments thereto, shall be granted only by ordinance. No ordinance granting a franchise shall be enacted by the governing body until adequate public hearings have been held thereon, and until two weeks after its official publication in final form shall have elapsed. Any foreign corporation now having and holding a franchise shall be permitted to continue under same as originally granted to the date of expiration.

Section 3: Conditions and Transfer of Franchise. Every franchise or renewal, extension or amendment of a franchise hereafter granted shall:

(1) Impose upon the utility the duty to furnish proper service at minimum attainble cost under proper organization and efficient management. The City shall have the right to require such extensions, additions, improvements and replacements of property as will result in economy or improvement in service and it may issue such orders with respect to safety and other matters as may be necessary or desirable for the community.

(2) Fix the rates to be charged by the utility for the different classes of service and reserve to the City the power to revise such rates at the end of each calender or fiscal year.

(3) Reserve to the City the right, at any time after five years, to revoke the franchise and purchase all the properties of the utility at a purchase price equal to the net capital investment, or, as to any property included in the purchase for which the net capital investment is not ascertainable from the account, at the estimated actual cost less accrued depreciation.

No franchise shall be transferred hereafter by any utility to another without the approval of the governing body of the City and as a condition to such approval all the terms and conditions provided in this charter amendment, shall be included in the transferred franchise.

Section 4: Rate Base - Valuation Board. The Public Utilities' Board referred to hereinafter, shall negotiate with a public utility rendering service within the City, but not operating within the franchise terms of this charter amendment, for the purpose of establishing a rate base considered fair and reasonable by such City agency and the utility. Adequate technical assistance shall be made available to the said Board. The result, if any, of such negotiation shall be submitted to the governing body for approval. The governing body, either at the recommendation of the Public Utilities Board or on its own motion, may avail itself of any recognized standards or formulas, as an aid in negotiating a fair rate base. If no agreement between the governing body and the utility is reached in a reasonable period of time, the governing body may enter into an agreement with the utility to submit the question of rate base to arbitration by a valuation board con

tration by a valuation board consisting of three members. One member shall be appointed by the utility, one by the governing body and the third by the preceding two. The third member shall be a person of recognized training and experience in public utility valuations and shall be known to be fair to both private and public interests. Adequate technical assistance shall be available to the board and a separate set-up of unit prices, general construction overhead, and depreciation shall be prepared on behalf of the City, if considered desirable by the City's member, the Public Utilities Board or the governing body.

The board's finding shall be final and binding upon the City and the utility.

Section 5: Rates. The rates of every privately owned public utility exercising a franchise granted pursuant to the terms of this charter amendment, shall be annually revised and adjusted.

Section 6: Public Utilities Board.

(1) The governing body shall appoint a Public Utilities Board, consisting of five members who shall serve during the pleasure of the governing body and who shall receive such compensation as may be fixed by the governing body. The Public Utilities Board shall have such assistants as may be determined by the governing body, who shall be appointed and removed by the said Public Utilities Board.

(2) The Public Utilities Board shall assemble the facts which are essential to the fixing of reasonable rates. It shall have and keep up to date an inventory of the property used in public service, the cost of such properties as actually and reasonably incurred or as fixed by appraisal, additions, and retirements made each year, the depreciation and all matters that enter into the periodical readjustment of the rate base. It and its assistants under its direction shall have power to make and shall conduct all inspections and examinations of public utility properties, accounts and records. At the close of each calendar or fiscal year, it shall make a comprehensive report and recommendations to the governing body, which, after receiving them, may proceed with informal negotiation or with formal proceedings. Every public utility operating within the City shall furnish the Public Utilities Board regular reports as to capital outlay, property retirements, operating revenues, operating expenses, taxes and other accounting matters according to the standard accounting classifications for each such utility. In addition, the City may require reports regarding salaries, wages, employees, contracts, service performance and all other records of operation that pertain to proper rate adjustments on the basis of facts and regular administration.

The provisions hereof shall not apply to the City Water System or the City Electric and Gas Systems, so long as each such utility is operated by a Board of Trustees under an indenture and/or trust agreement, under which revenue bonds issued by said City for the purchase by said City of each of such utilities, were sold by said City.

Section 7: Recapture. Whenever the governing body shall determine and in accordance with the franchise terms, the City may purchase the properties of a privately owned public utility, and may include in such purchase properties located outside as well as within the City. The purchase price shall not exceed the net capital investment, or the rate base, established as herein described, for any properties included in the purchase for which such net capital investment had not been provided for by previous franchise grants. The City may also condemn any public utility properties pursuant to the general condemnation provisions of the Constitution and statutes of the State of Texas. The cost of proceedings for acquisition of private properties by purchase or by condemnation shall be paid in the first instance by the private utility, but shall be included in the price or award paid by the City.

Section 8: Repealed Provisions. The following provisions of the present City Charter of the City of San Antonio are hereby repealed: Sections 101, 102, 103, 104 and 105. All other provisions of the present City Charter, including amendments thereto adopted at or prior to the election at which this amendment may be adopted, are hereby repealed insofar as the same may be in conflict with the provisions hereof.

Section 9: Effective Date. This amendment shall become effective on June 1, 1951.

Section 10: Arrangement and Numbering. The governing body shall provide by ordinance for the arrangement, numbering and renumbering of all articles, sections and paragraphs of the Charter of the City of San Antonio, Texas, as it shall deem appropriate.

Section 11: Provisions of this Charter Amendment to Stand Effective and Valid. Should any of this charter amendment, or any section, part, sentence, phrase, or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provisions herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it has been enacted without the portion held to be unconstitutional or invalid or ineffective.

PROPOSITION ~~ONE~~ FIVE.

Shall Article I, Section 3; Article I, Section 4; Article I, Section 6; Article I, Section 8; Article I, Section 9; Article I, Section 12; Article I, Section 15; and Article I, Section 50 of the existing charter of the City of San Antonio, Texas, relating to Municipal Elections be repealed and the following proposition and provisions be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

MUNICIPAL ELECTIONS

Section ——. MUNICIPAL ELECTIONS. The regular election of members of the City Council shall be held on the first Tuesday in May in odd-numbered years. The City Council may, by ordinance, order a special election, fix the time of holding the same, and provide all means for holding such special elections, which shall be held as nearly as practicable according to the provisions for a regular election. Provided, however, that the first election under this charter amendment for members of the City Council shall be held on the first Tuesday in May, 1959. The existing governing body of the City of San Antonio, Texas, shall pass all ordinances and perform all acts necessary and incident to calling and holding such first election.

Section ——. REGULATION OF ELECTIONS. The City Council shall have power to make rules and regulations not inconsistent with the charter of the City of San Antonio, Texas, or the general laws of this State for the conduct of elections or for the prevention of frauds in elections.

Section ——. ELECTION OF OFFICERS AND APPOINTMENT OF WATCHERS OF ELECTIONS.

Paragraph 1. All municipal elections for the election of members of the City Council shall be held under the direction of election officers who shall be selected in the following manner:

(1) The election officers in all such elections shall be elected by the City Council by ordinance duly adopted in open meeting not less than ten (10) days before an election; and said election officers shall be qualified voters of the City and of the precinct in which they are to serve.

(2) The City Council shall elect the election officers prescribed by the applicable general laws of the State of Texas regulating the holding of elections by the use of voting machines, and, in the election of such officers, the City Council shall conform to such laws.

(3) The City Council when appointing election officials is directed wherever possible, in the naming of election officials, to name for each precinct, in which only one (1) voting machine is used, a presiding officer and three (3) clerks for such precinct of opposed interest in that election, and another clerk who should be, wherever possible, non-partisan; and in each precinct, in which two (2) or more voting machines are used, a presiding officer and five (5) clerks for such precinct of opposed interest in that election and another clerk who should be, wherever possible, non-partisan.

Paragraph 2. The officers of all municipal elections shall be paid not less than the compensation provided by the general laws of the State of Texas regulating the holding of elections.

Section ——. FILING OF CANDIDATES. Any person who desires to become a candidate for an office of Councilman shall, if he possesses all of the qualifications for the office for which he is a candidate, file with the City Clerk a sworn application or a place on the ballot at least thirty days prior to the election in which he or she is to be a candidate. Such candidates shall comply with the requirements of all laws of the State of Texas which prescribe procedures for the filing of candidates for elective municipal offices.

Section ——. BALLOTS. The City Clerk shall make up the official ballots from the names of candidates who have filed with him in the manner hereinbefore set out.

The places of the offices of Councilman on the official ballots shall be designated to correspond with the designations of Councilmen as specified by the charter of the City of San Antonio, Texas.

The placing of the names of the candidates under each place number for each office of Councilman shall be determined by lot. The drawing of lots for the placing of the names of each candidate under each place number for each office of Councilman shall be performed by the City Clerk, and all candidates for City Council, or representatives designated, may be present at such drawing. The City Clerk shall prepare all election supplies and forms.

Section ——. ELECTION DISTRICTS. The City is hereby divided into seven election districts which shall be known respectively as Election Districts No. 1, 2, 3, 4, 5, 6 and 7.

The metes and bounds of Election District No. 1 are hereby established in accordance with the following descriptions:

Beginning at the intersection of the center line of the San Antonio River with the center line of Commerce Street:

Thence in a westerly direction with the center line of West Commerce Street to the point where it intersects the center line of North Frio Street:

Thence in a northerly direction with the center line of North Frio Street to the point where it intersects the center line of San Pedro Creek:

Thence northerly along the meanders of San Pedro Creek to the point where it intersects the center line of West Evergreen Street:

Thence in an easterly direction with the center line of West Evergreen Street to the point where it intersects the center line of San Pedro Avenue:

Thence in a northerly direction with the center line of San Pedro Avenue to the point where it intersects the center line of West Dewey Place:

Thence in an easterly direction with the center line of West Dewey Place and continuing along the center line of East Dewey Place to its intersection with the center line of McCullough Avenue:

Thence in a northerly direction with the center line of McCullough Avenue to the point where it intersects the center line of East Craig Place:

Thence in a westerly direction with the center line of East Craig Place to the point where it intersects the center line of North Main Avenue:

Thence in a southerly direction with the center line of North Main Avenue to the point where it intersects the center line of West Russell Place:

Thence in a westerly direction with the center line of West Russell Place to the point where it intersects the center line of San Pedro Avenue:

Thence in a northerly direction with the center line of San Pedro Avenue to the point where it intersects the center line of Norwood Court:

Thence in a westerly direction with the center line of Norwood Court to the point where it intersects the west boundary line of Blanco Road:

Thence in a northerly direction with the west boundary line of Blanco Road to the point where it intersects the north boundary line of the present limits of the City:

Thence along the meanders of the northern and eastern boundaries of the existing City limits to the point where the center line of Division Road intersects the center line of Duval Street:

Thence in a westerly direction with the center line of Duval Street to the point where it intersects the center line of North New Braunfels Avenue:

Thence in a southerly direction with the center line of North New Braunfels Avenue to the point where it intersects the center line of Nolan Street:

Thence in a westerly direction with the center line of Nolan Street to the point where it intersects the center line of Walnut Street:

Thence in a southerly direction with the center line of Walnut Street to the point where it intersects the center line of East Commerce Street:

Thence in a northwesterly direction with the center line of East Commerce Street to the place of beginning where it intersects the center line of the San Antonio River.

All of the territory of the City of San Antonio, Texas, within the metes and bounds hereinabove described shall comprise Election District No. 1.

The City Council is hereby authorized and required to include in Election District No. 1 any and all annexed territories contiguous to the City limits of Election District No. 1 hereinabove described. Provided, however, that the territory hereinabove described as inclusive of Election District No. 1 shall not include the incorporated areas of the Town of Olmos Park, Texas, the City of Alamo Heights, Texas, and the Town of Terrell Hills, Texas.

The metes and bounds of Election District No. 2 are hereby established in accordance with the following descriptions:

Beginning at the point where the center line of East Commerce Street intersects the center line of Hoefgen Avenue:

Thence in a southerly direction with the center line of Hoefgen Avenue to the point where it intersects the center line of Santa Clara Street:

Thence in a southwesterly direction with the center line of Santa Clara Street to the point where it intersects the center line of North Street:

Thence in a northwesterly direction with the center line of North Street to the point where it intersects the center line of Indianola Street:

Thence in a southwesterly direction with the center line of Indianola Street to the point where it intersects the center line of Goliad Street:

Thence in a southeasterly direction with the center line of Goliad Street to the point where it intersects the center line of Labor Street:

Thence in a southerly direction with the center line of Labor Street to the point where it intersects the center line of Victoria Street:

Thence in a southeasterly direction with the center line of Victoria Street to the point where it intersects the center line of Walnut Street:

Thence in a southerly direction with the center line of Walnut Street to the point where it intersects the center line of Carolina Street:

Thence in an easterly direction with the center line of Carolina Street to the point where it intersects the center line of South Hackberry Street:

Thence in a southerly direction with the center line of South Hackberry Street to the point where it intersects the center line of Aransas Avenue:

Thence in a northeasterly direction with the center line of Aransas Avenue to the point where it intersects the center line of South Pine Street:

Thence in a northerly direction with the center line of South Pine Street to the point where it intersects the center line of Florida Street:

Thence in an easterly direction with the center line of Florida Street to the point where it intersects the center line of Dreiss Street:

Thence in a northerly direction with the center line of Dreiss Street to the point where it intersects the center line of Indiana Street:

Thence in an easterly direction with the center line of Indiana Street, continuing along the center lines respectively of Nelson and Preston Avenues consecutively to the point where the center line of Preston Avenue intersects the center line of Aransas Avenue:

Thence in a northeasterly direction with the center line of Aransas Avenue to the point where it intersects the center line of Mittman Street:

Thence in a southerly direction with the center line of Mittman Street to the point where it intersects the center line of Westfall Avenue:

Thence in an easterly direction with the center line of Westfall Avenue to the point where it intersects the center line of Clark Avenue:

Thence in a southerly direction with the center line of Clark Avenue to the point where it intersects the center line of Sewanee Street:

Thence in an easterly direction with the center line of Sewanee Street to the point where it intersects the center line of Roland Street:

Thence in a southeasterly direction with the center line of Roland Street to the point where it intersects the eastern boundary line of the present limits of the City:

Thence in a northerly direction along the meanders of the eastern boundaries of the existing City limits to the point where the center line of Division Road intersects the center line of Duval Street:

Thence in a westerly direction with the center line of Duval Street to the point where it intersects the center line of North New Braunfels Avenue:

Thence in a southerly direction with the center line of North New Braunfels Avenue to the point where it intersects the center line of Nolan Street:

Thence in a westerly direction with the center line of Nolan Street to the point where it intersects the center line of Walnut Street:

Thence in a southerly direction with the center line of Walnut Street to the point where it intersects the center line of East Commerce Street:

Thence in a northwesterly direction with the center line of East Commerce Street to the place of beginning where it intersects the center line of Hoefgen Avenue.

All of the territory of the City of San Antonio, Texas, within the metes and bounds hereinabove described shall comprise Election District No. 2.

The City Council is hereby authorized and required to include in Election District No. 2 any and all annexed territories contiguous to the City limits of Election District No. 2 hereinafter described.

The metes and bounds of Election District No. 3 are hereby established in accordance with the following descriptions:

Beginning at the intersection of the center line of Commerce Street with the center line of the San Antonio River:

Thence in a southerly direction along the meanders of the San Antonio River to its intersection with the south boundary line of the present corporate limits of the City:

Thence along the meanders of the south and east boundary lines of the present corporate limits of the City to the point where the said east boundary line of the present corporate limits intersects the center line of Roland Street:

Thence in a northwesterly direction with the center line of Roland Street to the point where it intersects the center line of Sewanee Street:

Thence in a westerly direction with the center line of Sewanee Street to the point where it intersects the center line of Clark Avenue:

Thence in a northerly direction with the center line of Clark Avenue to the point where it intersects the center line of Westfall Avenue:

Thence in a westerly direction with the center line of Westfall Avenue to the point where it intersects the center line of Mittman Street:

Thence in a northerly direction with the center line of Mittman Street to the point where it intersects the center line of Aransas Avenue:

Thence in a southwesterly direction with the center line of Aransas Avenue to the point where it intersects the center line of Preston Avenue:

Thence in a westerly direction with the center line of Preston Avenue, and continuing along the center lines of Nelson Avenue and Indiana Street consecutively to the point where the center line of Indiana Street intersects the center line of Dreiss Street:

Thence in a southerly direction with the center line of Dreiss Street

Thence in a westerly direction with the center line of Florida Street to the point where it intersects the center line of South Pine Street:

Thence in a southerly direction with the center line of South Pine Street to the point where it intersects the center line of Aransas Avenue:

Thence in a southwesterly direction with the center line of Aransas Avenue to the point where it intersects the center line of South Hackberry Street:

Thence in a northerly direction with the center line of South Hackberry Street to the point where it intersects the center line of Carolina Street:

Thence in a westerly direction with the center line of Carolina Street to the point where it intersects the center line of Walnut Street:

Thence in a northerly direction with the center line of Walnut Street to the point where it intersects the center line of Victoria Street:

Thence in a northwesterly direction with the center line of Victoria Street to the point where it intersects the center line of Labor Street:

Thence in a northerly direction with the center line of Labor Street to the point where it intersects the center line of Goliad Street:

Thence in a northwesterly direction with the center line of Goliad Street to the point where it intersects the center line of Indianola Street:

Thence in a northeasterly direction with the center line of Indianola Street to the point where it intersects the center line of North Street:

Thence in a southeasterly direction with the center line of North Street to the point where it intersects the center line of Santa Clara Street:

Thence in a northeasterly direction with the center line of Santa Clara Street to the point where it intersects the center line of Hoefgen Avenue:

Thence in a northerly direction with the center line of Hoefgen Avenue to the point where it intersects the center line of East Commerce Street:

Thence in a northwesterly direction with the center line of East Commerce Street to the place of beginning where it intersects the center line of the San Antonio River:

All of the territory of the City of San Antonio, Texas, within the metes and bounds hereinabove described shall comprise Election District No. 3.

The City Council is hereby authorized and required to include in Election District No. 3 any and all annexed territories contiguous to the City limits of Election District No. 3 hereinabove described.

The metes and bounds of Election District No. 4 are hereby established in accordance with the following descriptions:

Beginning at the intersection of the center line of Johnson Street with the center line of the San Antonio River:

Thence in a southerly direction along the meanders of the San Antonio River to its intersection with the south boundary line of the present corporate limits of the City:

Thence in a southerly direction along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect the north boundary line of Cemetery Road and the east boundary line of U. S. Highway 281 South:

Thence along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect the south boundary line of Cemetery Road:

Thence in an easterly direction along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect with the west boundary line of Mission Road:

Thence in a southerly and southeasterly direction along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect with the western boundary line of Ashley Road at the intersection of the west boundary line of said road with the southern boundary line of Mission Road:

Thence in a southwesterly direction along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect with the north boundary line of Ashley Road:

Thence in a westerly, northwesterly and westerly direction along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect with the east boundary line of U. S. Highway 281 South:

Thence in a northerly direction along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect with the east boundary line of U. S. Highway 281 South and the north boundary line of Cemetery Road:

Thence in westerly, southerly, easterly, northwesterly and westerly directions, continuing along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect with the west boundary line of Quintana Road:

Thence in northwesterly and northerly directions along the meanders of the existing corporate limits of the City to the point where the said corporate limits intersect with the south boundary line of West Thompson Place:

Thence in an easterly direction with the south boundary line of West Thompson Place to the point where it intersects the center line of Frio City Road:

Thence in a northeasterly direction with the center line of Frio City Road to the point where it intersects the center line of Oriental Street:

Thence in an easterly direction with the center line of Oriental Street to the point where it intersects the center line of Nogalitos Street:

Thence in a northeasterly direction with the center line of Nogalitos Street to the point where it intersects the center line of San Pedro Creek:

Thence northerly along the meanders of the center line of San Pedro Creek to its intersection with the center line of Herff Street:

Thence in a southeasterly direction with the center line of Herff Street to the point where it intersects the center line of South Flores Street:

Thence in a northeasterly direction with the center line of South Flores Street to the point where it intersects the center line of West Johnson Street:

Thence in a southeasterly direction with the center line of West Johnson Street to the place of beginning where it intersects the center line of the San Antonio River.

All of the territory of the City of San Antonio, Texas, within the metes and bounds hereinabove described shall comprise Election District No. 4.

The City Council is hereby authorized and required to include in Election District No. 4 any and all annexed territories contiguous to the City limits of Election District No. 4 hereinabove described.

The metes and bounds of Election District No. 5 are hereby established in accordance with the following description:

Beginning at the intersection of the center line of West Johnson Street with the center line of South Flores Street:

Thence in a southwesterly direction with the center line of South Flores Street to the point where it intersects the center line of Herff Street:

Thence in a northwesterly direction with the center line of Herff Street to the point where it intersects the center line of San Pedro Creek:

Thence southwesterly along the meanders of the center line of San Pedro Creek to the point where it intersects the center line of Nogalitos Street:

Thence in a southwesterly direction with the center line of Nogalitos Street to the point where it intersects the center line of Oriental Street:

Thence in a westerly direction with the center line of Oriental Street to the point where it intersects the center line of Frio City Road:

Thence in a southwesterly direction with the center line of Frio City Road to the point where it intersects the south boundary line of West Thompson Place:

Thence in a westerly direction with the south boundary line of West Thompson Place to the point where it intersects the west boundary line of the corporate limits of the City:

Thence northerly along the meanders of the west boundary line of the existing City limits to the point where it intersects the center line of Highway U. S. 90 West:

Thence in a northeasterly direction with the center line of Highway U. S. 90 West to the point where it intersects the center line of Wood Avenue (36th Street):

Thence in a northerly direction with the center line of Wood Avenue (36th Street) to the point where it intersects the center line of West Commerce Street:

Thence in an easterly direction with the center line of West Commerce Street to the point where it intersects the center line of San Jacinto Street:

Thence in a southerly direction with the center line of South San Jacinto Street to the point where it intersects the center line of Colima Street:

Thence in an easterly direction with the center line of Colima Street to the point where it intersects the center line of South Brazos Street:

Thence in a northerly direction with the center line of South Brazos Street to the point where it intersects the center line of Guadalupe Street:

Thence in an easterly direction with the center line of Guadalupe Street to the point where it intersects the center line of South Flores Street:

Thence in a southwesterly direction with the center line of South Flores Street to the place of beginning where it intersects Johnson Street.

All of the territory of the City of San Antonio, Texas, within the metes and bounds hereinabove described shall comprise Election District No. 5.

The City Council is hereby authorized and required to include in Election District No. 5 any and all annexed territories contiguous to the City limits of Election District No. 5 hereinabove described.

The metes and bounds of Election District No. 6 are hereby established in accordance with the following descriptions:

Beginning at the intersection of the center line of Commerce Street with the center line of the San Antonio River:

Thence southerly along the meanders of the San Antonio River to the point where it intersects the center line of Johnson Street:

Thence in a northwesterly direction with the center line of West Johnson Street to the point where it intersects the center line of South Flores Street:

Thence in a northeasterly direction with the center line of South Flores Street to the point where it intersects the center line of Guadalupe Street:

Thence in a northwesterly and westerly direction with the center line of Guadalupe Street to the point where it intersects the center line of South Brazos Street:

Thence in a southerly direction with the center line of South Brazos Street to the point where it intersects the center line of Colima Street:

Thence in a westerly direction with the center line of Colima Street to the point where it intersects the center line of South San Jacinto Street:

Thence in a northerly direction with the center line of South San Jacinto Street to the point where it intersects the center line of West Commerce Street:

Thence in a westerly direction with the center line of West Commerce Street to the point where it intersects the center line of Wood Avenue (36th Street):

Thence in a southerly direction with the center line of Wood Avenue (36th Street) to the point where it intersects the center line of Highway U. S. 90 West:

Thence in a southwesterly direction with the center line of Highway U. S. 90 West to the point where it intersects the west boundary line of the corporate limits of the City:

Thence northerly along the west boundary line of the corporate limits of the City to the point where it intersects the center line of Culebra Road:

Thence in an easterly and northeasterly direction with the center line of Culebra Road to the point where it intersects the center line of Northwest 19th Street:

Thence in a southerly direction with the center line of Northwest 19th Street to the point where it intersects the center line of West Poplar Sreet:

Thence in an easterly direction with the center line of West Poplar Street to the point where it intersects the center line of North Colorado Street:

Thence in a northerly direction with the center line of North Colorado Street to the point where it intersects the center line of Lombrano Street:

Thence in an easterly direction with the center line of Lombrano Street to the point where it intersects the center line of San Pedro Creek:

Thence southerly along the meanders of San Pedro Creek to the point where it intersects the center line of North Frio Street:

Thence in a southerly direction with the center line of North Frio Street to the point where it intersects the center line of West Commerce Street:

Thence in an easterly direction with the center line of West Commerce Street to the place of beginning where it intersects the center line of the San Antonio River.

All of the territory of the City of San Antonio, Texas, within the metes and bounds hereinabove described shall comprise Election District No. 6.

The City Council is hereby authorized and required to include in Election District No. 6 any and all annexed territories contiguous to the City limits of Election District No. 6 hereinabove described.

The metes and bounds of Election District No. 7 are hereby established in accordance with the following descriptions:

Beginning at the intersection of the center line of North Colorado Street with the center line of West Poplar Street:

Thence in a westerly direction with the center line of West Poplar Street to the point where it intersects the center line of Northwest 19th Street:

Thence in a northerly direction with the center line of Northwest 19th Street to the point where it intersects the center line of Culebra Road:

Thence in a westerly direction with the center line of Culebra Road to the point where it intersects the west boundary line of the existing corporate limits of the city at Hillcrest Drive:

Thence along the meanders of the west and north boundary lines of the present corporate limits of the City to the point where the said City limits intersect the west boundary line of Blanco Road:

Thence in a southerly direction with the west boundary line of Blanco Road to the point where it intersects the center line of Norwood Court:

Thence in an easterly direction with the center line of Norwood Court to the point where it intersects the center line of San Pedro Avenue:

Thence in a southerly direction with the center line of San Pedro Avenue to the point where it intersects the center line of West Russell Place:

Thence in an easterly direction with the center line of West Russell Place:

Thence in an easterly direction with the center line of West Russell Place to the point where it intersects the center line of North Main Avenue:

Thence in a northerly direction with the center line of North Main Avenue to the point where it intersects the center line of East Craig Place:

Thence in an easterly direction with the center line of East Craig Place to the point where it intersects the center line of McCullough Avenue:

Thence in a southerly direction with the center line of McCullough Avenue to the point where it intersects the center line of East Dewey Place:

Thence in a westerly direction with the center line of East Dewey Place and continuing along the center line of West Dewey Place to its point of intersection with the center line of San Pedro Avenue:

Thence in a southerly direction with the center line of San Pedro Avenue to the point where it intersects the center line of West Evergreen Street:

Thence in a westerly direction with the center line of West Evergreen Street to the point where it intersects the center line of San Pedro Creek:

Thence southerly along the meanders of San Pedro Creek to the point where it intersects the center line of Lombrano Street:

Thence in a westerly direction with the center line of Lombrano Street to the point where it intersects the center line of North Colorado Street:

Thence in a southerly direction with the center line of North Colorado Street to the place of beginning where it intersects the center line of West Poplar Street.

All of the territory of the City of San Antonio, Texas, within the metes and bounds hereinabove described shall comprise Election District No. 7.

The City Council is hereby authorized and required to include in Election District No. 7 any and all annexed territories contiguous to the City limits of Election District No. 7 hereinabove described.

Within two years after this charter amendment takes effect, and every two years thereafter, the City Council shall review the arrangement of the metes and bounds of the hereinabove defined election districts. On the basis of such review, the City Council may, by ordinance enacted by a unanimous vote of all members of the said Council, alter or modify the metes and bounds of the hereinabove defined election districts; provided, however, that the City Council may not diminish or increase the number of election districts.

Section ___. WHO MAY VOTE FOR THE RESPECTIVE CANDIDATES FOR CITY COUNCIL.

Paragraph 1. The qualified voters of Election District No. 1 may vote for candidates for the office of Councilman, Place No. 1, for candidates for the office of Councilman-at-Large, Place No. 8, and for candidates for the office of Councilman-at-Large, Place No. 9.

Paragraph 2. The qualified voters of Election District No. 2 may vote for candidates for the office of Councilman, Place No. 2, for candidates for the office of Councilman-at-Large, Place No. 8, and for candidates for the office of Councilman-at-Large, Place No. 9.

Paragraph 3. The qualified voters of Election District No. 3 may vote for candidates for the office of Councilman, Place No. 3, for candidates for the office of Councilman-at-Large, Place No. 8, and for candidates for the office of Councilman-at-Large, Place No. 9.

Paragraph 4. The qualified voters of Election District No. 4, may vote for candidates for the office of Councilman, Place No. 4, for candidates for the office of Councilman-at-Large, Place No. 8, and for candidates for the office of Councilman-at-Large, Place No. 9.

Paragraph 5. The qualified voters of Election District No. 5 may vote for candidates for the office of Councilman, Place No. 5, for candidates for the office of Councilman-at-Large, Place No. 8, and for candidates for the office of Councilman-at-Large, Place No. 9.

Paragraph 6. The qualified voters of Election District No. 6 may vote for candidates for the office of Councilman, Place No. 6, for candidates for the office of Councilman-at-Large, Place No. 8, and for candidates for the office of Councilman-at-Large, Place No. 9.

Paragraph 7. The qualified voters of Election District No. 7 may vote for candidates for the office of Councilman, Place No. 7, for candidates for the office of Councilman-at-Large, Place No. 8, and for candidates for the office of Councilman-at-Large, Place No. 9.

Paragraph 8. The qualifications of voters of the City of San Antonio, Texas, shall be the same as are now and may be hereafter prescribed by the Constitution and laws of the State of Texas.

Section ——. RUNOFF ELECTIONS. Pursuant to the laws of the State of Texas which regulate the manner and time of conducting runoff elections in cities and towns having a population in excess of two hundred thousand (200,000) inhabitants, the Mayor shall, in the event any candidate for any office of Councilman should fail to receive a majority of all votes cast

for all the candidates for any such office, at the regular municipal election held on the first Tuesday in May in odd-numbered years, or at the special municipal election to be held on the first Tuesday in May, 1950, issue a call for a second election to be held on the third Tuesday in May following the first election.

Section——. NOTICE OF ELECTIONS. Notice of all elections shall be given by the City Clerk by publishing the substance of the ordinance calling such election one time in a daily newspaper published in the English language in the City not less than twenty (20) days before the date of election.

Section ___. RETURNS AND CANVASS THEREOF. The returns of an election shall be made in triplicate, one of which shall be delivered to the City Clerk, one to the Mayor, and one shall be retained by the presiding officer. The City Council shall canvass the returns and declare the result of an election within three (3) days after the same is held.

Section——. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition One, upon being adopted, shall become operative and effective on April 1, 1950, and not before.

9. PROPOSITION ~~TWO~~ SIX.

Shall Article I, Section 2, Paragraph 1; Article I, Section 2, Paragraph 2; Article I, Section 2, Paragraph 3; Article I, Section 50; Article II, Section 51 to Article II, Section 105, both inclusive, of the existing Charter of the City of San Antonio, Texas, relating to the Powers of the City Council be repealed and the following proposition and provisions be enacted and adopted as a part of the Charter of the City of San Antonio:

ARTICLE II

POWERS OF CITY COUNCIL

Section ___. POWERS OF CITY COUNCIL. All powers of the City of San Antonio, Texas, except as otherwise provided by the charter of the said City, are hereby vested in the City Council, which shall also succeed to an possess all the powers heretofore given to the Board of Commissioners by any provision of the aforesaid charter. The City Council shall, except as otherwise provided by the aforesaid charter, have the general care, management and control of the City of San Antonio, Texas, its property and finances and shall have power to enact, ordain, alter, modify or repeal any and all ordinances not repugnant to the aforesaid charter and to the Constitution and laws of the State of Texas, and shall have power by ordinance to:

(1) Exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever, including the powers conferred by Chapter 147 of the Acts of the Thirty-Third Legislature, which was enacted pursuant to the Home Rule Amendment of the Constitution of the State of Texas, and which is known as the Enabling Act, and all amendments thereto.

(2) Fix and change the bounds and limits of the City of San Antonio, Texas, and provide for the extension thereof and the annexation of additional territory lying adjacent to said City with or without the consent of the territory and inhabitants thereof; provided, however, that, upon the introduction of such an ordinance, and any amendment thereto, it shall be published prior to its final passage in some daily newspaper published in said City one time, and such ordinance shall not thereafter be finally passed until at least thirty (30) days have elapsed after said publication.

(3) Acquire property within or without the corporate limits of the City of San Antonio, Texas, for any municipal purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation; and sell, lease, mortgage, hold, manage and control such property as the interests of the said City may require.

(4) Exercise jurisdiction over all property owned by the City of San Antonio, Texas, whether within or without the corporate limits of said City.

(5) Acquire, by condemnation or otherwise, and construct, own, lease, operate, manage and regulate public utilities.

(6) Assess, levy and collect taxes for general and special purposes on all lawful subjects of taxation.

(7) Provide for the payment of the current expenses of the City.

(8) Borrow money on the faith and credit of the City by the issue or sale of bonds or notes of the City.

(9) Borrow money on the faith and credit of any improvement district heretofore or hereafter established by the City Council, in the City and issue bonds therefor for permanent public improvements in such districts.

(10) Provide for the payment of the debts of the City.

(11) Appropriate the money of the City for all lawful purposes, including a public assistance program for the relief of indigent legal residents of the City.

(12) Provide for, construct, regulate and maintain public works and public improvements of any nature.

(13) Levy and collect special assessments for local improvements.

(14) License and regulate persons, corporations, partnerships and associations engaged in any business, occupation or calling.

(15) Levy an occupation tax on any person, corporation, partnership, engaged in any business, occupation or calling in accordance with the laws of the State of Texas.

(16) License and regulate vehicles operated for hire and fix and regulate the rates to be charged therefor.

(17) License and regulate all places of public amusement.

(18) Define and prohibit the maintenance of any nuisance within the corporate limits of the City and within the territory outside of the corporate limits of the City which is within five thousand feet of the said corporate limits, and abate such nuisances by summary proceedings and provide for the punishment of the authors thereof.

(19) Provide for the inspection of buildings and all works of construction, and prosecute and enforce proper regulations in regard thereto.

(20) Regulate the construction and height of and materials used in all buildings within the corporate limits of the City.

(21) Regulate the maintenance and occupancy of all buildings within the corporate limits of the City.

(22) Provide for the inspection of weights and measures and fix standards of weights and measures.

(23) Define, prohibit, abate, suppress and prevent all things or any acts detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City.

(24) Regulate the filing of plats of any subdivision of property in the City and/or in accordance with any powers conferred upon the City by any of the laws of the State of Texas; and to require that streets, sidewalks, curbs, street signs, and utilities of all subdivisions to be newly established shall be designed, constructed and installed in accordance with engineering standards established by the City.

(25) Regulate and control the use, for whatever purpose, of the streets, alleys, public ways and public places of the City.

(26) Compel the laying of sidewalks by property owners in front of or abutting their land, in accordance with specifications prescribed by the City; and compel the repair of such sidewalks in like manner.

(27) Abate any obstruction or encroachment on any street, public work, public place or public way in the City.

(28) Direct and control the laying of all tracks required for public transportation on any street, alley, public way or public place in the City.

(29) Regulate the sale of tickets or issuance of passes or other evidences of the right to travel on any public transportation system using the streets, alleys, public ways or public places of the City.

(30) Provide for an enumeration of the inhabitants of the City.

(31) Provide for a system of vital statistics.

(32) Provide for a license fee on dogs, and regulate, restrain and prohibit the running at large of dogs and other animals in the City.

(33) Provide for the regulation and inspection of all bakeries and dairies in the City, and of all bakeries and dairies located outside of the City from which products are sold in the City, and for the inspection of all cows from which milk is sold in the City; and prescribe fees to be charged in connection with such regulation and inspection, and prescribe standards for the quality of all bakery and dairy products sold in the City.

(34) Provide for the inspection of meat, fish, vegetables, fruit and every or any food or food product offered for sale in the City; and provide for the inspection, before slaughter, of all animals to be offered for sale, after slaughter, in the City.

(35) Provide for the erection and maintenance of market houses and the maintenance thereof.

(36) Provide for a reasonable charge for sanitary sewer service furnished by the sanitary sewer system of the City.

(37) Adopt and enforce all necessary and expedient police, health and sanitary regulations.

(38) Adopt and enforce such regulations as may be necessary or expedient for maintaining and promoting the peace, lives, health, security and property of the inhabitants of the City.

(39) Adopt and enforce such regulations as may be necessary or expedient for promoting the good government and welfare of the City, and for the performance of the municipal functions thereof.

(40) Provide suitable penalties for the violation of any regulations enacted by the City of San Antonio, Texas.

(41) Provide for parks and recreational facilities and recreational programs.

(42) Acquire, by condemnation or otherwise, the property of any person, firm, or corporation engaged in the business of carrying passengers for hire on the public streets or alleys of the City over regularly established routes.

(43) Exercise and enforce powers that now or hereafter may be granted to municipalities by the Constitution or laws of the State of Texas, whether expressed or implied.

Section——. ENUMERATION AND SPECIFICATION OF POWERS. The powers enumerated herein or implied thereby, or appropriate to the exercise of exercising the same by this charter shall not be deemed to be exclusive nor construed as a limitation upon the general powers herein granted or upon their exercise in any other lawful manner, and in addition to the powers enumertaed herein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City shall have and may exercise all powers it would be competent for this charter specifically to enumerate.

Section ___. PROVISIONS OF THIS AMENDMENT TO STASD EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase, or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Two, upon being adopted, shall become operative and effective on June 1st, 1950, and not before.

10. PROPOSITION ~~THREE~~ SEVEN.

Shall Article I, Section 7, Paragraph 1 to 8, both inclusive; Article I, Section 8; Article I, Section 9; Article I, Section 10; Article I, Section 11; Article I, Section 15; Article I, Section 16; Article I, Section 18, Paragraph 1; Article I, Section 19; Article I, Section 20; Article I, Section 21; Article I, Section 22, Paragraph 1; Article I, Section 22, Paragraph 2; Article I, Section 23; Article I, Section 24; Article I, Section 25; Article I, Section 26; Article I, Section 27; Article I, Section 28; Article I, Section 29; Article I, Section 29-A; Article I, Section 30; Article I, Section 32; Article I, Section 33; Article I, Section 34; Article I, Section 39; Article II, Section 51; Article II, Section 100; Article III, Section 108; Article III, Section 114; Article III, Section 118; Article III, Section 124; Article III, Section 127, relating to the present Board of Commissioners be repealed and the following proposition and provisions be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

THE CITY COUNCIL

Section ___. CREATION AND COMPOSITION OF COUNCIL.

Paragraph 1. The City Council is hereby created as the governing body of the City of San Antonio, Texas. The said City Council shall consist of nine members, as follows:

(1) Councilman, Place No. 1, who shall be elected by the qualified voters of Election District No. 1.

(2) Councilman, Place No. 2, who shall be elected by the qualified voters of Election District No. 2.

(3) Councilman, Place No. 3, who shall be elected by the qualified voters of Election District No. 3.

(4) Councilman, Place No. 4, who shall be elected by the qualified voters of Election District No. 4.

(5) Councilman, Place No. 5, who shall be elected by the qualified voters of Election District No. 5.

(6) Councilman, Place No. 6, who shall be elected by the qualified voters of Election District No. 6.

(7) Councilman, Place No. 7, who shall be elected by the qualified voters of Election District No. 7.

(8) Councilman-at-Large, Place No. 8, who shall be elected by the qualified voters of the City.

(9) Councilman-at-Large, Place No. 9, who shall be elected by the qualified voters of the City.

Paragraph 2. Each candidate for the office of City Councilman from any election district shall have resided in the election district which he seeks to represent for at least one (1) year prior to the filing of his candidacy, and must continue to reside in said district during his term of office. Each candidate for the office of Councilman-at-Large shall have resided in the City of San Antonio, Texas, for one (1) year prior to the filing of his candidacy, and must continue to reside in the City during his term of office.

Paragraph 3. The terms of office of all members of the City Council elected at a regular municipal election shall be for two years and shall begin on the first day of June next following their elections; ~~provided, however, that the terms of office of all members of the City Council elected in May, 1950, shall begin on June 1, 1950, and said terms of office shall expire on May 31, 1951.~~

Paragraph 4. Any member of the City Council who ceases to possess the required qualifications for his office, or who is convicted, while in office, of a felony or of any misdemeanor involving moral turpitude shall forfeit his office.

Paragraph 5. Each member of the City Council shall receive as compensation for his services as a member of the City Council the sum of Twenty Dollars ($20.00) for each regular meeting of the City Council attended by him, provided that the total of such compensation shall not exceed One Thousand and Forty Dollars ($1040.00) per annum.

Section ___. VACANCIES IN THE CITY COUNCIL. Vacancies in the City Council, created by the death or resignation of a member, or by virtue of the forfeiture of the office of a member for any of the reasons enumerated hereinbefore, shall be filled by a majority vote of the remaining members of the City Council, and the person or persons elected to fill such vacancies shall possess the qualifications required of candidates for election to the office or offices vacated. Such persons elected by the City Council to fill such vacancies shall serve only until the expiration of the regular term of office of their immediate predecessors.

Section ___. MEETINGS OF THE CITY COUNCIL. At eleven o'clock A. M. on the day the Councilmen take office, they shall meet at the City Hall, and thereafter all meetings of the City Council shall be held in the City Hall at such times as may be prescribed by ordinance or resolution; but not less than one regular meeting shall be held each week, unless postponed for valid reasons, to be spread on the minutes. Special meetings of the City Council shall be called by the City Clerk upon the written request of the Mayor, the City Manager or three members of the City Council. All meetings of the City Council and of any committees thereof shall be open to the public.

Section ___. MAYOR AND MAYOR PRO TEM.

Paragraph 1. As soon as practicable after a municipal election held for the purpose of electing members of the City Council, and following the beginning of the terms of office of the members of the City Council elected at such an election, the City Council shall choose from its own members a presiding officer, who shall have the title of Mayor.

The City Council may, in its discretion, provide additional compensation not to exceed Three Thousand Dollars ($3000.00) per annum, for the Councilman chosen as Mayor, and may provide for the payment of expenses incurred by the Mayor in the discharge of his duties.

Paragraph 2. At the same time that a Councilman is chosen as Mayor, another Councilman shall be chosen as Mayor Pro Tem. If a vacancy should occur in the office of Mayor, or in the case of the absence or disability of the Mayor, then the Mayor Pro Tem shall act as Mayor for the unexpired term of the Mayor or during the absence or disability of the Mayor. While serving as Mayor, the Mayor Pro Tem shall be entitled to any additional compensation and expenses as may be provided by the City Council for the Mayor.

Section ___. CITY CLERK AND OTHER OFFICERS AND EMPLOYEES IN OFFICE OF CITY CLERK. The City Council shall choose a City Clerk, who shall keep the records of the City Council and of the City, and perform such other duties as may be required by this charter or the City Council. Other officers and employees in the office of the City Clerk shall be in the classified service of the City, and shall be appointed, supervised, and promoted, and may be reduced and removed by the City Manager in accordance with the civil service provisions of the charter of the City of San Antonio, Texas. All civil process to the City of San Antonio, Texas, shall be served upon the City Clerk.

Section ___. COUNCIL RULES. The City Council shall declare the result of elections and to that end shall have power to subpoena witnesses

and compel the production of all pertinent books, records, and papers; but the decision of the City Council in any such case shall be subject to judicial review by any court of competent jurisdiction. The City Council shall determine its own rules and order of business and keep minutes of its proceedings. It shall have power to compel the attendance of absent members, and, by a vote of not less than seven members, may expel a member from a Council meeting for disorderly conduct or the violation of its rules.

Section ___. QUORUM. A majority of the members of the City Council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members in the manner prescribed by ordinance. A vote regarding adjournment or the attendance of absent members may be adopted by a majority of the members present; but in all other matters upon which the City Council may vote, a majority vote of the members of the City Council in office shall be necessary for adoption. In the event of the existence of more than five vacancies, the remaining members shall constitute a quorum and may conduct all necessary business until such time as the vacancies have been filled. In all matters upon which the City Council votes, the votes of the individual Councilmen shall be duly recorded by the City Clerk in the minutes of the City Council, and shall be a matter of public record.

Section ___. PROVISIONS OF THE CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Three, upon being adopted, shall become operative and effective on June 1, 1959, and not before.

11. PROPOSITION ~~FOUR~~ EIGHT. (17)

Shall Article I, Section 7, Paragraphs 1 to 8, both inclusive; Article I, Section 16, Paragraph 1; Article I, Section 17; Article I, Section 18, Paragraph 1; Article I, Section 19; Article I, Section 23; Article I, Section 25; Article I, Section 27; Article I, Section 28; Article I, Section 29; Article I, Section 29-A; Article I, Section 30; Article I, Section 31; Article I, Section 33; Article I, Section 39; Article II, Section 51; Article III, Section 108; Article III, Section 114; Article III, Section 118; Article III, Section 124; Article III, Section 127, of the existing charter of the City of San Antonio, Texas, relating to the existing Board of Commissioners and to the existing City departments and administrative offices under the jurisdiction of the said Board be repealed and the following proposition and provisions providing for a chief administrative officer and the administrative departments under his jurisdictian be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

ADMINISTRATIVE DEPARTMENTS

Section ___. THE CITY MANAGER. The City Manager shall be the chief administrative and executive officer of the City and shall be chosen by the City Council solely on the basis of his executive and administrative qualifications. At the time of his appointment he need not be a resident of the City of San Antonio, Texas, or of the State of Texas, but during his tenure of office he shall reside within the City.

No person ever elected to office as a member of the governing body of the City of San Antonio, Texas, shall, subsequent to such election, be eligible for appointment as City Manager.

The City Manager shall not be appointed for a definite or fixed term, and may be removed at the pleasure and discretion of the City Council by a majority vote of its members. Upon passage of a resolution stating the City Council's intention to remove the City Manager and the reasons therefor, the City Council may suspend him from duty, but his salary shall continue until his removal shall become effective as herein described. At least thirty days before such removal may become finally effective, the City Manager shall be furnished with a copy of the resolution passed by a majority vote of the members of the City Council, stating the City Council's intention to remove him and the reasons therefor. The City Manager may reply in writing to such resolution. If so requested by the City Manager, the City Council shall fix a time and a place for a public hearing upon the question of his removal and the final resolution removing the City Manager shall not be adopted until such public hearing has been had. The action of the City Council in removing the City Manager shall be final. In case of the absence or disability of the City Manager, the City Council may designate a qualified administrative officer of the City to perform the duties of the City Manager during his absence or disability. Provided, however, that pending the selection of any City Manager following the adoption of this charter amendment, the City Council may appoint an acting City Manager, who shall have all of the qualifications, powers and duties hereinbefore prescribed for the City Manager, and who shall serve for a period not to exceed three months.

The City Manager shall receive such compensation as may be determined by the City Council.

Section ___. POWERS AND DUTIES OF THE CITY MANAGER. The City Manager shall be responsible to the City Council for the proper administration of all affairs of the City and to that end, subject to the civil service provisions of this charter and except as otherwise provided herein, he shall have power and shall be required:

(1) To enforce all the laws and ordinances;

(2) To appoint and remove all officers and employees in the administrative service of the City except as otherwise provided by the charter of the City of San Antonio, Texas, and except as he may authorize the head of a department or office to appoint or remove subordinates in such department or office; provided, that he shall not exercise authority to appoint or remove officers and employees of:

(a) The Board of Trustees of the San Antonio Public Library;

(b) The Board of Trustees of the Water Works and/or Water System of the City of San Antonio, Texas, while employed by the said Board under the terms of the indenture and/or trust agreement under which the revenue bonds issued by the said City for the purchase by the said City of the said Water Works and/or Water System were sold by the said City;

(c) The Board of Trustees of the Electric and Gas Systems of the City of San Antonio, Texas, while employed by the said Board under the terms of the indenture and/or trust agreement under which the revenue bonds issued by the said City for the purchase by the said City of the said Electric and Gas Systems were sold by the said City.

(3) To exercise administrative supervision over all departments and subdivisions thereof created by this charter amendment, and over such departments and subdivisions thereof as may be hereafter created by the City Council, except as hereinafter provided;

(4) To make such recommendations to the City Council concerning the affairs of the City as may seem to him to be desirable;

(5) To keep the City Council at all times fully advised as to the financial conditions and needs of the City;

(6) To prepare and submit the budget annually to the City Council and to be responsible for its administration after its adoption;

(7) To prepare and submit, as of the end of the fiscal year, a complete report on the financial and administrative activities of the City for the preceding year;

(8) To prepare and submit to the City Council such reports as may be required of him by that body;

(9) To attend all regular and special meetings of the City Council, and to participate in the discussion of the City Council; provided, however, that he shall have no vote in the City Council;

(10) To act as the chief conservator of the peace within the City; and

(11) To perform such other duties as may be prescribed by this charter amendment or which might be required of him by ordinance or resolution of the City Council, not inconsistent with this charter or with the laws of the State of Texas.

Section ___. COUNCIL MEMBERS NOT TO INTERFERE IN APPOINTMENTS OR REMOVALS. Members of the City Council shall not direct or request the appointment of any person to, or his removal from, office or employment by the City Manager, or by any of his subordinates, or in any manner take part in the appointment or removal of officers or employees in the administrative service of the City, except for the purpose of inquiry. The City Council and its members shall deal with the administrative service solely through the City Manager and neither the City Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any violation of the foregoing provisions by any member of the City Council shall constitute official misconduct, and shall authorize the City Council by a vote of two-thirds of its entire membership, to expel such offending member from the City Council, if found guilty after a public hearing, and thereby create a vacancy in the place held by such member.

Section ___. INVESTIGATIONS. The City Council, the City Manager, or any person or committee authorized by either or both of them, shall have power to inquire into the conduct of any department, agency or office of the City, and for that purpose shall have power to administer oaths. The City Council, on its own initiative, or upon request of the City Manager, shall have power to subpoena witnesses, compel the production of books, papers and other evidence material to such inquiry.

The City Council shall provide by ordinance for penalties for contempt for refusal, on the part of officers or employees of city departments, agencies, or offices, to obey such subpoenas, or to produce books, papers or other evidence.

Sectin ___. BOARDS, COMMISSIONS AND AUTHORITIES. Boards, commissions and authorities shall not be established to administer municipal functions of the City; provided, however, that this section shall not apply to the Board of Trustees of the San Antonio Public Library, the Municipal Civil Service Commission, the Planning Commission, and to boards, commissions and authorities established under the provisions of the laws of the State of Texas. The City Council may, upon recommendation of the City Manager, appoint advisory boards and commissions to assist the heads of municipal departments in the performance of their duties. Nominations for memberships on such boards and commissions shall be made by the City Manager.

Section ___. ADMINISTRATIVE DEPARTMENTS. There are hereby created and placed under the control of the City Manager the following administrative departments of the City government:

(1) Law Department
(2) Finance Department
(3) Police Department
(4) Fire Department
(5) Public Works Department
(6) Public Health Department
(7) Parks and Recreation Department

The City Council shall have power, by ordinance, to establish other departments and offices, which shall be under the jurisdiction of the City Manager. The City Council may discontinue any department or office established by ordinance, and may prescribe, combine, distribute or abolish the functions of such departments and/or offices. No functions or duties assigned by this charter to a particular department or office shall be abolished, except as otherwise provided in this charter, but such functions or duties may be assigned by ordinance to other administrative departments of the City under the City Manager; provided, however, that no such transfer of functions or duties shall be effected until the City Council first hears the recommendations of the City Manager thereon.

Section ___. DIRECTORS OF DEPARTMENTS. At the head of each department there shall be a director who shall be appointed and removed by the City Manager. Said directors shall have supervision and control over their respective departments, subject to approval by the City Manager, except as specifically provided otherwise by or under this charter.

Section ___. DEPARTMENT DIVISIONS. The work of each department shall be distributed among such divisions thereof as may be established by ordinance, provided, however, that no such division shall be established unless the City Manager shall have been given an opportunity to have been heard thereon; provided, further, that pending the passage of an ordinance or ordinances distributing the work of the departments under the supervision and control of the Manager among specific divisions thereof, the Manager may establish temporary divisions.

LAW DEPARTMENT

Section ___. CITY ATTORNEY. There shall be a Law Department, the director of which shall be the City Attorney.

Section ___. CITY ATTORNEY; POWERS AND DUTIES. The City Attorney shall be the chief legal adviser of all offices, departments and agencies and of all officers and employees in the matters relating to their official powers and duties. He shall represent the City in all legal proceedings. It shall be his duty to perform all services incident to his position as may be required by statute, by this charter amendment or by ordinance. All the employees of the Law Department except the City Attorney, his first assistant and his confidential secretary, shall be in the classified service.

FINANCE DEPARTMENT

Section ___. QUALIFICATIONS OF THE DIRECTOR OF FINANCE. There shall be a Finance Department, the head of which shall be the Director of Finance. The Director of Finance shall have knowledge of municipal accounting and taxation and shall have had experience in budgeting and financial control. Said director shall provide a bond with such surety and in such amount as the City Council may require. The City shall pay the premium on said surety bond.

Section ___. POWERS AND DUTIES OF THE FINANCE DEPARTMENT. The Finance Department shall have the authority and be required:

(1) To administer the financial affairs of the City in accordance with ordinances enacted by the City Council.

(2) To prepare the budget for the City Manager and to assist him in its execution after authorization by the City Council as required by this charter.

(3) To maintain accounting control over the finances of the City government, and to perform such other duties pertaining to the financial affairs of the City government as the City Council may require by ordinance.

(4) To control the purchase, storage and distribution of all supplies, materials, equipment, and contractual services required by the City in the manner specified by ordinance.

(5) To provide for the assessment of all property subject to taxation by the City.

(6) To collect, have custody of, and disburse all monies belonging to the City government, subject to the provisions of this charter amendment and ordinances enacted thereunder; to have custody of all funds of the City in a fiduciary capacity, and to keep a record of such investments, and to have custody of all bonds and certificates of city indebtedness, including such bonds and certificates unissued or cancelled, and the receipt and delivery of City bonds and certificates of transfer, registration, and exchange.

POLICE DEPARTMENT

Section ___. CHIEF OF POLICE, DIRECTOR OF POLICE DEPARTMENT. The Chief of Police shall be the Director of the Police Department. He shall be appointed by and directly responsible to the City Manager. He may be removed as Chief of Police by the City Manager in accordance with the laws of the State of Texas.

Section ___. AUTHORITY OF POLICEMEN. The officers of the Police Department shall have all the powers and authority given to them as peace officers under the laws of the State of Texas and all other powers that may lawfully be conferred on them by the City Council. Such policemen may exercise their powers and authority within the corporate limits of the City, and within the limits of any property owned, leased or otherwise subject to the control of the City, which lies outside the corporate limits of the City.

FIRE DEPARTMENT

Section ___. CHIEF OF THE FIRE DEPARTMENT, DIRECTOR OF FIRE DEPARTMENT. The Chief of the Fire Department shall be the director of the Fire Department. He shall be appointed by and directly responsible to the City Manager. He may be removed as Chief of the Fire Department by the City Manager in accordance with the laws of the State of Texas.

PUBLIC WORKS DEPARTMENT

Section ___. DIRECTOR OF PUBLIC WORKS DEPARTMENT. There shall be a Public Works Department, the head of which shall be the Director of Public Works.

Section ___. JURISDICTION OF PUBLIC WORKS DEPARTMENT. The Department of Public Works shall have charge of the planning, opening, construction, maintenance and repair of all streets, alleys, sidewalks, bridges and public ways; the municipal airport; the sewers, sewer systems and sewage disposal plants; the construction, maintenance, repair and operation of all public buildings and properties belonging to or used by the City; the city markets; building, electrical and plumbing inspection, and the issuance of building, electrical and plumbing permits; weights and measure; the collection and disposal of garbage; and such other functions as may be provided by ordinance.

PUBLIC HEALTH DEPARTMENT

Section ___. QUALIFICATIONS OF THE DIRECTOR OF PUBLIC HEALTH. There shall be a Public Health Department, the head of which shall be the Director of Public Health. The Director of Public Health shall be a licensed physician and shall be trained in public health administration.

Section ___. PUBLIC HEALTH DEPARTMENT; POWERS AND DUTIES. The Public Health Department shall enforce the laws of the State of Texas and all ordinances relating to public health; it shall possess such additional powers and perform such additional duties as may be provided by ordinance.

PARKS AND RECREATION DEPARTMENT

Section ____. DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT. There shall be a Parks and Recreation Department, the head of which shall be the Director of Parks and Recreation.

Section ____. PARKS AND RECREATION DEPARTMENT; POWERS AND DUTIES. The Parks and Recreation Department shall have charge of the management and maintenance of public parks, playgrounds, golf courses, swimming pools, and all other public recreational facilities. The management, operation and maintenance of parks and playgrounds, and of all other public recreational facilities, shall be deemed to be done in the governmental capacity of the City, and not in its proprietary capacity. The Parks and Recreation Department shall possess such additional powers and perform such additional duties as may be provided by ordinance.

Section ____. DETERMINATION OF DEPARTMENTAL OFFICES AND EMPLOYMENTS. The number of offices and employments in each municipal department and office shall be fixed and determined by ordinance; provided that, before adoption of any such ordinance, the City Manager may make such recommendations to the City Council as to him might seem desirable.

Section ____. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Four, upon being adopted, shall become operative and effective on June 1st, 1950, and not before.

12. PROPOSITION ~~XXX~~ NINE. (14)

Shall the existing charter of the City of San Antonio, Texas, be amended by adding thereto the following proposition and provisions relating to the establishment of a Planning Commission:

PLANNING COMMISSION

Section ____. ORGANIZATION. There is hereby established a Planning Commission which shall consist of five members, who shall be appointed by the City Council, and none of whom shall hold any other public office. Members of the Planning Commission shall be paid such compensation, if any, as may be fixed by the City Council. The City Manager and the Mayor shall serve as ex-officio members of the Commission. A majority of the appointive members, exclusive of the ex-officio members shall constitute a quorum. The Commission shall elect its chairman from among the appointive members. The terms of the appointive members shall be for two years; provided, however, that, of the five members first appointed, two shall be appointed for a term of one year, and three for two years. All appointments thereafter shall be for terms of two years. Any vacancy occurring during the unexpired term of an appointive member shall be filled by the City Council for the remainder of the unexpired term.

Section ____. DUTIES, RESPONSIBILITIES, AND POWERS.

Paragraph 1. The Commission shall be responsible to and act as an advisory body to the City Council. The Commission shall be reuired to:

(1) Make, amend, extend and add to the master plan for the physical development of the City.

(2) Make and adopt plans for the clearance and rebuilding of slum districts and blighted areas within the City.

(3) Submit annually to the City Manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommended capital improvements to be constructed during the forthcoming five-year period. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year.

(4) Promote public interest in and understanding of the master plan and of planning and slum clearance.

(5) Meet not less than once each month and keep a public record of its resolutions, findings, and determinations.

Paragraph 2. The Commission shall have power to:

(1) Require information from the other departments of the City government in relation to its work.

(2) Within its budget appropriation, contract with city planners and other consultants for such services as it may require.

(3) Request additional assistance for special survey work of the City Manager, who may assign members of any administrative department to make special studies, requested by the Commission.

(4) In the performance of its functions, enter upon any land and make examinations and surveys, and place and maintain necessary monuments and marks thereon.

(5) Make and adopt plans for the replanning, improvement and redevelopment of neighborhoods.

Section ____. DIRECTOR. There shall be a Director of Planning who shall be appointed and removed by the City Manager. The Director shall be qualified by special training and experience in the field of city planning. He shall be the regular technical adviser of the Commission, may be designated as its executive secretary, and shall have such other authority, duties and responsibilities under the direction and control of the commission as it may require and establish.

Section ____. THE MASTER PLAN. The master plan for the physical development of the City, with the accompanying maps, plats, charts, descriptive and explanatory matter, shall show the Commission's recommendations for the development of city territory, and may include, among other things:

(1) the general location, character and extent of streets, bridges, parks, waterways and other public ways, grounds and spaces;

(2) the general location of public buildings and other public property;

(3) the general location and extent of public utilities, whether publicly or privately owned;

(4) the removal, relocation, widening, extension, narrowing, vacation, abandonment or change of use of such existing or future public ways, grounds, spaces, buildings, property or utilities;

(5) the general extent and location of public housing projects and slum clearance projects.

Section ____. ADOPTION OF MASTER PLAN. The Commission may adopt the master plan as a whole by a single resolution, or may by successive resolutions adopt successive parts of the plan, said parts corresponding to major geographical sections of the City or to functional divisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto. The adoption of the plan or of any such part, amendment, extension or addition, shall be by resolution carried by the affirmative votes of not less than a majority of the Commission, but before the adoption of the plan or any such part or any modification, extension or addition the Commission shall hold at least one public hearing on the proposed action. An attested copy of the plan or part thereof shall be certified to the City Council.

Section ____. LEGAL EFFECT OF MASTER PLAN. No street, park or other public way, ground or space, no public building or structure and no public utility whether publicly or privately owned, shall be constructed or authorized in the City, nor shall any real property be acquired by the City, until and unless the location and extent thereof shall have been submitted to and approved by the Commission; provided, that, in case of disapproval, the Commission shall communicate its reasons to the City Council, which shall have the power to over-rule such disapproval, and, upon such overruling, the City Council or the appropriate office, department or agency shall have power to proceed. The widening, narrowing, relocation, vacation or change in the use of any street or other public way or ground or the sale of any public building or real property shall be subject to similar submission and approval, and failure to approve may be similarly overruled by the City Council. The failure of the Commission to act within thirty days after the date of official submission to the Commission shall be deemed approval, unless a longer period be granted by the City Council or the submitting official.

Section ____. POWERS OF CITY COUNCIL IN SLUM CLEARANCE AND REHABILITATION OF BLIGHTED AREAS. The City Council may adopt, modify and carry out plans for clearance of slum districts and rehabilitation of blighted areas within the City and, for the accomplishment of this purpose, may acquire by purchase or condemnation all privately owned land, buildings, and other real property interests within the district; may establish, locate, relocate, build and improve the streets and other public open spaces provided for in the plan; may maintain, operate, lease or sell said buildings or any of them; may sell the land, or any part thereof, designated for buildings and private open spaces upon such terms and conditions and subject to such restrictions as to building uses and open spaces as will substantially carry out and effect the plan.

Section ____. POWERS OF CITY COUNCIL IN REPLANNING AND REDEVELOPMENT OF NEIGHBORHOODS AND DISASTER AREAS. The City Council shall have power to adopt, modify and carry out plans for the replanning, improvement and redevelopment of neighborhoods and for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or in part by disaster.

Section ____. PROCEDURE. Whenever the City Council shall adopt such plans as set forth hereinabove, notice of the time and place when and where the plan will be considered for final passage shall be sent by mail to the record owners of the lands and buildings included within the planned district. Any modification of such plan shall before passage be submitted to the Planning Commission, but if disapproved, the City Council may overrule such disapproval by a majority vote of its members.

Section ____. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Five, upon being adopted, shall become operative and effective on June 1st, 1950, and not before.

13. PROPOSITION ~~SIX~~ TEN. (16)

Shall Article I, Section 10; Article III, Section 128, Paragraph 1 to 3, both inclusive, of the existing Charter of the City of San Antonio, Texas, relating to the Removal of Elective Officers be repealed and the following proposition and provisions be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

REMOVAL OF ELECTIVE OFFICERS

Section ____. RECALL PROVISIONS. Any member of the City Council may be removed from office by recall.

Any qualified elector of the City may make and file with the City Clerk a notice of intention to circulate a petition for the recall of any member of the City Council. Such notice shall contain the name of the Councilman whose removal is sought. A copy of the said notice of intention shall be entered into a record book to be kept in the office of the City Clerk. The recall petition shall be filed with the City Clerk within thirty days after the filing of the notice of intention to circulate such petition. The petition must also bear the signatures of voters of the City who are qualified to vote for the Councilman whose removal is sought to the number of at least ten per cent of the number of voters who cast their votes at the last preceding regular municipal election for all of the candidates for the office or place of the Councilman whose removal is sought; provided, however, that separate petitions shall be circulated with respect to each Councilman whose removal is sought.

Section ____. SIGNATURES TO PETITIONS. The signatures to recall petitions need not all be appended to one paper, but to each separate petition there shall be attached an affidavit of the circulator thereof as provided hereinafter. Each signer of any such petition paper shall indicate, after his signature, his place of residence by street and number or other description sufficient to identify the place and number of the voting precinct in which he or she is qualified to vote. There shall appear on each petition the names and addresses of five voters of the City who are qualified to vote for the Councilman whose removal is sought, and on each paper the names and addresses of the same five voters, who, as a committee of the petitioners, shall be regarded as responsible for the circulation and filing of the petition. The affidavit attached to each petition shall be as follows:

State of Texas }
County of Bexar } SS.

_____, being duly sworn, deposes and says that he personally circulated the foregoing paper, that all the signatures affixed thereto were made in his presence, and that he believes them to be the genuine signatures of the persons whose names they purport to be.

Signed_____
(Signature of Circulator)

Subscribed and sworn to before me this_____day of_____, 19____.

_____
Notary Public.

Section ____. FILING, EXAMINATION, AND CERTIFICATION OF PETITIONS. All petition papers comprising a recall petition shall be assembled and filed with the City Clerk as one instrument. Within twenty days after a petition is filed, the City Clerk shall determine whether each paper of the petition is properly attested and whether the petition is signed by a sufficient number of qualified voters. Any petition paper shall be invalid which is not attested by the circulator thereof. Upon completing his examination of the petition, the City Clerk shall certify the result of his examination to the City Council. If he shall certify that the petition is insufficient, he shall set forth in his certificate the particulars in which it is defective, and shall at once notify the committee of petitioners of his findings; provided, however, that except as to such particulars as are so certified by the City Clerk to be defective, the petition shall be deemed to be in all other respects valid.

Section ____. AMENDMENT OF PETITIONS. A recall petition may be amended at any time within twenty days after the making of a certificate of insufficiency by the City Clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The City Clerk shall, within ten days after such an amendment or supplement is filed, make examination of the amended or supplementary petition and, if his certificate shall show the petition still to be insufficient, he shall file it in his office and notify the committee of the petitioners of his findings and no further action shall be had on such insufficient petition. The finding of the insuffiency of a petition shall not prejudice the filing of a new petition for the same purpose.

Section ____. RECALL ELECTION ORDERED. If a recall petition, or amended petition, as hereinabove defined, shall be certified by the City Clerk to be sufficient, he shall at once submit it to the City Council and notify the Councilman whose removal is sought of such action. The failure of the City Clerk to certify the insufficiency of any petition, original or amended, within the time and manner hereinabove provided, shall have the same effect as a certification of sufficiency, provided the required number of signatures are affixed to petition papers supported by the affidavit hereinbefore required for such petition papers. The City Council shall thereupon fix a day for holding a recall election. Any such election shall be held not less than thirty nor more than forty days after the petition has been presented to the City Council, and at the same time as any other special or general election held within such period; but, if no such election is to be held within such period, the City Council shall call a special election to be held within the time aforesaid; provided, however, that in the event a Councilman whose removal is sought resigns at any time prior to said recall election, then no election shall be held.

Section ____. BALLOTS IN RECALL ELECTION. Ballots used in recall elections shall conform to the following requirements: With respect to the member of the City Council whose removal is sought the question to be submitted shall be: "SHALL (name of person) BE REMOVED FROM THE CITY COUNCIL BY RECALL?" Immediately below such question there shall be printed on the ballots the two following propositions, in the order here indicated:

"Against the recall of (name of person)."
"For the recall of (name of person)."

Section ____. RESULT OF RECALL ELECTION. If a majority of the votes cast on the question of recalling a member of the City Council shall be against his recall, he shall continue in office for the remainder of his term, but subject to recall as before. If a majority of such votes be for the recall of the member indicated on the ballots, he shall, regardless of any defect in the recall petition, be deemed removed from office. When a member of the City Council is removed from office by recall, or if he should resign prior to said recall election, his office as Councilman shall be filled as in the case of other vacancies in the office of Councilman, by a majority vote of the City Council for a person qualified for election to the office of the Councilman removed.

Section ____. LIMITATIONS ON RECALL PETITIONS. No recall petition shall be filed against a member of the City Council within three months after he takes office nor, in respect to a member subjected to a recall election and not removed thereby, until at least six months after such election.

Section ____. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Six, upon being adopted, shall become operative and effective on June 1st, 1950, and not before.

14. PROPOSITION ~~SEVEN~~ ELEVEN.

Shall Article I, Section 16; Article I, Section 34, of the existing Charter of the City of San Antonio, Texas, relating to the Corporation court be repealed and the following proposition and provisions be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

THE CORPORATION COURT

Section ___. CREATION AND JURISDICTION. There is hereby established a Corporation Court of the City of San Antonio, Texas, which shall have such jurisdiction and powers as are given and prescribed by the laws of the State of Texas. It shall also have jurisdiction of the violation of any ordinance prohibiting the maintenance of any nuisance within five thousand feet of the corporate lines of the City, outside the City limits.

Section ___. JUDGE OF THE CORPORATION COURT. The Corporation Court shall be presided over by a Judge who shall be known as the Judge of the Corporation Court. He shall be elected by a majority vote of the City Council, and, at the time of his election, shall be a practicing attorney and shall have resided in the City of San Antonio, Texas, for at least three years immediately preceding his appointment. He shall hold office until removed, at the pleasure of the City Council.

If, for any cause, the Judge of the Corporation Court shall temporarily fail to act, then and in such case the Mayor, or in his absence, inability or disqualification, the acting Mayor of the City, is hereby authorized, to appoint a licensed attorney who shall act in the place of the Judge of the Corporation Court and who shall have all the powers and discharge all the duties of said office. The Judge of the Corporation Court or anyone acting in his place shall receive such compensation as may be determined by the City Council by resolution.

Section ___. CLERK OF COURT. There shall be a clerk or clerks of said court and such other officers and employees as may be provided for by ordinance, who shall be appointed and removed by the City Manager, and who shall be in the classified civil service of the City. The said clerks shall have authority to administer oaths and affirmations.

Section ___. PROSECUTING ATTORNEYS. The City shall be represented in all cases before the Corporation Court only by members of the Law Department of the City.

Section ___. DIVISIONS OF COURT. The City Council shall have power to appoint additional judges of the Corporation Court or to establish additional Corporation Courts.

Section ___. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Seven, upon being adopted, shall become operative and effective on June 1, 1950, and not before.

15. PROPOSITION ~~EIGHT~~ TWELVE.

Shall Article I, Section 8; Article I, Section 16; Article I, Section 17; Article I, Section 18, Paragraph 2; Article I, Section 24; Article II, Section 56; Article III, Section 111; Article IV, Section 136 to Section 152, both inclusive, of the existing charter of the City of San Antonio, Texas, relating to Appointive Offices and Employments in the Municipal Civil Service be repealed, and the following proposition and provisions be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

APPOINTIVE OFFICES AND EMPLOYMENTS IN THE MUNICIPAL CIVIL SERVICE

Section ___. APPLICATION OF THESE MUNICIPAL CIVIL SERVICE PROVISIONS. The civil service provisions of this charter amendment, except as otherwise provided herein, shall apply to all appointive offices and employments in the administrative service of the City, and to all persons in the service of the City, with the following specific exceptions:

(a) Members of the City Council
(b) The City Clerk
(c) The City Manager, and the assistant City Manager, if any
(d) The Directors of Departments and only such first assistants thereto as provided by ordinance
(e) The Director of Personnel and such assistants as provided by ordinance
(f) The Director of Planning
(g) The City Attorney, his first assistant and his confidential secretary
(h) The Judge or Judges of the Corporation Court
(i) Members of Boards, Commissions or Committees
(j) The officers and employees of the City who are under the jurisdiction of the Firemen's and Policemen's Civil Service Commission.
(k) The officers and employees of the Board of Trustees of the Water Works and/or Water System of the City of San Antonio, Texas, while employed under the terms of the indenture and/or trust agreement under which the revenue bonds issued by the said City for the purchase by the said City of the said Water Works and/or Water System were sold by the said City;
(l) The officers and employees of the Board of Trustees of the Electric and Gas Systems of the City of San Antonio, Texas, while employed by the said Board under the terms of the indenture and/or trust agreement under which revenue bonds issued by the said City for the purchase by the said City of the said Electric and Gas Systems were sold by the said City.

All other appointive offices and employments in the administrative service of the City, including those under the Board of Trustees of the San Antonio Public Library, shall constitute the classified civil service of the City.

Section ___. STATUS OF APPOINTIVE OFFICERS AND EMPLOYEES HOLDING POSITIONS WHEN THIS CHARTER AMENDMENT TAKES EFFECT. All appointive officers and employees in the service of the City other than the officers and employees excepted by this charter amendment, whose offices and employments have not been abolished by any amendment to the charter of the City of San Antonio, Texas; and who have served in their respective offices and employments for six months preceding June 1, 1950, shall be, on and after that date, subject in all respects to the civil service provisions of this charter amendment, continuing in their offices and employments without further preliminary or probationary tests.

Section ___. THE MUNICIPAL CIVIL SERVICE COMMISSION. There is hereby created a Municipal Civil Service Commission of three (3) members, none of whom shall hold any other City office or employment. The members of the Municipal Civil Service Commission shall be appointed by the City Council. Of the first three (3) members of the Municipal Civil Service Commission appointed under the provisions of this charter amendment, one (1) shall be appointed for a term of one (1) year, one (1) shall be appointed for a term of two (2) years, and one (1)shall be appointed for a term of three (3) years. Thereafter the members of the Municipal Civil Service Commission shall be appointed for a term of three (3) years, and each member of the Municipal Civil Service Commission shall serve until a successor is appointed, confirmed and qualified.

All members of the Municipal Civil Service Commission shall be qualified electors of the City, and shall not have held any public office within the preceding three (3) years. Vacancies in the membership of the Municipal Civil Service Commission shall be filled in the manner prescribed hereinabove for regular appointments to membership on the said Commission; provided, however, that such appointments shall be only for the unexpired term of the member of the Commission whose withdrawal for any reason from the Commission created such vacancy in the membership of the Commission. Each member of the Municipal Civil Service Commission shall receive as compensation for his service as a member of the said Commission the sum of Twenty Dollars ($20.00) for each regular meeting thereof attended by him or her, provided that the total of such compensation shall not exceed One Thousand and Forty Dollars ($1,040.00) per annum.

Section ___. POWERS AND DUTIES OF THE MUNICIPAL CIVIL SERVICE COMMISSION. The Municipal Civil Service Commission created by the provisions of this charter amendment shall:

(1) Advise the City Council and the Personnel Director, hereinafter provided for, on problems concerning personnel administration;
(2) Advise and assist the Personnel Director in fostering the interest of institutions of learning, civic, professional and employee organizations in the improvement of personnel standards in the municipal service.
(3) Upon its own initiative, or upon the request of the City Manager or the City Council, make investigations regarding personnel matters, and report in writing its findings and recommendations to the City Manager or the City Council, as the case may be;
(4) Hear appeals in case any officer or employee in the classified service is suspended, reduced or removed, and report in writing to the City Manager its findings and recommendations;
(5) Perform such other duties with reference to personnel administration, not inconsistent with this charter amendment or the laws of the State of Texas, as the City Council may require by ordinance.
(6) Approve or disapprove the personnel rules and amendments thereto as prepared by the Personnel Director.

Section ___. PERSONNEL DIRECTOR:

There shall be a Personnel Director, who shall be appointed and removed by the City Manager. Said Personnel Director shall have had training and experience in personnel administration.

Section ___. PERSONNEL DIRECTOR; POWERS AND DUTIES. The Personnel Director shall have power and shall be required to:

(1) Hold competitive examinations for all appointments in the classified service, to determine, as far as possible, the relative qualifications of those considered for entrance to the City service and for promotion to higher positions in the City service. Wide publicity shall be given through appropriate channels in each case to all announcements of competitive examinations to the end of encouraging qualified persons to take such examinations. Upon the basis of such tests the Personnel Director shall establish employment lists of persons eligible for appointment in the order of their achievement or performance in such tests. Provided, however, that employment lists of persons eligible for appointment shall not be continued in effect for a longer period than one year following the establishment of such lists, unless the Director of Personnel, with the approval of the Municipal Civil Service Commission, shall renew such lists for reasons presented in writing to the Municipal Civil Service Commission; but in no event shall such lists be continued in effect for a longer period than eighteen months.

All tests for entrance into the service of the City shall be the open competitive type; the nature, character, content and manner of conducting which shall be determined by the Director of Personnel, with the approval of the Municipal Civil Service Commission; however, upon the recommendation of the City Manager approved by the Municipal Civil Service Commission, such tests may be non-competitive for positions which require exceptional qualifications of scientific, managerial, or professional character.

(2) Establish and maintain a roster of all persons in the municipal service in which there shall be set forth, as to each officer and employee,
(a) The class title of the position held,
(b) Salary or pay,
(c) Any changes in class title, pay or status,
(d) Such other data as may be deemed desirable or useful to produce significant facts pertaining to personnel administration.
(3) Ascertain and keep written records of the duties, responsibilities, and authority appertaining to each office and employment in the City service.
(4) Prepare and recommend to the City Manager a classification plan and amendments thereto for the entire service of the City, for presentation upon approval by the Manager to the City Council, and, after adoption by said Council, administer the classification plan approved. The classification plan recommended to the City Council shall include titles for the various classes of positions. Each class shall include all positions in the City service which are sufficiently similar with respect to duties, responsibilities, and authority so that the same descriptive title may be used to designate each position allocated to the class, that the same requirement as to education, experience, intelligence, general and specialized knowledge, skill, physical condition, and other qualifications may be demanded of incumbent for the proper performance of their duties, that the same tests of fitness may be used in choosing qualified appointees, and that the same schedule of pay can be made to apply with equity under like working conditions. After adoption of the classification plan by the Council, the Director of Personnel, with the approval of the City Manager, shall adopt written specifications for each class and allocate positions to classes. The class titles shall be used in personnel, budget, and financial records and communications, and, if individual positions are designated in the appropriation ordinances, in designating such positions.
(5) Prepare and recommend to the Cty Manager, at least sixty days before the beginning of each fiscal year, for presentation upon approval by the City Manager to the City Council, a pay plan including a proposed schedule of pay for each class of position, with minimum and maximum rates and, where necessary, intermediate rates, and, following the adoption of the appropriation ordinances by the City Council, see that payments to officers and employees holding positions in the classified service are made in accordance therewith.
(6) Certify to the Department of Finance, before payments for salaries and wages are made, that the names of the persons holding positions in the classified service to whom it is proposed to make payments for personal services were, during the period for which payment is proposed to be made, on the roster of officers and employees, that such persons were appointed and employed and were performing services in accordance with the provisions of this charter and the rules and regulations established thereunder, and that the rate of pay proposed has been established in accordance with the provisions of this charter. No payment for personal service to any person in the classified service of the City shall be made unless the payroll vouchers bear the certificate of the Personnel Director or his authorized agent.
(7) Upon written notice of the appointing authority that a position in the classified service is to be filled, certify the names of the three persons highest on the employment list for the class who are willing to accept appointment. If there is no employment list available from which appointment may be made, the Director of Personnel may authorize a provisional appointment to a permanent position to continue until a list can be established and certification made; provided, however, that no provisional appointment shall continue in effect for a longer period than ninety days, and provided further that provisional appointments shall not be renewed. Temporary appointments may be authorized by the Director of Personnel to an extra position established by the City Council, but such temporary appointments shall not continhe longer than thirty days and shall not be renewed. It is hereby declared to be the purpose of this charter to authorize and provide for a complete, adequate, and systematic procedure for handling the personnel matters of the City. Under no circumstances and for no reason whatsoever, therefore, shall provisional and temporary appointments be made to defeat the declared purpose of this charter.
(8) Establish for each class probationary periods of not less than three months and not more than six months to enable the appointing officer to observe whether new officers and employees are able and willing to perform their duties in a satisfactory manner. Appointing officers must submit to the Personnel Director reports, at least once each month during the probationary period of the probationary officer or employee, regarding the efficiency of probationary appointees. No perment appointment shall be made except on certificate of the Personnel Director, based upon the aforementioned monthly reports of appointing officers, that the officer or employee has satisfactorily passed his or her probationary period.
(9) Develop and establish training and educational programs for persons in the municipal service.
(10) Recommend to the City Manager measures for co-ordinating the work of the various departments and for increased individual, group, and department efficiency.
(11) At the request of the City Manager, or on the initiative of the Municipal Civil Service Commission, investigate and report upon the administration and effect of the Civil Service provisions of this charter and the rules and regulations adopted thereunder.
(12) Appoint, with the approval of the City Manager, such employees as may be necessary to administer the Civil Service provisions of this charter, and to define their duties and responsibilities.
(13) Establish by rule a procedure by which any officer or employee without further competitive test may be transferred from a position in a given class to another position in the same class or to a position in a different class for which he is qualified and for which no higher maximum rate of pay has been established.
(14) Provide by rule for the manner of fixing hours of work, checking attendance, asking payments for overtime, establishing training courses, determining the order of lay off when forces are reduced because of lack of work or funds, and handling annual, sick, and special leaves of absence with or without pay or with reduced pay.
(15) Establish by rule a system of service ratings designed, as far as possible, to reflect, the worth of each officer and employee in the classified service of the City.
(16) Establish by rule a procedure, in conformity with this charter, for making suspensions, reductions, and removals of officers and employees in the classified service for misconduct, inefficiency, and other good reasons.
(17) Prepare and recommend to the Municipal Civil Service Commission such other rules as he may consider necessary, appropriate or desirable to carry out the provisions of this charter amendment.

Section ___. PERSONNEL RULES. The Director of Personnel shall, as soon as practicable, and in any case within six months after this charter amendment takes effect, prepare such personnel rules as are required by this charter amendment and recommend their adoption to the Municipal Civil Service Commission. After a public hearing thereon, the Commission

shall approve or reject the rules wholly or in part, or modify them, and approve them as modified. Rules and any amendments there to which are approved by the Commission or on which the Commission takes no action within sixty (60) days after they are recommended by the Personnel Director shall be transmitted to the City Manager for filing with the City Council together with whatever recommendations he may desire to make. Rules and amendments thereto shall become effective when approved by the City Council or on the tenth day after submission if prior thereto the City Council shall not have rejected them by resolution. Thereafter the Commission shall have power to amend, repeal, or add to the rules on the recommendation of the Personnel Director, or on its own initiative, subject to the requirement of a public hearing and all the other subsequent steps of procedure required herein for adoption of the original set of such rules. Copies of the personnel rules and of the amendments thereto shall be transmitted by the Personnel Director to the City Council, to the City Manager, to the Director of each department, and shall be made available to all officers and employees in the classified service of the City.

Section ___. LIMITATIONS OF APPOINTMENTS. No person shall be appointed to any office or employment in the classified service of the City except after certification by the Personnel Director or except upon authorization by the Personnel Director of a provisional or temporary appointment as provided in this charter. No person shall be appointed to or employed in any appointive office or employment in the classified service of the City under any title not appropriate to the duties to be performed.

Section ___. SUSPENSIONS, REDUCTIONS, AND REMOVALS. Any officer or employee in the classified service of the City who has not completed his probationary period or who is serving under provisional or temporary appointment may be suspended, reduced in pay or class, or removed at any time by the City Manager or other officer having power to appoint a successor. A copy of the notice of such suspension, reduction, or removal shall be transmitted to the Personnel Director.

Any officer or employee in the classified service of the City who has been appointed following certification from an employment list may be suspended, reduced in pay or class, or removed at any time during the probationary period by the City Manager or other officers having power to appoint a successor by giving him a written notice of such suspension, reduction, or removal together with a statement of the reasons therefore.

Any officer or employee in the classified service of the City who has completed the probationary period may be suspended, reduced in pay or class, or removed by the City Manager or officer having authority to appoint a successor in the manner prescribed hereinafter. A written notice of the suspension, reduction or removal, stating the reasons therefor and when it is effective, shall be given to such officer or employee, or transmitted by registered mail to his usual place of residence. Such officer or employee, within ten days, not including Sundays and legal holidays. after the delivery or mailing to him of such written notice, may appeal in writing to the Municipal Civil Service Commission for a hearing. The Municipal Civil Service Commission shall immediately fix a place and a time not later than ten business days after such appeal for holding a hearing, at which the officer or employee suspended, reduced or removed shall have the right to appear and be heard in person, or by counsel. The Municipal Civil Service Commission shall, at the request of the officer or employee who has appealed for such a hearing, or at the request of the City Manager or other officer ordering the suspension, reduction or removal, compel other persons to attend the hearing to serve as witnesses. All testimony given at such hearings shall be under oath. The members of the Municipal Civil Service Commission shall have the power to administer oaths and affirmations, and to compel the attendance of witnesses and other persons by subpoena and other processes provided by law, and to compel the production of all pertinent records, by whomsoever held .The Municipal Civil Service Commission may make any further investigation which it might deem proper. Within twenty-four hours after the completion of the public hearing or such investigation, the said Commission shall report its findings and recommendations to the City Manager. A copy of the written statement given the officer or employee, a copy of the written reply hereto, if any, and a copy of the findings and decision of the Municipal Civil Service Commission shall be filed as a public record in the office of the Personnel Director.

Section ___. CONTRACTS FOR PERSONAL SERVICES PROHIBITED. The City Council, the City Manager, and all officers and employees of the City are hereby specifically prohibited from entering into a contract, on behalf of the City, to engage the personal services of any person whatsoever; provided, however, that in exceptional cases the City Council, on behalf of the City, may enter into a contract to engage the personal services of a person whose services are of such nature that an officer or employee of the classified service of the City is not qualified to render such services and provided, further, that the City Council shall not enter into such contract except upon the written recommendation of the City Manager and the Municipal Civil Service Commission. All contracts made in violation of the provisions of this section shall be null and void. It is hereby declared to be the purpose of this charter amendment to preclude the use of personal service contracts for the purpose of evading the civil service sections of the charter of the City of San Antonio.

Section ___. INFORMATION, REPORTS, AND ACCESS TO PREMISES AND RECORDS. Every officer or employee in the service of the City shall furnish the Personnel Director any information required by him in the administration of the personnel provisions of this charter and the rules and regulations made thereunder and shall allow members of the Municipal Civil Service Commission and members of the staff serving under the Personnel Director reasonable access to premises, buildings and records under his charge and direction.

Section ___. COMPENSATION OF OFFICERS AND EMPLOYEES. The salary or compensation of officers and employees in the classified service of the City shall be established by ordinance, which shall provide minimum and maximum compensation for each class of service. All increase or decrease in compensation of any officer or employee in the administrative service, within the limits provided for the class may be directed by the City Manager or other appointing authority with the approval of the City Manager.

Section___. OFFICIAL BONDS The Director of Finance, and such other officers and employees as my be required by this charter or by ordinance enacted by the City Council so to do, shall give bond in such amount and with such surety as may be required by this charter amendment or as may be required and approved by the City Council. The premiums on such bonds shall be paid by the City.

Section___. POWERS AND DUTIES OF THE MUNICIPAL CIVIL SERVICE COMMISSION AND OF THE DIRECTOR OF PERSONNEL NOT TO BE DIMINISHED OR ASSIGNED TO ANY OTHER BOARD, COMMISION, COMMITTEE, DEPARTMENT, OFFICER OR EMPLOYEE. The functions, powers, duties, and responsibilities given by this charter amendment to the Municipal Civil Service Commission and to the Personnel Director and his subordinates shall not be dimished or assigned to any other board, commission, committee, agency, officer, or employee of the City or of any other unit of government.

Section___. CITY COUNCIL REQUIRED TO APPROPRIATE SUFFICIENT FUNDS TO PLACE AND CONTINUE IN EFFECT THE PERSONNEL PROVISIONS OF THIS CHARTER. The City Council is hereby required to appropriate a sufficient sum annually to carry out the civil service provisions of this charter amendment.

Section___. PROHIBITIONS. No person in the classified service of the City or seeking admission thereto shall be appointed, promoted, reduced, removed, or in any way favored or discriminated against because of his race or his political or religious opinions or affilations. No person shall wilfully or corruptly make any false statement, certificate, mark, rating or report in regard to any test, certification, or appointment held or made under the civil service provisions of this charter amendment or in any manner commit any fraud preventing the impartial execution of such civil service provisions or of the rules and regulations made thereunder. No officer or employee in the classified service of the City shall continue in such position after becoming a candidate for nomination or election to any public office. No person seeking appointment to or promotion in the classified service of the City shall either directly or indirectly give, render of pay any money, service of other valuable thing to any person for or on account of or in connection with his test, appointment, proposed appointment, promotion or proposed promotion. No person shall orally, by letter, or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or political purpose whatever from any person holding a position in the classified service of the City. No person holding a position in the classified service of the City shall make any contribution to the campaign funds of any political party or any candidate for public office or take any part in the management, affairs or political campaign of any political party, further than in the exercise of his rights as a citizen to express his opinion and to cast his vote.

Any person who by himself or with others wilfully or corruptly violates any of the provisions of this section shall be subject to such fine or imprisonment, or both, as shall be prescribed by ordinance. Any person who is convicted under this section shall for a period of five years be ineligible for appointment to or employment in a position in the City service, and shall, if he be an officer or employee of the City, immediately forfeit the office or position he holds.

Section ___. MUNICIPAL RETIREMENT SYSTEM. The City Council is hereby authorized to establish a municipal retirement system, which shall be applicable only to appointive officers and employees in the classified service of the City, in accordance either with the provisions of House Bill No. 166, Act of the Fiftieth Legislature of Texas, or in accordance with an independent municipal retirement plan which shall conform to the following requirements:

(1) Any such retirement system shall be established on a jointly contributory basis, with the officers and employees sharing the cost equally with the City, except as to prior service, charges for which may be borne entirely by the City:

(2) The cost of the retirement system shall be determined actuarially on the basis of such mortality and service tables as the City Council shall approve, and shall be calculated and contributed as a uniform or decreasing percentage of the payroll of members. No system requiring an increasing percentage of the payroll to be paid as the contribution of either the members of the City shall be established;

(3) The provisions of the ordinance establishing such a retirement system shall require periodic actuarial evaluations which shall serve as the basis of any changes in the rates of contributions and shall also provide for the maintenance at all times of adequate reserves:

(4) Any appointive officer or employee in the classified service of the City at the time of the establishment of such system shall have for a reasonable time thereafter the privilege of becoming a member of the system so established and to share its benefits. Officers and employees thereafter appointed in the classified service shall be required to join the system as a condition of employment;

(5) Any independent municipal retirement system established or administered under the provisions of this section shall be administered by the Director of Personnel, except that the collection, custody, investment, and payment of funds shall be administered by the Finance Department.

(6) Any appointive officer or employee of the Board of Trustees of the Water Works and/or Water System of the City of San Antonio, Texas, other than the members of the said Board of Trustees, shall be eligible to participate in any municipal retirement system established by the City Council for the benefit of appointive officers and employees in the classified service of the City if the said Board of Trustees pays into the Treasury of the City of San Antonio, Texas, an amount annually, or oftener as might be required by the City Council, for each such appointive officer or employee of the said Board of Trustees, which said amount shall be equal to the amount to be contributed by the City as the City's equal share of the cost of the municipal retirement system for and on behalf of, appointive officers and employees in the classified service of the City.

Section ___. GENERAL PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Eight, upon being adopted, shall become operative and effective on June 1, 1959, and not before.

16. PROPOSITION ~~NINE~~ THIRTEEN. 18

Shall Article I, Section 26; Article I, Section 35; Article I, Section 36 of the existing Charter of the City of San Antonio, Texas, relating to Ordinances be repealed and the following proposition and provisions be enacted and adopted as a part of the Charter of the City of San Antonio, Texas:

ORDINANCES

Section ___. ORDINANCES TO REMAIN EFFECTIVE. All ordinances of the City of San Antonio which are now in force and which are not contrary to the provisions of this charter and of the laws of the State of Texas shall continue in force until repealed.

Section ___. INTRODUCTION AND PASSAGE OF ORDINANCES AND RESOLUTIONS. Ordinances and resolutions shall be introduced in the City Council only in written or printed form. The enacting clause of all ordinances shall be "Be it ordained by the City Council of the City of San Antonio".

Section ___. WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT —EMERGENCY MEASURES. Except as otherwise provided in this charter or by ordinance or law, all ordinances and resolutions passed by the City Council shall take effect at the time indicated therein, but not less than ten days from the date of their final passage. The affirmative vote of at least six members of the City Council shall be required to pass any ordinance or resolution as an emergency measure. An emergency measure is an ordinance or resolution to provide for the immediate preservation of the public peace, property, health or safety, in which the emergency is set forth. No measure making or amending a grant, renewal or extension of a franchise or other special privilege shall ever be passed as an emergency measure.

Section ___. RECORDING OF ORDINANCES, RESOLUTIONS, AND MINUTES. Each ordinance or resolution and the minutes of the City Council shall be recorded as soon as practicable by the City Clerk in well bound books, which shall be public records.

Section ___. PUBLICATION OF ORDINANCES. Every ordinance imposing any penalty, fine, imprisonment, or forfeiture for a violation of its provisions shall, after passage thereof, be published in the official newspaper for one day, and proof of such publication by the printer or publisher of such newspaper made before any officer authorized to administer oaths and filed with the City Clerk or any other competent proof of such publication, shall in all courts be conclusive evidence of the legal publication and promulgation of such ordinance; such publication may, in the discretion of the City Council, be a full text of the ordinance, or a descriptive caption or title stating in summary the purpose of the ordinance and the penalty for violation thereof; provided that the amendments and corrections made in digesting any revision for publication in book form and any general or special code of ordinances need not be so published, but notice thereof may be given as provided by ordinance.

Provided, that any code or codification or part or parts thereof, prepared for general or stated distribution as a model or otherwise, and which is published in printed or multigraphed or mimeographed form, may be adopted by the City Council, and all publication requirements therefor shall in all respects be satisfied by reference thereto in an ordinance or resolution duly adopted and published in regular form, without further publishing thereof; provided, also, that no less than three copies of such code shall be marked "Official Copies" and filed for permanent examination and use by the public in the office of the City Clerk prior to the adoption thereof.

Provided, further, that any administrative rule or regulation of any department of the City of San Antonio, Texas, or of the State of Texas, affecting the said City, or any statute of Texas, or any published code, specifications or requirements prepared by an official or unofficial organization for general circulation and use, may be added and incorporated by reference thereto in an ordinance, and by making three (3) copies thereof as official copies and filing them for permanent reference and inspection in the office of the City Clerk prior to the adoption thereof.

Section ___. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Nine, upon being adopted, shall become operative and effective on June 1, 1959, and not before.

17. PROPOSITION ~~TEN~~ FOURTEEN. 19

Shall Article II, Section 101; Article II, Section 102; Article II, Section 103; Article II, Section 104; Article II, Section 105, of the existing charter of the City of San Antonio, Texas, relating to Franchises be repealed and the following proposition and provisions be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

FRANCHISES

Section ___. DEFINITIONS.

(1) "Cost of service" means all reasonable and necessary expenses, taxes and other proper charges, and a return of six per centum (or the actual average annual cost of necessary total capital to the utility) upon the net capital investment in the case of utilities operating within the franchise terms of this charter amendment, or, in the case of other utilities, upon the net capital investment or other fair rate base as determined by negotiation, arbitration or litigation;

(2) "Net capital investment" means the actual and reasonable cost of all properties and capital outlay used and useful for service within the city, less accrued depreciation as determined by regular accounting procedure, plus working capital necessarily supplied by the investors, applicable to operation within the City;

(3) "Reproduction cost appraisal" means the reproduction cost less depreciation of all used and useful property, as determined by a physical appraisal, plus working capital necessarily supplied by the investors. In determining reproduction cost, appropriate unit prices shall be established for each class of property in accordance with proper inventory of the properties. Reasonable allowances shall be made for normal general construction overhead costs not included in the unit prices. The depreciation deduction shall include both physical and functional factors, and shall take due account of the differences between the existing property units and available modern units, including the difference in maintenance between existing and available new units. No additional allowances shall be made for franchise value, going concern value, or other intangible items not representing the actual unrecouped capital expenditures.

Section ___. GRANTING OF FRANCHISES. The City Council shall have power to grant a franchise to any private corporation for the use of streets and other public places in the furnishing of any public utility service to the City and to its inhabitants, provided that the term of duration of such franchise shall not exceed 25 years. All franchises and any renewals, extensions and amendments thereto, shall be granted only by ordinance. A proposed franchise ordinance shall be submitted to the City Manager, and he shall render to the City Council a written report containing recommendations thereon. No ordinance granting a franchise shall be enacted by the City Council until adequate public hearings have been held thereon, and until two weeks after its official publication in final form shall have elapsed.

Section ___. CONDITIONS AND TRANSFER OF FRANCHISE. Every franchise or renewal, extension or amendment of a franchise hereafter granted shall:

(1) Impose upon the utility the duty to furnish proper service at minimum attainable cost under proper organization and efficient management. The City shall have the right to require such extensions, additions, improvements and replacements of property as will result in economy or improvement in service, and it may issue such orders with respect to safety and other matters as may be necessary or desirable for the community.

(2) Fix the rates to be charged by the utility for the different classes of service and reserve to the City the power to revise such rates at the end of each calendar or fiscal year. Such rates shall be sufficient to cover the cost of service as defined in this charter amendment.

(3) Reserve to the City the right, at any time after five years ,to revoke the franchise and purchase all the properties of the utility at a purchase price equal to the net capital investment, or, as to any property included in the purchase for which the net capital investment is not ascertainable from the accounts, at the esimated actual cost less accrued depreciation.

No franchise shall be transferred hereafter by any utility to another without the approval of the City Council and as a condition to such approval all the terms and conditions provided in this charter amendment shall be included in the transferred franchise.

Section. ___. RATE BASE: VALUATION BOARD. If net capital investment is not accepted as the rate base by the City Council and by a public utility rendering service within the City but not operating within the franchise terms of this charter amendment, the Supervisor of Public Utilities, referred to hereinafter, shall negotiate with such utility for the purpose of establishing a rate base considered fair and reasonable by such City agency and the utility. Adequate technical assistance shall be made available to the Supervisor of Public Utilities. The result, if any, of such negotiation shall be submitted to the City Council for approval. The City Council, either at the recommendation of the Supervisor of Public Utilities or on its own motion, may have a reproduction cost appraisal, as defined hereinabove, made as an aid in negotiating a fair rate base. If no agreement between the City Council and the utility is reached in a reasonable period of time, the City Council may enter into an agreement with the utility to submit the question of rate base to arbitration by a valuation board consisting of three members. One member shall be appointed by the utility, one by the City Council and the third by the preceding two. The third member shall be a person of recognized training and experience in public utility valuations and shall be known to be fair to both private and public interests. Adequate technical assistance shall be available to the board, and a separate set-up of unit prices, general construction overhead and depreciation shall be prepared on behalf of the City, if considered desirable by the City's member, the Supervisor of Public Utilities, or the City Council. The board's finding shall be final and binding upon the City and the utility.

Section ___. RATES, ANNUAL COST OF SERVICE AND SLIDING SCALE BASIS. The rates of every privately owned public utility exercising a franchise granted pursuant to the terms of this charter amendment shall be annually revised and adjusted on the basis of cost of service and operation within the City. The requirements of this section may be met by provision for a sliding scale of rates wherein for any year the excess return above the cost of service shall be divided in a fixed proportion between the utility and consumers through rate reductions applicable to the succeeding year.

Section ___. SUPERVISOR OF PUBLIC UTILITIES.

(1) The City Council shall appoint a Supervisor of Public Utilities, who shall serve during the pleasure of the City Council and who shall receive such compensation as may be fixed by the City Council. The Supervisor of Public Utilities shall have such assistants as may be determined by the City Council, who shall be appointed and removed by the said Supervisor of Public Utilities, and who shall be in the classified service of the City.

(2) The Supervisor of Public Utilities shall assemble the facts which are essential to proper determination of cost of service and the fixing of reasonable rates. He shall have and keep up to date an inventory of the property used in public service, the cost of such properties as actually and reasonably incurred or as fixed by appraisal, additions and retirements made each year, the depreciation and all matters that enter into the periodical readjustment of the rate base. He and his assistants under his direction shall have power to make and shall conduct, all inspections and examinations of public utility properties, accounts and records. At the close of each calendar or fiscal year, he shall make a comprehensive report and recommendations to the City Council, which, after receiving them, may proceed with informal negotiation or with formal proceedings. Every public utility operating within the City shall furnish the Supervisor of Public Utilites regular reports as to capital outlay, property retirements, operating revenues, operating expenses, taxes and other accounting matters according to the standard accounting classifications for each such utility. In addition the City may require reports regarding salaries, wages, employees, contracts, service performance and all other records of operation that pertain to proper rate adjustments on the basis of facts and regular administration.

Section ___. RECAPTURE. Whenever the City Council shall determine, and in accordance with the franchise terms, the City may purchase the properties of a privately owned public utility, and may include in such purchase properties located outside as well as within the City. The purchase price shall not exceed the net capital investment, or the rate base, established as herein described, for any properties included in the purchase for which such net capital investment had not been provided for by previous franchise grants. The City may also condemn any public utility properties pursuant to the general condemnation provisions of the Constitution, and statutes of the State of Texas. The cost of proceedings for acquisition of private properties by purchase or by condemnation shall be paid in the first instance by the private utility, but shall be included in the price or award paid by the City.

Section ___. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held unconstitutional or invalid or ineffective, the remainder shall nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Ten, upon being adopted, shall become operative and effective on June 1, 1950, and not before.

18. PROPOSITION ~~ELEVEN~~ FIFTEEN.

Shall Article I, Section 27; Article I, Section 28; Article I, Section 30; Article I, Section 31; Article I, Section 32; Article I, Section 33, Article I, Section 47; Article II, Section 53; Article II, Section 54; Article II, Section 55; Article III, Section 106; Article III, Section 107; Article III, Section 108; Article III, Section 109; Article III, Section 110; Article III, Section 112; Article III, Section 116; Article III, Section 117; Article III, Section 118; Article III, Section 119; Article III, Section 120; Article III, Section 121; Article III, Section 122; Article III, Section 123 of the existing charter of the City of San Antonio, Texas, relating to Municipal Finance be repealed and the following proposition and provisions be enacted and adopted as a part of the charter of the City of San Antonio, Texas:

MUNICIPAL FINANCE

Section ___. FISCAL YEAR. After September 30, 1950, the fiscal year of the City of San Antonio, Texas, shall begin on the first day of October and end on the last day of September of each calendar year. Such year shall constitute the budget year of the city government. As used in this charter, the term "budget year" shall mean the fiscal year for which any particular budget is adopted and in which it is administered.

Section ___. INTERIM FISCAL PERIOD. An interim fiscal period is hereby established for the City of San Antonio, Texas, for the period June 1, 1950, to September 30, 1950.

Section ___. THE CITY BUDGET. The budget for the city government shall present a complete financial plan for the ensuing fiscal year. It shall set forth all proposed expenditures for the administration, operation, and maintenance of all departments and agencies of the city government for which appropriations are required to be made or taxes levied by the city government; all expenditures for capital projects to be undertaken or executed during the fiscal year; a capital program of proposed capital projects for the five fiscal years next succeeding the budget year; all interest and debt redemption charges during the fiscal year; and the actual or estimated operating deficits from prior fiscal years. In addition thereto, the budget shall set forth the anticipated income and other means of financing the total proposed expenditures of the city government for the fiscal year.

Section ___. THE INTERIM BUDGET. The City Manager shall, as soon as practicable after June 1, 1950, submit to the City Council an interim budget to be operative from June 1, 1950, to September 30, 1950, and the City Council shall prepare and enact such appropriation and other ordinances as may be necessary for the adoption of the interim budget.

Section ___. THE BUDGET DOCUMENT. The budget document shall consist of three parts, as follows:

Part I shall contain (1) a budget message prepared by the City Manager, which shall outline a fiscal policy for the city government, describing therein the important features of the budget with reference both to proposed expenditures and anticipated income, for the current year; (2) a statement of pending capital projects and proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts, if any, proposed to be raised therefor by the issuance of bonds during the budget year; (3) a general budget summary with supporting schedules, which shall exhibit the aggregate figures of the budget in such manner as to show a balanced relationship between the total proposed expenditures and the total anticipated income for the fiscal year covered by the budget, and which shall compare these figures with the corresponding figures of the last completed fiscal year and the year in progress;

Part II shall contain (1) detailed estimates of all proposed expenditures, showing the corresponding expenditures for each item for the current fiscal year and the last preceding fiscal year with the explanations of increases or decreases recommended as compared with appropriations for the current fiscal year; (2) detailed estimates of anticipated revenues and other income; (3) delinquent taxes for current and preceding years, with percentages collectible; (4) statements of the bonded debt and other indebtedness of the city government, showing the debt redemption and interest requirements, the debt authorized and unissued, the conditions of the sinking funds, if any, and the borrowing capacity of the city.

Part III shall contain complete drafts of the budget ordinances, including an appropriation ordinance and such other ordinances as may be required to finance the budget.

Section ___. THE PREPARATION AND ADOPTION OF THE BUDGET. Annually, not later than the first of July, the departments and agencies of the city government shall transmit estimates of their budgetary requirements to the Finance Department, which shall prepare a budget for the City Manager in the form required by this charter amendment. The City Manager shall transmit this budget to the City Council not later than the first of August. The City Council shall arrange for and hold at least one public hearing on the budget during the period of its consideration. Provided, however, that at least ten days prior public notice shall be given of such hearing; and provided, further, that at least ten days prior to such public hearing, the City Manager shall cause sufficient copies, but not less than ten, to be made available in the office of the City Clerk for distribution to interested persons. The City Council may revise, alter, increase, or decrease the items of the proposed budget prior to the adoption of the appropriation ordinances, provided that when it shall increase the total proposed expenditures, it shall also increase the total anticipated income so that the total means of financing the budget shall at least equal in amount the aggregate proposed expenditures. When the City Council shall make such changes, it shall issue a statement setting forth clearly its action on the budget. Not later than the twenty-seventh of September annually, the City Council shall approve the budget plan and shall enact the appropriation ordinance. As soon thereafter as possible the Council shall pass the tax levy ordinance and such other ordinances as may be required to make the budget effective. A copy of the budget, as finally adopted, shall be filed with the City Clerk, the County Clerk of Bexar County, and the State Comptroller of Public Accounts. The final budget shall be printed, mimeographed or otherwise reproduced and sufficient copies shall be made available for the use of all departments, offices and agencies of the City, and for the use of interested persons, agencies and civic organizations.

Section ___. WORK PROGRAM AND ALLOTMENTS. Immediately before the beginning of the fiscal year, upon the direction of the City Manager, the head of each department or agency of the city government shall submit to the Finance Department a work program for the year, which program shall include all appropriations for its operation and maintenance and for the acquisition of property, and shall show the requested allotments of said appropriations for such department or agency by months for the entire fiscal year. The City Manager, with the assistance of the Finance Department, shall review the requested allotments in the light of the work program of the department or agency concerned, and may, if he deems necessary, revise, alter, or change such allotments before authorizing the same. The aggregate of such allotment shall not exceed the total appropriation available to said department or agency for the fiscal year. The Finance Department shall authorize all expenditures for the departments and agencies to be made from the appropriations on the basis of the approved allotments, and not otherwise. The approved allotments may be revised during the fiscal year by the City Manager, or upon application by the head of any department or agency approved by the City Manager, but in no event shall the aggregate of departmental or agency allotments exceed the appropriation available to said department or agency for the fiscal year. If, at any time during the fiscal year, the City Manager shall ascertain that the available income, plus fund balances, for the year will be less than the total appropriations, he shall reconsider the work programs and allotments of the several departments and agencies and revise them so as to forestall the making of expenditures in excess of the said income and fund balance.

Section ___. TRANSFER OF APPROPRIATIONS. Upon the written recommendation of the City Manager the City Council may at any time transfer any unencumbered appropriation balance or any portion thereof within a department office or agency to another.

Section ___. APPROPRIATION OF EXCESS REVENUE. If at any time the total accruing revenue of the city shall be in excess of the total estimated income thereof, as set forth in the annual budget estimate in compliance with the provisions of this charter amendment, the City Council shall appropriate such excess revenues to the retirement of the unbonded indebtedness of the city.

Section ___. MONEY TO BE DRAWN FROM TREASURY IN ACCORDANCE WITH APPROPRIATION. No money shall be drawn from the treasury of the City, nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual appropriation ordinance or of such ordinance when changed as authorized by this charter amendment or by the general laws of the State of Texas. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the fund from which appropriated and shall be subject to reappropriation as provided by this charter; but appropriations may be made by the City Council, to be paid out of the income of the current year, in furtherance of improvements or other objects or works which will not be completed within such year, and any such appropriation shall continue in force until the purpose for which it was made shall have been accomplished or abandoned.

Section ___.CITY DEPOSITORIES. All moneys received by any department or agency of the city for or in connection with the business of the city shall be deposited promptly in the city depository which small be designated by the City Manager, with the approval of the City Council, in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All

interest on moneys belonging to the City shall accrue to the benefit of the City.

Section ____. ASSESSOR AND COLLECTOR OF TAXES. There shall be an officer in the Finance Department who shall be known as the Assessor and Collector of Taxes. He shall be in the classified service of the city and shall be appointed by and may removed by the Director of Finance with the approval of the City Manager, subject to the civil service provisions of the Charter of the City of San Antonio, Texas. It shall be his duty to assess within the time herein fixed, all property subject to taxation in the City whether it be rendered to him or not, and to make out a list of the same. He shall assess all persons and property subject to taxation by the City each year as of the first day of January, and all persons and property not exempt by the Constitution and laws of the State of Texas shall be subject to city assessment and taxation as of the first day of January of each year in like manner as property is subject to assessment and taxation by the State and County as of the first day of January of each year. The Assessor and Collector of Taxes shall assess all property at the value provided by the laws of the State of Texas, giving the value of lands and improvements separately and he shall also assess personal property of whatever nature, including franchises, privileges, and choses in action. He shall describe all property assessed sufficiently to identify it, giving the name of the last known owner thereof, and if the owner is unknown he shall state the fact. He shall assess the property which has been omitted from assessment during the past years upon the next assessment roll after discovering the fact, and shall have the same authority as county assesors and collectors of taxes in the State of Texas, to make reassessments, all at the same rate such property shall have been assessed for such past years giving the year for which it is assessed and the taxes thereon shall be collected in the same manner as taxes on other assessments. The Assessment rolls and tax receipts shall be made up and filed in the Finance Department annually on or before the first day of October. In addition to these powers, the Assessor and Collector of Taxes shall have all the rights that are now or may be hereafter conferred upon county assessors and collectors of taxes of this state and shall perform such other duties as may be prescribed by the City Council.

Section ____. COLLECTION OF TAXES.The Assessor and Collector of Taxes shall collect all ad valorem property taxes, all occupational taxes and other license fees and dues as may be prescribed by the City Council and give receipts therefor. He shall deposit daily with the city depository all moneys collected since the last deposit.

Section ____. THE POWER OF THE CITY TO LEVY AND COLLECT TAXES. Paragraph I. The City Council shall have power by ordinance annually to levy and collect ad valorem property taxes as provided by Article XI, Section 5 of the Constitution of the State of Texas and by the laws of the State of Texas now or hereafter enacted pursuant thereto. The tax levied by any improvement district in the City of San Antonio may not exceed twenty-five cents annually. The ad valorem property taxes hereinabove authorized shall be levied annually and collected on the assessed value of all real and personal estate and property in the city, including all choses in action, franchises and privileges having a situs in the City, though the owners thereof be non-residents. Consistent with the provisions of this charter amendment, the City Council may levy and provide for the assessment, time of payment, and collection of interim taxes for the period between the end of th fiscal year ending May 31, 1950, and the beginning of the new fiscal year commencing October 1, 1950.

Paragraph 2.

(1) The City Council shall have authority by ordinance, for general revenue purposes, to levy, assess and collect such taxes or license fees on persons, transactions, privileges, subject, occupations and property within the city limits of the City of San Antonio, Texas, as shall be determined by the said City Council; provided, however, that the said City Council shall not have authority by virtue of this charter amendment, to levy, assess and collect any tax or license fee on a privilege, transaction, subject, occupation or property which is now or does hereafter become subjected to a state tax or license fee; and provided, further, however, that the provisions of this charter amendment shall not limit the authority of the City Council to levy, assess and collect taxes or license fees on a privilege, transaction, subject, occupation or property taxed by the State of Texas if such authority is granted to the said City Council by the Constitution or general laws of the State of Texas. It is the intention of this charter amendment to confer upon the City Council the power to levy, assess, and collect taxes or license fees upon all subjects of taxation and/or regulation or licensing which the State has the power to levy a tax upon or impose a license fee upon, subject only to the foregoing provisions.

(2) Prior to the passage of any ordinance imposing a tax or license fee under the authority hereby granted, notice of the intention to pass such ordinance shall be given. Such notice shall set forth the substantial nature of the tax or license fee to be imposed by the proposed ordinance, the date, time and place of the hearing. Publication of such notice shall be made by advertisement once a week for four weeks in a newspaper of general circulation within the City.

(3) No such tax or license fee shall go into effect until thirty days from the time of the final adoption of the ordinance levying the tax or license fee.

(4) The City Council shall have power to prescribe and enforce penalties for nonpayment, within the time fixed for the payment of taxes or license fees imposed under authority of this charter amendment, and for violations of the provisions of ordinances passed under authority of this charter amendment.

Section ____. METHOD OF LEVY, ASSESSMENT, AND COLLECTION OF TAXES. All city taxes shall be levied, assessed and collected in the same manner as may be provided by the laws of the State of Texas for the levy, assessment and collections of state and county taxes, unless herein otherwise provided. The City Council shall annually appoint a Board of Equalization to be composed of three members, who shall be qualified electors of the City, who shall not be members of the City Council, and who may be removed at the pleasure of the City Council. The members of the Board of Equalization shall be paid such compensations, if any, as may be determined by the City Council. The City Council shall designate one of the members of the Board as chairman. The Board of Equalization shall revise and correct all assessments made in the City in the same manner as the same are revised and corrected by the Commissioners' Court, in cases of state and county taxation, and the Board shall fix its time of meeting and give notice thereof. The Board shall assess all property in the manner provided by law and shall equalize all assessments as near as may be. The Board of Equalization shall have the same powers to subpoena property owners of the City, witnesses, books and records as are granted by the laws of the state to county boards of equalization, and shall have power to administer oaths and to punish for contempt as provided by ordinance. Any person failing to appear before the Board, or failing to give evidence or answer any question as to his property or any part thereof, or its location or value, shall be deemed guilty of contempt within the meaning of this section. The Board shall have the right to adopt any manner of assessment so as to equalize taxes as near as possible; provided, however, that the Board shall provide for stenographic records of its hearings and shall preserve such records. At the conclusion of its work each year the Board shall sign a written oath that they have inquired into the value of all property subject to taxation and have assessed said property according to law. The City Council may, by ordinance, regulate the manner of assessing and collecting City taxes as the City Council may deem proper, although not in accordance with the provisions of the state law governing the assessment and collection of county taxes, and may provide for the enforcement of the collection of taxes and the sale of property for delinquent taxes in any manner authorized by law.

Section ____. OCCUPATION TAXES. The City Council shall have power annually to levy and collect occupation taxes, in accordance with the provisions of the laws of the State of Texas.

Section ____. FAILURE TO LEVY TAXES. If the City Council should fail, refuse or neglect to pass an ordinance for any year, levying the taxes for that year, the ordinance last passed levying taxes will be considered in force and a failure to pass such ordinance shall in no wise invalidate the collection of any taxes.

Section ____. TAXES WHEN DUE. All ad valorem property taxes for each fiscal year shall become due in two equal installments. The first installment, which amount shall be one-half of the total sum of the taxes for the fiscal year, shall be due on the first day of October of each fiscal year, and shall be paid before the first day of February next following, and the second installment, which amount shall be the remaining one-half of the total sum of taxes of the fiscal year, shall be due on the first day of April of each fiscal year, and shall be paid before the first day of August next following and all delinquent taxes shall bear interest from the date they are delinquent until paid at the rate of one-half of one per cent for each month or fraction thereof. The time for the payment of taxes shall not be extended. The City Council shall have power, by ordinance, to provide for the payment of any ad valorem property taxes, at the option of taxpayers, in either one payment or in four equal installments.

Section ____. PENALTIES ON DELINQUENT TAXES. All persons and property owners failing to pay any tax owing on or before its delinquent date shall be charged interest at the rate of six per cent per annum, and, in addition, shall be charged a penalty of two per cent upon the principal amount due for the first month or part of a month of such delinquency and, thereafter, in addition to interest, a penalty of two per cent upon the principal amount due for each additional month or fraction thereof; provided, that the aggregate penalties to be charged shall never exceed ten per cent and shall be charged on the original principal amount, and such penalties shall not bear interest. Unless authorized by the laws of the State of Texas, neither the City Council nor the Assessor and Collector of Taxes shall have the power to make any remission of penalties or interest on taxes. The City Attorney shall not be authorized, except by an affirmative vote of the City Council, to bind the City of San Antonio, Texas, by any agreed judgment in any court of competent jurisdiction in any suit brought in behalf of the City of San Antonio, Texas, for the collection of delinquent taxes.

Section ____. TAX LIEN AND ENFORCEMENT. The annual assessment made on property for taxes due the city shall be a prior and special lien upon said property, and all property, both real and personal, belonging to any delinquent taxpayer shall be liable to seizure and sale for the payment of all taxes, interest, penalties and costs due the city by such delinquent, under such regulations as the legislature may have provided, or may hereafter provide for the collection of state and county taxes, or as may be provided by the City Council or under decree of court.

Section ____. PURCHASE PROCEDURE. Before making any purchase or contract for supplies, materials, equipment, or contractual services, opportunity shall be given for competition, under such rules and regulations, and with such exceptions, as the City Council may prescribe by ordinance. All expenditures for supplies, materials, equipment, or contractual services, involving more than $1,000.00 shall be made on a written contract, and such contract shall be awarded to the lowest responsible bidder after such public notice and competition as may be prescribed by ordinance; provided that not less than the prevailing wages of this locality, as determined by the Bureau of Labor Statistics of the United States Department of Labor, shall be paid to employees of the successful bidder while such employees are employed under a contract awarded to such bidder by the City of San Antonio, Texas.

Section ____. AUTHORITY TO ISSUE BONDS. The City shall have power to borrow money on the credit of the City and to issue bonds therefor for acquiring property and making improvements for public purposes, or to fund or refund any indebtedness. However, the total bonded indebtedness of the City shall never be increased so as to exceed ten per cent of the total assessed valuation of property according to the last assessment roll, exclusive of indebtedness secured in whole or in part by special assessments, exclusive of the bonded indebtedness of any improvement district, and exclusive of the bonded debt secured solely by the assets and revenues of any public utilities which are now, or which may be hereafter owned by the city. Any proposition to borrow money and to issue bonds as aforesaid, except as authorized by law, shall be submitted to the qualified taxpaying voters of the city, and shall distinctly specify the purpose thereof. The time, place, and manner of such election and the making of returns and declaring the results thereof shall be prescribed by ordinance as nearly in accord with the laws regulating city elections as may be practicable, and unless a majority of the qualified taxpaying voters voting thereon in such election vote in favor of the issuance of such bonds, the same shall not be issued; provided that the purpose of the issuance of bonds, as submitted at such an election may include more than one subject, but each subject shall be clearly set forth.

Section ____. SALE OF BONDS. No bond issued by the city shall be sold for less than par value and accrued interest, and until after receipt of and consideration of bids for the bonds, submitted in response to a public advertisement therefor.

Section ____. SINKING FUND. It shall be the duty of the City Council each year to levy a tax sufficient to pay the interest on and provide the necessary sinking fund required by law on all bonds outstanding. The interest and sinking fund, and the funds hereafter created for the retirement of bonds shall be deposited in separate accounts in the city depositories and shall not be diverted to any other purpose, or used for any purpose other than to pay the interest and principal on such bonds.

Section ____. ISSUANCE OF BONDS FOR IMPROVEMENT DISTRICTS. To borrow money on the credit of any improvement district of the city and issue bonds therefor for permanent public improvements in such districts, and to this end the city council may divide the city, or any portion thereof, into improvement districts, clearly defining the limits of each district; but every proposition to borrow money on the credit of any improvement district for permanent public improvements therein shall be submitted to the qualified taxpaying voters living and owning property in such district, and shall distinctly specify the purpose for which the loan is desired and the permanent public improvements to be constructed, but several improvements of different and distinct character and nature may be submitted in one proposition. If said proposition be sustained by a majority of the votes cast in such election in such district such loan shall be lawful. All bonds shall specify for what purpose they were issued, shall bear interest at a rate of not greater than five per cent per annum, and, when sold, shall not net less than par value, with accrued interest to date of payment of the proceeds into the city depository, and such bonds may be negotiated in lots, as the City Council may decree. No debt shall be contracted for the payment whereof such bonds are issued until such bonds shall have been disposed of, and no debt shall ever be created against any such improvement district unless at the same time provision be made to assess and collect annually upon the property in such improvement district a sum sufficient to pay the interest on such bonds and create a sinking fund of at least two per cent thereon. The interest and sinking fund tax which shall be collected annually from the property in such improvement district for such bonds shall be in addition to the other current taxes, levied by the City, and shall be kept separate by the city depository from other funds, and shall not be diverted or used for any other purpose than to pay interest and principal on such bonds. The sinking fund for such bonds shall be invested as provided by law or in bonds of such improvement district. The tax levied for interest and sinking fund for bonds issued for permanent public improvements in any district shall not exceed twenty-five cents on each one hundred dollars valuation annually.

Section ____. BORROWING FOR CURRENT PURPOSES. The City Council may by ordinance authorize the borrowing of money and the issuance of notes therefor in anticipation of the receipts of taxes levied for any one year and the current revenue for that year, and pledge as security for such loans the uncollected taxes and revenue for any such year, and shall have the right to contract to pay interest upon all amounts so borrowed.

Section ____. INDEPENDENT AUDIT. The City Council shall cause an independent audit to be made of the books of account, records and transactions of all the administrative departments and agencies of the city at least once yearly, as soon as practicable after the close of the fiscal year. Such audits shall be made by one or more certified public accountants who, for three years next preceding, have held a certificate issued by the State Board of Accountancy of the State of Texas, or by a State maintaining an equal standard of professional requirements, which entitles the holder of such certificate to a Texas certificate. The auditor or auditors to make such uadit shall be selected by the City Council, and shall be responsible to said Council. The duties of the auditor or auditors shall include the certification of all statements required by this charter. Such statements shall include a balance sheet, exhibiting the assets and liabilities of the city, supported by departmental schedules, schedules for each agency of the city, and schedules for each utility publicly owned or operated, summaries of income and expenditures, supported by detailed schedules; and also comparisons, in proper classification, with the last previous year. The report of such auditor or auditors for the fiscal year shall be printed and a copy thereof shall be furnished to each member of the City Council, the City Manager, and the same shall also be published once in the official newspaper of the city. The original report of the said auditor, or auditors, and ten copies thereof, shall be kept among the permanent records of the city, and shall be open to pubic inspection.

Section ____. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Eleven, upon being adopted, shall become operative and effective on June 1, 1950, and not before.

19. PROPOSITION ~~TWELVE~~ SIXTEEN. 25

Shall Article II, Section 66 of the existing charter of the City of San Antonio, Texas, relating to the Public Libraries be repealed and the following proposition and provisions be enacted and adopted as a part of the Charter of the City of San Antonio, Texas:

PUBLIC LIBRARY

Section ____. THE SAN ANTONIO PUBLIC LIBRARY. There is hereby established The San Antonio Public Library which shall include all municipal libraries in the City of San Antonio. The said San Antonio Public Library shall be managed by a Board of Trustees which shall consist of seven members appointed by the Mayor and confirmed by the City Council. Appointments to the Board of Trustees shall be made for overlapping two year terms. The first appointments to the aforesaid Board of Trustees of The San Antonio Public Library shall be made in the following manner: Four members shall be appointed for terms of two years and three members for terms of one year. Thereafter, all such appointments shall be made for terms of two years. For the support and maintenance of The San Antonio Public Library, the City Council shall annually levy not less than six cents ($0.06) per one hundred dollar valuation of the total assessed valuation of all real and personal property on the assessment rolls of the City of San Antonio. The Board of Trustees of The San Antonio Public Library shall have authority to appoint and remove all employees of The San Antonio Public Library, subject to the civil service provisions of the Charter of the City of San Antonio, Texas. The employees of The San Antonio Public Library shall be entitled to all the rights and benefits under any provisions pertaining to appointive offices and employments of the City which are now or which may hereafter be in the classified service of the City.

Section ____. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional and invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Twelve, upon being adopted, shall become operative and effective on June 1st, 1950, and not before.

20. PROPOSITION ~~THIRTEEN~~ SEVENTEEN. 28

Shall the existing Charter of the City of San Antonio, Texas, be amended by adding thereto the following proposition and provisions:

ARRANGEMENT AND NUMBERING

Section ____. ARRANGEMENT AND NUMBERING. The City Council shall provide by ordinance for the arrangement, numbering and renumbering of all articles, sections and paragraphs of the Charter of the City of San Antonio, Texas, as it shall deem appropriate.

Section ____. PROVISIONS OF THIS CHARTER AMENDMENT TO STAND EFFECTIVE AND VALID. Should any of this charter amendment, or any section, part, sentence, phrase or clause of this charter amendment, for any reason, be held to be inoperative or invalid, or if any exception to or limitation upon any general provision herein contained shall be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted without the portion held to be unconstitutional or invalid or ineffective.

Provided, however, that the foregoing Proposition Thirteen, upon being adopted, shall become operative and effective on June 1st, 1950, and not before.

PROPOSITION EIGHTEEN.

Shall the Charter of the City of San Antonio be amended to provide for a Council-Manager form of government with a seven member Council consisting of a Mayor and six Councilmen elected at large and a City Manager employed by the Council, the distribution of appointive power and other powers and duties between the Council, the City Manager and six administrative departments and City personnel, and to repeal provisions of the Charter to effect such purpose, such amendment being as follows:

Section 1. Par. 1: Mayor and Council. The governing body of the City shall be a City Council of seven members consisting of a Mayor and six Councilmen, all of whom shall be elected at large and be citizens qualified as electors of the City. The Mayor shall preside at meetings of the Council, and the Council shall fix the time, for its regular meetings and adopt rules governing its proceedings. The Council shall act only when in session and by ordinance or resolution adopted by the vote of at least four of its members. Wherever the words "Board of Commissioners" or "Commissioners" are used in the City Charter referring to the governing body of the City, the same are hereby amended to read "City Council," and wherever the word "Commissioner" or "Commissioners" is used in referring to one or more members of the governing body, the same is hereby amended to read "member (or members) of the Council," as the context may require. All powers of the City heretofore vested in the Board of Commissioners are hereby vested in the City Council, except such powers and duties as are specifically apportioned to and vested in the City Manager and administrative personnel by the following provisions of this amendment.

Par. 2: City Manager. The City Council shall appoint a City Manager who shall be the chief administrative and executive officer of the City. He shall receive such salary as the Council may determine, and shall be subject to discharge by the City Council at any time. The City Manager shall appoint and have the power to discharge department heads and personnel of the administrative departments, and shall have general supervision over all executive and administrative affairs, department heads and personnel of the City, and shall be responsible to the Council for the enforcement of all laws and ordinances and for the efficient administration of all City affairs. He shall sign all contracts authorized by the Council except deeds, mortgages and conveyances, and bonds, warrants and other instruments evidencing interest-bearing obligations of the City, which shall be signed by the Mayor. He shall bring before the Council all statements, reports and information required by law, or requested by the Council. He shall be present at all meetings of the Council, unless excused by the Council.

Par. 3: City Departments. The departments set forth in Paragraphs 4 to 9, inclusive, of this section are hereby created and the administrative duties are apportioned between them as therein provided. The Council may add to the duties of such departments and may create other departments and define their duties. Each department shall be administered by a department head under the supervision of the City Manager.

Par. 4: Department of Finance. The department of Finance shall be under the supervision of a Director. The Department shall have as a part of its personnel a City Auditor and City Treasurer. The Director of Finance shall have all of the authority with reference to the assessment and collection of taxes and other tax matters conferred on the "Commissioner of Taxation" by the present Charter of the City. The department shall be the general bookkeeping and accounting department of the City, and shall prepare and keep accounts and records relating to taxation and revenues, and shall issue all tax statements and tax receipts. All funds collected shall be deposited

daily in the City depository or depositories selected by the Council and all checks and vouchers shall be drawn on depositories by or under the direction of the City Manager and counter-signed by either the Director of Finance, City Treasurer or City Auditor, or in case of the absence of such signers the same may be signed in such manner as may be authorized by ordinance.

Par. 5: Department of Public Works. The Department of Public Works shall be under the supervision of a Director. The department shall have charge of the planning, opening, construction and maintenance of all streets, alleys, sidewalks, bridges and public ways, municipal air-ports, sewers and sewage plants, city markets and all public buildings and properties of the City, and shall administer and enforce the laws and ordinances with reference to building, electrical and plumbing inspection and weights and measures and the issuance of certificates and permits thereunder, and shall operate the City's sewer systems and shall attend to the cleaning of streets and the collection and disposition of garbage.

Par. 6: Department of Health. The Department of Health shall be under the supervision of the City Health Officer who shall administer and enforce all laws and ordinances relating to public health and the control of disease.

Par. 7: Department of Parks and Recreation. The Department of Parks and Recreation shall be under the supervision of a Director. Said department shall have charge of the management and maintenance of public parks, playgrounds, golf courses, swimming pools and all other public recreational facilities which shall be deemed to be maintained and operated in the governmental capacity of the city.

Par. 8: Fire Department. The Fire Department shall be under the direction of the Fire Chief who shall supervise the operation of all fire stations and fire fighting equipment and the efficiency of fire fighting personnel. He shall be responsible for the enforcement of all laws and ordinances with reference to fire protection and prevention.

Par. 9: Police Department. The Police Department shall be under the direction of the Chief of Police, who shall be responsible for the efficiency of police personnel and for the enforcement of all laws and penal ordinances, and shall operate the City Jail and Pound.

Section 2. Term of Office and Compensation of Mayor and Councilmen. The term of office of the Mayor and Councilmen elected at regular City elections shall be two years, commencing with the first day of June following their election. The regular City election shall be held on the second Tuesday of May in 1951, and on the second Tuesday in May every two years thereafter. ~~A special election shall be held on the second Tuesday following the fortieth day after the day of the election at which this amendment is adopted, for the election of a Mayor and Councilmen hereunder, who shall serve until the next regular City election in 1951, and until their successors are installed~~. Each member of the City Council shall receive $20 for each meeting of the Council attended by him, provided the total of such attendance fees for no member shall exceed $1040 in any fiscal year. In addition to such fees the Mayor shall receive $250 per month, and the Mayor and each Councilman shall receive compensation at the rate of $20 for each full day of service on the Board of Equalization, but the total of such compensation for each member shall not exceed $600 in any fiscal year.

Section 3. Election of Mayor and Councilmen. The office of Mayor and each Councilman "Place" on the City Council shall constitute a separate office and the ballot used in all elections shall list separately the candidates for the office of Mayor, and the candidates for Councilman shall be listed under six separate "Places" numbered

froml to 6. Any person desiring to become a candidate shall at lease 30 days prior to the election file with the City Clerk a statement announcing his candidacy, and if he be a candidate for Councilman, designating the place number for which he desires to run. The arrangement on the ballot of the names of the candidates for Mayor and for Councilman for each numbered place shall be determined by lot drawn by the City Clerk. All ballots shall be prepared by the City Clerk and printed and distributed or arranged on voting machines under his supervision.

Section 4. Appointees of the City Council. The City Council shall appoint for a term not to extend past June 1st following the next regular election (1) the City Attorney and his assistants, (2) one or more Judges of the Corporation Court and the Clerks and Bailiffs of said Court, and (3) the City Clerk and his assistants. Any of said appointees may be removed at any time by a majority vote of the Council for cause specified in writing. Each of said appointees shall perform the duties and have the authority conferred upon such officers in the present City Charter and the City Clerk and his assistants shall be the custodians of all corporate minutes and records of the City and of the City seal with authority to authenticate and certify any of the records of the City, and to administer oaths and give certificates thereof. The Council may appoint an independent Auditor or Auditors to prepare annual audits and to make such special audits and reports as the Council may prescribe from time to time.

Section 5. Bonded Personnel. The City Manager, Director of Finance and City Auditor and City Treasurer shall each enter into a bond executed by a surety company or companies acceptable to the City Council in the sum of $100,000, or such greater amount as the Council may prescribe, conditioned upon the faithful performance of duties and accounting for all public funds, and the Council may require other City personnel to give bond. Premiums and fees of corporate sureties on all such bonds may be paid by the City.

Section 6. Fiscal Matters - Salaries and Wages. The City Manager shall be the chief budget officer of the City and with the aid of the heads of the City departments shall prepare and submit each year an operating budget for the City in conformity with State law and such rules as may be prescribed by ordinance. Said budget shall provide the amount to be paid as compensation to the department heads and each class of personnel in each department, specifying the number of persons to be employed in each class, and the cost of supplies, equipment and special services for each department. The salaries and wages of all officials, department heads and personnel of the City (except the Mayor and Councilmen) shall be fixed by the City Council, notwithstanding any provision of the present City Charter fixing or limiting the same. Upon the adoption of the budget with such changes as the Council may deem proper, no expenditure shall be made except in accordance therewith unless authorized by ordinance. A temporary budget shall be adopted by the first City Council elected under this amendment pending the adoption of a budget for the year. The authority to make purchases in accordance with the bodget ordinance or other ordinance shall be vested in the Department of Finance and the office of Purchasing Agent is hereby abolished.

Section 7. Administrative Boards. None of the provisions of this amendment shall change or affect the tenure, powers or jurisdiction of any executive or administrative board of the City created under authority of any State statute or any provision of the City Charter, or by any ordinance of the City.

Secyion 8. Repealed Provisions. The following provisions of the present City Charter of the City of San Antonio are hereby repealed: Sections 7, 8, 9, 10, 16, 17, 18, 19, 23, 24, 27, Paragraph 1 of Section 32, and Sections 39 and 56. All other provisions of the present City Charter, including amendments thereto adopted at or prior to the election at which this amendment may be adopted, are hereby repealed in so far as the same may be in conflict with provisions hereof.

Section 9. Effective Dates. The provisions of this amendment pertaining to the election of a Mayor and six Councilmen shall become effective the first Tuesday in April, 1951, and the Mayor and Commissioners and City Clerk of the City shall do all things necessary to provide for the holding of said election and the Board of Commissioners shall canvass the returns thereof in the forenoon of the day following the election. The remaining provisions hereof shall become effective on the First day of June, 1951, following the first election of a Mayor and six Councilmen.

22. PROPOSITION NINETEEN.

Shall Section 1 of the existing Charter be amended by eliminating and Striking therefrom the following? "providing that the City shall not sell the present 'sewer farm', containing about five hundred and thirty acres, nor rent or lease the same for any purpose for a term exceeding one year, at any one time; provided, however, that said 'sewer farm,' or any part thereof, may be subdivided into lots to be used or sold by the City for cemetery purposes only."

23. PROPOSITION TWENTY.

Shall the Charter of the City of San Antonio be amended by the addition of Section 58-a hereto as follows: "Section 58-a. The City of San Antonio is authorized to acquire, construct, own, maintain and lease one or more automobile parking stations, elevated, surface or sub-surface; and markethouses and places; and when operated by the City, to charge fees and tolls for the use of such facilities. The City is authorized to prescribe and enforce the fees and tolls which are to be charged for such facilities by any lessee thereof, and may reserve a lien on the money collected by the lessee for such tolls and charges. The right of the City described herein is declared to be a public right and use and such facilities constitute a public utility."

24. The foregoing Propositions numbered 1 to 20, inclusive, and containing the full text of the proposed amendments to the charter, shall be submitted on the ballot and arrange on the voting machines in condensed form, as hereinafter set out, the numbers thereof to correspond with the numbers of the "full text" statement of said amendments as hereinbefore set forth. Such condensed Propositions shall be arranged by the City Clerk on said ballot and on said voting machines in the exact order and wording as hereinafter set out. Each such Proposition shall be arranged so that the voter may vote "yes" or "no" upon each proposition without having to vote "yes" or "no" on all of said Propositions.

25. The condensed Propositions shall be arranged and submitted as follows:

PROPOSITION ONE

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

[illegible]. Providing for a City Manager, who would be appointed and subject to discharge by the Council at any time, upon the payment of two months salary in advance, would be the Chief Administrative Officer of the City. Under said proposals the Mayor would be the Chief Executive Officer of the city and would be elected by the people at large. There would be six councilmen elected at large, to specific places set out on the ballot. The City Manager, subject to the approval of the City Council, would appoint, and have the power to discharge, heads of administrative departments, but would appoint and discharge the personnel of the administrative departments without approval by the Council. Each Councilman, including the Mayor, would draw $40.00 per meeting, not to exceed $2,400.00 per year, together with expenses authorized by the Council. In addition, the Mayor would receive $6,000.00. Six Administratrive Departments, to-wit: Finance, Public Property, Health, Sanitation, Fire and Police, with their duties prescribed, would be created. The first election of Mayor and Councilmen would be on the first Tuesday in May, 1951, and they would serve for two years, from June 1, 1951. Said proposals proposals provide for the appointment by the City Council of the City Attorney and his assistants, the Corporation Court Judge or Judges, and the City Clerk and his assistants. A Board of Equalization of five tax-paying residents of the City appointed by the City Council is also provided for, and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION TWO

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

[illegible]. The executive and administrative powers of the city would be vested in a Board of Commissioners. The Mayor would have charge of the Department of Public Affairs in General and would have to be Chairman of the Board of Health. A City Manager or Superintendent, and such directors or assistants as the Board may deem necessary, would be appointed to conduct the business of all department and offices, officers and employees of the City. A Committee of three members of the board would be organized in conjunction with each department, to-wit: Taxation, Sanitation, Parks and Public Property, Streets and Public Improvements, and Fire and Police. The Commissioner elected for a particular department would act as chairman of the Committee to supervise that department and keep fully informed on all affairs of the Department. Provision is made for a Board of Health of eleven members appointed by the Mayor and confirmed by the Board of Commissioners. The Board of Commissioners would be given the right to create such offices or employments as may, in their opinion, be necessary, and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION THREE

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

. Providing for Civil Service to apply to all appointive officers and employments in the administrative service of the City, with the excepts therein stated. A Municipal Civil Service Commission, and a Personnel Director, with duties as therein defined, would be created, and provisions covering appointments, reduction, and removals would be instituted. Contracts for personal services to the city would be prohibited, and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION FOUR

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

.. Authorizing the city to grant a franchise not to exceed 25 years, to any private corporation organized under the laws of the State of Texas, only, for the use of streets and other public places in the furnishing of any public utility services to the City, would be instituted. The conditions of granting and transferring such franchises, retaining -recapture provisions, prescribing a rate base, and providing for the appointment of a Public Utilities Board consisting of five members who shall serve during the pleasure of the governing body of the city, would be provided for, and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION FIVE

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

For municipal election of members of the City Council on the first Tuesday in May of odd numbered years, providing the first election shall be held on the first Tuesday in May, 1951; that the City Council shall have power to make rules and regulations concerning municipal elections; to elect election officers in accordance with the laws governing election by use of voting machines; providing that candidates for councilman shall file application with the City Clerk, who shall make up official ballots; creating seven Election Districts and prescribing their metes and bounds; providing that qualified voters of each District may vote for candidates from such District and for candidates at large; providing for run-off elections; for twenty days notice of elections by the City Clerk; for return of elections to the Mayor and City Clerk and canvass by the Council and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION SIX

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Defining the powers of the City Council and conferring all municipal powers on the Council, except as otherwise delegated; prescribing specifically enumerated powers of the Council, including the power to change the bounds and limits of the City by Ordinance; to acquire property for municipal purposes, to acquire and operate public utilities, assess taxes, borrow money by issuance of bonds or notes, borrow on credit of Improvement Districts, pay debts of the City, appropriate money for all purposes, contract and maintain public works, levy special assessments for local improvements, license and regulate persons in business or occupation, levy occupation taxes, license vehicles operated for hire, license public amusement places, define and prohibit nuisances, inspect and regulate buildings and their construction and occupancy, inspect weights and measures, define and prohibit acts detrimental to health, morals and comfort of the inhabitants, regulate filing of plats and prescribe standards for construction of utilities, streets, etc., in subdivisions, regulate use of public ways, laying of sidewalks, abate obstructions on public ways, provide for a census and vital statistics, license dogs and animals, regulate and inspect bakeries and dairies and products thereof, inspect meat, fish, vegetables, fruit and food products offered for sale and animals before slaughter, erect and maintain market houses, levy a charge for sanitary sewer services, adopt all regulations for police, health, property and security of inhabitants and for good government, provide penalties, provide for parks and recreational facilities, acquire property used in carrying passengers for hire, and exercise any powers now or later granted to municipalities by the laws of Texas, and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION SEVEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Creating a City Council of nine members, one each to be elected from and residents of District 1 to 7, inclusive and two at large, providing each candidate shall be a resident for one year prior to candidacy and of the District if elected from a District, providing for two year terms from June 1, 1951, prescribing $1,040.00 maximum compensation for councilmen, for filling of vacancies by majority council vote for unexpired terms, for weekly and special meetings, for selection of a Mayor by the Council from its membership, for extra compensation and payment of Mayor's expense, for a Mayor pro tem, for a City Clerk chosen by the Council, prescribing duties of the Clerk, prescribing necessity for a quorum of the Council for business, and repealing certain existing Charter provisions.

YES____ NO_____

PROPOSITION EIGHT

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Creating the office of City Manager, fixing and indefinite term of employment and right of and procedure for his removal, prescribing the powers and duties of the City Manager, providing he shall perform all duties prescribed by the Council, providing the Council shall not direct or request appointment of any person by the Manager, and fixing a penalty, providing for investigation of any Department or Office, prohibiting Boards, Commissions and Authorities, except Library, Civil Service and Planning Commission; creating Law, Finance, Police, Fire, Public Works, Public Health and Parks and Recreation Departments, providing for a Director of each to be appointed by the City Manager, prescribing the qualifications of Directors and the Duties of each Department, and repealing existing Charter provisions.

YES_____ NO_____

PROPOSITION NINE.

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Establishing a Planning Commission of Five members appointed by the City Council, fixing compensation, prescribing a Chairman, fixing terms of office, prescribing duties and responsibilities of the Commission, prescribing the Council shall prepare a master plan for City development, providing the City Council may approve or reject recommendation, and providing for hearings by the Commission and by the Council.

YES_____ NO_____

PROPOSITION TEN.

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Providing for the recall of elective officials by petition of ten per cent of voters voting at the last preceding regular municipal election, prescribing the form of petition for recall and the arrangement thereof, for the filing of the petition with the City Clerk and certification to the Council, permitting amendment of recall petitions by supplementary petitions, providing for recall elections, prescribing the form of ballots for use therein, the certification of the result thereof, and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION ELEVEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Creating a Corporation Court with the powers prescribed by the laws of Texas, providing for a Judge of such Court, to be elected by the City Council, prescribing his qualifications, fixing an indefinite term, providing the Mayor may appoint an Acting Judge, providing for a Clerk or Clerks of the Court appointed by the City Manager, for representation of the city by members of the Law Department, providing additional Judges or Courts may be established, and repealing certain sections of the present Charter regulating such matters.

YES_____ NO_____

PROPOSITION TWELVE.

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Creating a municipal Civil Service, providing it shall apply to all appointive officers and employees, except certain officials, Boards, Commissions and Committees, except policemen, firemen, employees of Water Works and Electric and Gas Systems, while operating under trust indentures, providing that present officers and employees serving for six months after effective date of the amendment shall be subject to all Civil Service provisions, crating a municipal Civil Service Commission of three members appointed by the City Council, fixing their terms of office, prescribing their qualifications and compensation, and prescribing their powers and duties, creating the office of personnel director appointed by the City Manager, prescribing his duties and powers, providing for competitive examination, for the keeping of a roster of employees, the making of a recommendation for a classification plan to be approved by the City Council, the making of a pay plan prior to each fiscal year, the certification of employees to the Department of Finance, the certification of perons eligible for employment, the establishment of probationary periods, the making of personnel rules and their adoption by the Council, providing for suspension, reduction and removals of employees and hearings thereon by the Commission, prohibiting the entering into contracts for personal services on behalf of the City, providing for furnishing of records and information to the Personnel Director, the giving of official bonds and providing the powers and duties of the Commission and Director of Personnel shall not be diminshed or assigned, requiring appropriation of sufficient funds to continue the personnel provision, providing no person shall be discriminated against because of race, political or religious opinions, authorizing establishment of a municipal retirement system and repealing certain sections of the present Charter regulatng such matters.

YES____ NO_____

PROPOSITION THIRTEEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Continuing all present Ordinances in effect, providing for the form and manner of introducing and passing future Ordinances and resolutions and fixing an effective date therefor and requiring a record to be make thereof, providing for publication of penal Ordinances and repealing certain sections of the Charter regulating such matters.

YES____ NO_____

PROPOSITION FOURTEEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Defining and regulating the granting of franchises, authorizing the City Council to grant franchises for use of public places, in furnishing public utility services, for a term not to exceed twenty-five years, to be granted only by Ordinance, prescribing that franchises shall be continued on the furnishing of proper service under City regulation and inspection, with right to fix rates and right of revocation after five years of purchase at net capital investment, prohibiting transfer of franchise without approval of the Council, providing for a Valuation Board of three members, its method of selection and its duties, providing for annual revision of rates, creating a Supervisor of Public Utilities appointed by the Council, prescribing his duties, and authorizing purchase by the City of any privately owned public utility or condemnation of same, and repealing certain sections of the present Charter regulating such matters.

YES____ NO____

PROPOSITION FIFTEEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Fixing a fiscal year, to begin on the 1st day of October and end on the last day of September, and providing an interim fiscal period from June 1, 1951 to September 30, 1951; prescribing the city budget for each fiscal year and an interim budget, providing for the form of the budget, for its preparation and adoption, for the transfer of unexpended appropriations, for the withdrawal of money only pursuant to an annual appropriation ordinance, providing for a City Depository or Depositories, for an Assessor and Collector of Taxes, and for the assessment thereof, as of January 1 of each year in like manner as State and County taxes, for the preparation of tax rolls, tax receipts, requiring the Assessor and Collector to collect all ad valorem, occupational, license, fees and dues, authorizing the City Council to levy and collect ad valorem property taxes authorized by Art. XI, Sec. 5, of the Constitution and the general laws of Texas, providing for taxes by Improvement District not to exceed twenty-five cents annually, authorizing the levy and collection of interim taxes from May 31, 1951, to October 1, 1951, authorizing the Council to levy and collect license fees on persons and occupations, providing for the giving of notice prior to passage of any ordinance imposing a tax or license fee, authorizing the Council to prescribe penalties for nonpayment, providing for the manner of levy, collection and assessment of taxes and as provided by the laws of Texas, for state and counties, providing for a Board of Equalization of three members appointed by the Council, prescribing the duties of the Board, authorizing occupation taxes, providing that ad valorem taxes shall be due in two equal installments, the first on October 1, and the second on April 1, of each year, providing penalties on delinquent taxes, providing for tax liens, prohibiting any purchases exceeding $1,000.00 without written contract on competitive bidding, authorizing the issuance of bonds and borrowing of money upon election, providing for a sinking fund, authorizing the issuance of bonds by Improvement Districts, authorizing borrowing for current purposes, prescribing an annual independent audit of City records, and repealing certain provisions of the existing Charter regulating such matters.

YES____ ____

PROPOSITION SIXTEEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Establishing San Antonio Public Library, a Board of seven Trustees therefor, prescribing their terms of office and providing for an annual levy of taxes of not less than six cents fer $100.00 valuation in support thereof, and repealing certain existing Charter provisions regulating such matters.

YES____ NO_____

PROPOSITION SEVENTEEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Authorizing rearrangement and renumbering of all articles, sections and paragraphs of the City Charter.

YES____ NO_____

PROPOSITION EIGHTEEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Providing that the Charter of the City of San Antonio be amended to provide for a Council-Manager form of government with a seven-member Council consisting of a Mayor and six Councilmen elected at large and a City Manager employed by the Council, the distribution of appointive power and other powers and duties between the Council, the City Manager and six administrative departments and City personnel, and to repeal provisions of the Charter to effect such purpose.

YES_____ NO_____

PROPOSITION NINETEEN

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Shall Section 1 of the existing Charter be amended by eliminating and striking therefrom the following: "providing that the City shall not sell the present 'sewer farm', containing about five hundred and thirty acres, nor rent or lease the same for any purpose for a term exceeding one year, at any one time; provided, however, that said 'sewer farm," or any part thereof, may be subdivided into lots to be used or sold by the City for cemetery purposes only."

YES____ NO_____

PROPOSITION TWENTY

Shall the proposed amendment to the charter be adopted, the substance of which is as follows:

Authorizing the City to acquire, construct, own, maintain and lease one or more automobile parking stations, elevated, surface or sub-surface, and to charge tolls and fees for the use of such facilities; that the right described herein be declared to be as a public right and use and such facilities constitute a public utility.

YES____ NO_____

26. The board of Commissioners of the City of San Antonio do determine hereby that voting machines shall be used for the casting of votes and of absentee votes at this election, and that a voting machine shall be placed in the office of the City Clerk, and the City Clerk or any Assistant City Clerk is charged as the person with authority to hold such election; all in the manner made and provided by the Statutes of the State of Texas on the subject.

27. That said election shall be held within the City of San Antonio, and in each and all of the various election precincts thereof, variously located in each of the several wards of said City, as said election precincts are now fixed and established; and said election herein ordered shall be held during the hours required by law and at the place in each such respective election precincts set opposite the number of each precinct, in the following table, to-wit:

PRECINCT

1. Navarro School, 623 South Pecos Street
2. Briscoe School, 2015 South Flores Street
3. Burbank School, 1002 Edwards Street
4. Hillcrest School, 211 West Dittmar Street
5. Morrill Ward School, 5200 South Flores Street
6. Huff Avenue School, 115 East Huff Avenue
7. Harlandale High School, West Huff Avenue
8. Stonewall Elementary School, Stonewall Street and Commercial Avenue
9. Fire Station No. 25, Dwight Avenue
10. Graebner School, 530 Hoover Street
11. Collins Gardens School, 167 Harriman Place
12. Johnson School, 1811 South Laredo Street
13. Sidney Lanier High School, 1514 Durango Street
14. Crockett School, 2814 West Commerce Street
15. J. T. Brackenridge School, 1214 Guadalupe Street
16. Edgewood School, 525 Cupples Road and Ceralvo Street
17. Barclay School, 1112 South Zarzamora Street
18. De Zavala School, 2418 Durango Street
19. San Antonio Tech High School, 637 Main Avenue
20. Bowie School, 439 Arbor Place
21. Margile School, 1319 Morales Street
22. Dunbar School, 1723 Ruiz Street
23. Ogden School, 2215 Leal Street
24. Coronado School, San Fernando and San Dario Streets
25. August's Place, 3800 Culebra Avenue
26. Fenwick School, 1930 Waverly Avenue
27. Nelson School, Waverly and North Elmendorf Street
28. Lockett's Drug Store, 1851 West Poplar Street
29. Eleanor Brackenridge School, 831 Brooklyn Avenue
30. Fire Station No. 4, 301 Camden Street
31. Hawthorne School, 127 West Josephine Street
32. McKinley Elementary School, 400 East Magnolia Avenue
33. San Pedro Playhouse, San Pedro Park
34. Fire Station No. 6, 503 West Russell Place
35. Mark Twain School, 2411 San Pedro Avenue
36. Beacon Hill School, 1411 West Ashby Place
37. Woodlawn School, 1717 West Magnolia Avenue
38. Cotton School, 1616 Blanco Road
39. Fire Station No. 17, 947 West Gramercy Place
40. Fire Station No. 19, 1911 West Hildebrand Avenue
41. Thomas Jefferson High School, 723 Donaldson Avenue
42. Benjamin Franklin School, 1915 Olmos Drive West
43. Woodrow Wilson School, 1421 Clower
44. Fire Station No. 1, 801 East Houston Street
45. Fannin School, 1931 East Houston Street
46. Elizabeth Tynan School, 925 Gulf Street
47. Wheatley School, 415 Harrison Street
48. Robert E. Lee School, 700 Lamar School
49. Fire Station No. 5, 1011 Mason Street
50. Milam School, 1103 Austin Street
51. Lamar School, 201 Parland Place
52. Alamo Stadium
53. Will Rogers School, 620 Maplewood
54. Austin Highway Lumber Company, Austin Highway
55. San Antonio Municipal Airport Administration Building
56. San Antonio Junior College, 435 South Alamo Street
57. Salvation Army, 801 Wyoming
58. Smith School, 823 South Gevers Street
59. St. Phillips Junior College, 2120 Dakota Street
60. Poe School, Cooper and Aransas Streets
61. Douglas School, 318 Nebraska Avenue
62. Victoria Courts Office, 400 Labor Street
63. Bonham School, 925 South St. Mary's Street
64. Brackenridge High School, 1623 South St. Mary's Street
65. Highland Park School, 2011 South New Braunfels Avenue
66. Steele School, Haggin and South New Braunfels Avenue
67. Fire Station No. 20, 2903 South New Braunfels Avenue

68. Page School, 401 Berkshire Avenue
69. Riverside Park School, 202 School Street
70. Hot Wells School, 400 Hot Wells Boulevard
91. Consolidated with Precinct No. 122,-Browne's Automotive Service Garage, 1832 Basse Road at West Avenue
103. Consolidated with Precinct No. 123 - Field Office of Allena Village, N. W. Corner Blanco & Basse Road
107. Consolidated with No. 66, - Steele School, Haggin and South New Braunfels Avenue
113. Consolidated with Precinct No. 66, Steele School, Haggin and South New Braunfels Avenue
118. Gerald Avenue School, Gerald Avenue and Pleasanton Road
119. South Cross School, Southcross Boulevard
120. Rayburn Drive School, Rayburn Drive and Commercial Avenue
121. San Jose School, Pleasanton Road and Harding Boulevard
122. Browne's Automotive Service Garage, 1832 Basse Road at West Avenue
123. Field Office of Allena Village, N.W. Corner Blanco & Basse Road
124. Field Office of Lee & Orts, S. W. Corner Blanco Road and La Manda Boulevard (Formerly San Angelo Boulevard)

28. The City Clerk is hereby directed to publish this ordinance in full in some newspaper published in San Antonio, Texas, one time at least 30 days before the election and shall mail a copy of all of the proposed amendments to every qualified voter in the City of San Antonio whose name appears on the rolls of the Tax Collector of Bexar County for the year ending January 31, 1950, at least 30 days before said election.

29. PASSED AND APPROVED this day of A.D. 1950.

MAYOR.

ATTEST:

City Clerk.

approved this ordinance was not [illegible] by the Mayor. JFG

March 27th, 1950. This Ordinance was passed over the veto of the Mayor by the following vote Ayes, Commissioners Davis, Hein, Knight and South, Nay, Mayor White.

J. Frank Gallagher
City Clerk.

MAR 27 1950 11564

AN ORDINANCE ORDERING AN ELECTION
TO BE HELD ON MAY 9, 1950, TO
AMEND THE CHARTER OF THE CITY OF
SAN ANTONIO AND TO ADD CERTAIN
SECTIONS THERETO.

Commissioners Meeting Mar 16 1950

Read ~~and referred to~~ Passed by following vote, Cmrs Davis, Hein, Knight & Smith; Mayor White not immediately approved by the Mayor

J. Frank Gallagher
City Clerk

Mar 18 - Vetoed by Mayor White - see letter attached

J. Frank Gallagher
City Clerk

MAR 27 1950

Commissioners Meeting Mar 27 1950

~~Read and referred~~ Passed over the veto of the Mayor, Cmrs Davis, Hein, Knight, & Smith. Mayor White

J. Frank Gallagher
City Clerk

Ord Book T PAGE 585

March 18, 1950.

To the Board of Commissioners,
City of San Antonio.

Sirs:

Under the authority vested in me by Section 26 of the Charter of the City of San Antonio, I hereby notify you that I disapporve the Election Ordinance passed by this body on March 16, 1950, calling for an election for May 9, 1950, and I hereby veto said ordinance.

In compliance with the charter requirement that I specify my objections thereto in writing, please be advised that my objections are as follows:

1. In spite of the decision of the court on yesterday, I am still of the opinion that the Commissioners by their actions have nullified the right of petition on the part of the people by failing to submit the exact amendments as such proposed by the petitioners.

2. The Commissioners could even now change the effective dates of these amendments so that they would become effective this year instead of next, but they have declined to do so.

3. Because I believe that one of the fundamental principles of our form of government is at stake, I am therefore compelled to veto this ordinance.

A. C. White, Mayor.

FILED IN MY OFFICE
this 18 day of March A. D. 1950
Sue Ann Wasson
City Clerk
at - 11:15 A.M.

Davis

VOTE

Meeting of the City Commissioners MAR 16 1950, 194

Resolution / Ordinance } Motion by Commissioner

11,564

	Roll Call	Aye	Nay	Aye	Nay
A. C. WHITE [redacted] Mayor			X NO		
C. RAY DAVIS Commissioner of Taxation		✓			
HENRY F. HEIN Commissioner of Sanitation		✓			
JAMES W. KNIGHT Commissioner of Streets, etc.		✓			
RAYMOND SOUTH Commissioner of Fire and Police		✓			

Election

This ordinance not at once signed by mayor but delivered to him for study and later signature or veto.

VOTE

Davis
Hein

Meeting of the City Commissioners 3/27, 1950, 194

Resolution / Ordinance } Motion by Commissioner

Resolution passes over the veto of the Mayor.

A. C. WHITE	Roll Call	Aye	Nay	Aye	Nay
[redacted] Mayor			No		
C. RAY DAVIS Commissioner of Taxation		✓			
HENRY F. HEIN Commissioner of Sanitation		✓			
JAMES W. KNIGHT Commissioner of Streets, etc.		✓			
RAYMOND SOUTH Commissioner of Fire and Police		✓			

South makes statement giving reasons for voting for veto. Commissioners voted to call — action vetoed by the Mayor — City of Jeffersonville supporting 13 amendments.