

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

THURSDAY, JUNE 29TH, A.D.1922, 4 P.M.

PRESENT: Honorable O. B. Black, Mayor, presiding, and Commissioners Pfeiffer, Riedan, Lambert, Wright.

Minutes of previous meeting were ordered approved.

---MEMORIALS AND PETITIONS---

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

Harry E. Clark, for correction of assessment:
W.M. Stephensen, for refund of taxes.
Ben Baccus, requesting cancellation of taxes.
W.W. McAllister, for cancellation of taxes.

The following petitions were read and referred to Commissioner of Fire and Police:
Petition to have C.A. Booker appointed a City Detective.
Tex. Fast Motors Lines, for permit to hang awning.

Petition of citizens to remedy condition of stagnant pool of water on Cameron Street was read and referred to Commissioner of Sanitation, etc.

Petition of A.P. Ward, requesting that the City pay for paving of street across Bowens Island, was read and referred to the City Attorney.

Commissioner Wright made the following recommendations, which were adopted:
For arc light at Jones Avenue and East French Place, granted.
J.W. Minear, for permit to erect drive-in-filling station, granted.
W.A. Parker, Co. for permit to erect electric sign 324 W. Commerce St. granted.

Commissioner Pfeiffer made the following recommendations, which were adopted:
~~Citizens of Tobin Hill requesting that Evergreen Street be opened.~~

H.F. Gibson, for correction of assessment, not granted.
P.C. Woods, for cancellation of taxes, granted.
Grayburg Oil Co. for refund of taxes, not granted.
Ernest M. Groos, for correction of assessment and refund, not granted.
Mexican Christian Institute, to have car exempted from taxation, not granted.
Roques George, for cancellation of assessment, granted.
Arcadio Garza, for correction of assessment, granted.
N.H. Howard, for remission of taxes, not granted.
Mrs E.E. Gabbart, for correction of assessment, not granted.
Two Republics Life Ins. Co. for cancellation of taxes, not granted.
J.J. Gemblar, for refund of taxes, not granted.
Grace Lutheran Sanitorium, for exemption from taxation, not granted.

Petition of Geo. Surkey requesting the City to reimburse him for services rendered, was again taken up, and action postponed.

In the matter of the petition of the citizens of Tobin Hill requesting that Evergreen Street be opened, the City Engineer recommended that if the citizens would donate the necessary land that the City grade and macadamize the street and lay a sewer therein. adopted.

The following resolutions were introduced by Commissioner Rieden and read and adopted:

RESOLUTION

Approving plans, specifications, profiles, etc., filed by the City Engineer for the improvement of Woodward Place street, directing advertisement for bids.
(For full text of this resolution see Street Improvement Records vol. 10, page 540)

RESOLUTION ORDERING STREET IMPROVEMENTS

Woodward Place, from Dwyer Ave. to San Antonio River.
(For full text of this resolution see Street Improvement Records vol. 10, page 541)

RESOLUTION

Accepting the paving constructed by the Uvalde Rock Asphalt Company on Clinton Avenue from McCullough, 650 feet east.
BE IT RESOLVED by the Commissioners of the City of San Antonio, that, the City of San Antonio does hereby accept the paving constructed by the Uvalde Rock Asphalt Company on Clinton Avenue, from McCullough Avenue, 650 feet east, with no skips, and the street is hereby accepted in accordance with certificate of the City Engineer, dated June 29th, 1922, and filed with the Board of Commissioners on the 29th day of June, 1922.
(Certificate of the City Engineer attached)

RESOLUTION

Accepting the paving constructed on Jones Ave. between Kendall and Laver Street, by the Uvalde Rock Asphalt Co.
BE IT RESOLVED by the Commissioners of the City of San Antonio, that, does hereby accept the paving constructed by the Uvalde Rock Asphalt Company on Jones Avenue between Kendall and Laver Street and the same has been accepted in accordance with certificate of the City Engineer, dated June 29th, 1922, and filed with the Board of Commissioners, June 29th, 1922.
(certificate of the City Engineer attached)

Bids for paving Iowa Street, Pine Street and Fredericksburg Road, were opened and referred to City Engineer .

Bid of Roayal Typewriter to furnish typewriter to Police Dept. was accepted.

The following ordinances were introduced by Commissioner Rieden and were read and adopted by the following vote on roll call to-wit: Ayes, Black, Pfeiffer, Lambert, Rieden, Wright.
No. 78

AN ORDINANCE

Appropriating \$176.00 to pay Uvalde Rock Asphalt Co.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$176.00 be and the same is hereby appropriated out of the 1922 General Fund, Street Commissioners Dept, to pay Uvalde Rock Asphalt Co. for surface treatment of macadam surface on Peach Street, between Carolina St. and Indiana Street.

ME-593

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No. 76

AN ORDINANCE

Appropriating \$4000.00 to pay Uvalde Rock Asphalt Company.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$4000.00 be and the same is hereby appropriated out of the 1922 General Fund (Street Com. Dept.) to pay Uvalde Rock Asphalt Company for macadamizing parts of Agarita Avenue, Mulberry Avenue, and Breeden Avenue.

- 595

No. 80

AN ORDINANCE

Appropriating \$657.22 to pay McKenzie Cons. Co.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$657.22 be and the same is hereby appropriated out of the 1922 General Fund St. Com. Dept. to pay McKenzie Construction Co. for stripping gravel pit at Lady of the Lake.

- 596

No. 81

AN ORDINANCE

Appropriating \$490.00 to pay Paul Hansen.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$490.00 be and the same is hereby appropriated out of the 1922 General Fund (St. Com. Dept.) to pay Paul Hansen for stripping Parker Gravel Pit.

- 597

No. 85

AN ORDINANCE

Appropriating \$75.00 for pay Ferd Staffel for private sewer on Pine Street.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of Seventy-five dollars, be and is hereby appropriated out of the 1922 General Fund, Street Commissioner's Department, to pay Ferd Staffel balance due on private sewer constructed by him on North Pine Street, between Burleson and Nolan Street, which becomes necessary on account of the paving of this street.

- 598

No. 86

AN ORDINANCE

Appropriating \$39.00 to pay Anton Eiserloh for private sewer on Pine Street.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of Thirty-nine dollars, be and is hereby appropriated out of the 1922 General Fund, Street Commissioner's Department, to pay Anton Eiserloh the balance due on private sewer constructed by him on North Pine Street, between Dawson and Nolan Street, which becomes necessary on account of paving of this street.

- 599

No. 87

AN ORDINANCE

Appropriating \$57.50 to pay Louis Balde Sarella for private sewer on Pine Street.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of Fifty-seven and 50/100 dollars, be and is hereby appropriated out of the 1922 General Fund, Street Commissioner's Department to pay Louis Balde Sarella, the balance due on private sewer constructed by him on Pine Street, from Dawson to Florence Street, which becomes necessary on account of paving of this street.

- 600

No. 88

AN ORDINANCE

Appropriating \$115.00 to pay Mrs. McKenzie for private sewer on Pine Street.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of One hundred fifteen and no/100 dollars, be and is hereby appropriated out of the 1922 General Fund, Street Commissioner's Department to pay Mrs. McKenzie, the balance due on private sewer constructed by her on Pine Street, near Carson Street, which becomes necessary on account of paving this street.

- 601

No. 89

AN ORDINANCE

Appropriating \$300 for sewer line on E. Huisache Ave. from Carleton Court to 400 feet west.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of Three hundred (\$300.00) dollars, be and is hereby appropriated out of the 1922 General Fund, Street Commissioner's Department as the City's contribution towards the cost of laying a six inch (6") sewer line to be constructed on the north side of East Huisache Avenue, from Carleton Court to a point approximately four hundred feet (400') west.

- 602

No. 77

AN ORDINANCE

Appropriating \$25.41 to pay A. A. Simpson.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$25.41 (the San Antonio School Boards proportion being \$7.70) be and the same is hereby appropriated out of the 1921 General Fund to pay A. A. Simpson account of erroneous assessment and collection of taxes.

- 603

No. 76

AN ORDINANCE

Appropriating \$25.05 to pay W. T. Beard.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$25.05 be and the same is hereby appropriated out of the 1921 General Fund to pay W. T. Beard taxes assessed and collected. (The San Antonio School Boards proportion being \$7.50).

The following ordinances were introduced by Commissioner Pfeiffer and were read and adopted by the following vote on roll call to-wit: Ayes, Black, Pfeiffer, Lambert, Rieden, Wright.

ME-604

No. 75

AN ORDINANCE

Appropriating \$14.28 to pay Mrs. M. Muench.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$14.28 (the San Antonio School Boards proportion being \$4.20) be and the same is hereby appropriated out of the 1921 General Fund to pay Mrs. M. Muench taxes collected in error.

- 605

No. 74

AN ORDINANCE

Appropriating \$8.39 to pay C. W. Murray.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the following sums of money be and the same are appropriated out of the hereinafter named funds to pay C. W. Murray taxes collected in error, to-wit:

1919 General Fund	\$4.02
1929 " "	4.37

(San Antonio School Boards proportion being \$2.40)

- 606

No. 73

AN ORDINANCE

Appropriating \$3.85 to pay Glen E. Lemasters.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$3.85 be and the same is hereby appropriated out of the 1921 General Fund (the School Boards proportion being \$1.15) to pay Geo. Lemasters taxes collected in error.

The following resolution was introduced by Commissioner Lambert and adopted by the following vote on roll call to-wit: Ayes, Black, Lambert, Rieden, Wright, Nay, Pfeiffer.

RESOLUTION

Designating Site for Annex to City Market, and providing for remodeling of present Market House.

Be it Resolved by the Commissioners of the City of San Antonio:

That the Annex to the present City Market House be placed upon the vacant plazas adjoining the said market house on the east and west and that said annex be made in accordance with plans to be approved by the Commissioners of the City of San Antonio; and that the architects be instructed to proceed with the construction thereof.

The following ordinances were introduced by the Mayor and read and adopted by the following vote on roll call to-wit: Ayes, Black, Pfeiffer, Lambert, Rieden, Wright.

- 607

No. 83

AN ORDINANCE

Appropriating the sum of \$125.00 to cover pay roll of G. W. Robinson, for month ending June 30th, 1922.

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

SECTION ONE: That the sum of \$125.00 be and the same is hereby appropriated out of the 1922 General Fund to cover pay roll of G. W. Robinson for month ending June 30th, 1922.

- 608

No. 82

AN ORDINANCE

Appropriating \$38.00 to pay Sanitary Co.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$38.00 be and the same is hereby appropriated out of the 1922 General Fund to pay Sanitary Company for cutting and clearing weeds and brush from 19 lots, ordered by Health Dept. as per list attached.

- 609

No. 84

AN ORDINANCE

Appropriating \$62.46 to reimburse Incidental Expense account of City Clerk.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$62.46 be and the same is hereby appropriated out of the 1922 General Fund to reimburse the Incidental Expense Account of the City Clerk, to-wit:

City Hall Dept. (City Clerk)	\$30.35
Engineers Dept.	22.36
Clinic Dept.	5.48
Street Com. Dept.	4.27

- 610

No. 72

AN ORDINANCE

Appropriating \$10.00 to pay J.F. Fischer District Clerk Guadalupe Co.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of Ten Dollars or so much thereof as may be necessary, be and is hereby appropriated out of the 1922 General Fund to pay J. F. Fischer District Clerk Guadalupe Co. as per itemized invoice now on file.

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No. 70

AN ORDINANCE

Appropriating \$10.00 to pay Thos. Traveso.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$10.00 be and the same is hereby appropriated to pay Thos. Traveso account fine ordered remitted by the Mayor, 1922 General Fund.

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No. 71

AN ORDINANCE

Appropriating \$56.65 to pay J. J. Grissom.

BE IT ORDAINED by the City Commissioners of the City of San Antonio, that, the sum of \$56.65 be and the same is hereby appropriated out of the 1922 General Fund to pay J. J. Grissom balance due for one mule sold from City Pound.

Animal sold for	\$62.50
Pound charges	5.85
	<u>\$56.65</u>

Commissioner Rieden introduced the following resolutions, which were read and adopted:

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvements to be constructed on Burnett Street with attached documents. (Hackberry to Pine)
(For full text of this resolution-see Street Improvement Records, Vol 10. page $\sqrt{21}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvements to be constructed on Cumberland Road with attached documents. (Somerset Road to Frio City Road.
(For full text of this resolution see Street Improvement Records, Vol 10. page $\sqrt{29}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvements to be constructed on Pine Street with attached documents. (Nolan to Grayson Sts.)
(For full text of this resolution see Street Improvement Records, Vol 10, page $\sqrt{50}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvements to be constructed on Martinez Street with attached documents. (Garden to Alamo Sts.)
(For full text of this resolution see Street Improvement Records, Vol 10, page $\sqrt{25}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvements to be constructed on Grand Avenue with attached documents. (Austin to Ave. C.)
(For full text of this resolution see Street Improvement Records, Vol 10, page $\sqrt{37}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvements to be constructed on Lamar Street with attached documents. (~~Lamar~~ to Walnut Sts. *Fo*)
(For full text of this resolution see Street Improvement Records, Vol 10, page $\sqrt{33}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvement to be constructed on Pine Street with attached documents. (Commerce to Nolan Sts.)
(For full text of this resolution see Street Improvement Records, Vol 10, page $\sqrt{17}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to improvements to be constructed on Howard Street with attached documents. (West Euclid to W. Poplar St)
(For full text of this resolution see Street Improvement Records, Vol 10, page $\sqrt{59}$)

RESOLUTION

Approving report and roll filed by City Engineer with reference to the improvements to be constructed on Burnett Street with attached documents. (Pine to New Braunfels)
(For full text of this resolution see Street Improvement Records, Vol 10, page $\sqrt{13}$)

Hearing of property owners interested in the improvement of Davis Court, River Ave to New Braunfels Ave.; and of N. New Braunfels Ave. Carey Ave, to Burr Road, were held.
(For full particulars see Record of Hearings, ~~XXXXX~~ pages 2 and 4.)

An ordinance ordering an election for the purpose of submitting certain amendments to the Charter of the City was again brought up.

Commissioner Wright submitted the following amendment to Sec. 106, to be inserted after the word "charter": "or unless such levy be made to satisfy a judgment rendered against the City by some court of competent jurisdiction", which was adopted by the following vote on roll call, to-wit: Ayes, Black, Pfeiffer, Lambert, Rieden, Wright.

Commissioner Wright submitted the following amendment to paragraph 4 Section 106 to read as follows: The Board of Commissioners shall be authorized to subscribe the manner of giving such notice, which may be by publication. The amendment was adopted by the following vote on roll call, to-wit: Ayes, Black, Lambert, Rieden, Wright, Nay, Pfeiffer.

Commissioner Wright submitted the following amendment to Section 139 to read as follows: "opening, extending, widening, narrowing and straightening", which was adopted by the following vote on roll call, to-wit: Ayes, Black, Pfeiffer, Lambert, Rieden, Wright.

Commissioner Wright submitted the following amendment to paragraph 6, Section 139: provided that when assessments are made for benefits in the territory benefitted, the proximity of the property to the improvements made, its area and location, and other circumstances affecting the benefits, may be considered, as well as the frontage of such property, in determining the apportionment of benefits and costs to be assessed; and the Board of Commissioners shall have power to provide by ordinance all such lawful rules for determining such benefits and assessments in the territory profited as may not be in conflict with the provisions of this charter.

The ordinance as amended was then approved and ordered published by the following vote on roll call, to-wit: Ayes, Black, Pfeiffer, Lambert, Rieden, Wright.

NOTICE

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

AN ORDINANCE

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

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

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City of San Antonio, THEREFORE

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

That an election be, and the same is hereby ordered to be held, at which election the following propositions shall be submitted:

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

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

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

ARTICLE IV.

C I V I L S E R V I C E

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

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

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

Paragraph 4: All persons desiring to be appointed to positions or employments by the City of San Antonio, except such positions or employments stated in paragraph 5 hereof, shall file written applications with the Civil Service Commission, in such form and manner as may be provided for by such Commission, and shall appear before such Commission and submit to and stand such mental and physical examinations as may be required by such Commission, touching the qualifications and fitness of such applicants for the positions or employments sought by such applicants. The examinations of all applicants are to be made in an impartial manner by such Commission, and all applicants shall be graded upon such examinations according to the rules promulgated and adopted by such Commission, and a list of the names of such persons, together with the grades made by them, shall be certified by said Commission to the Commissioner of the City of San Antonio in whose department such applicants are seeking positions or employment, provided that no person making an average grade below seventy per cent shall be eligible to be placed upon said list. Such Commissioner shall resort to said list in making appointments to positions and in giving employment in his department, and shall give preference to the applicants who have the best grades, as shown by the list so furnished by said Civil Service Commission, Provided, that the Commissioner making the appointment or giving the employment may appoint or employ either of the three persons having the highest grades, as shown by said list, and provided, however, that seniority shall prevail in all departments. When two or more persons have the same grade, the Commissioner in whose department they are seeking positions or employment, shall exercise his discretion as to which of said applicants he appoints or employs. In case there is no list of available applicants for positions, or when such list of applicants shall have been exhausted, the Commissioner shall have the right to appoint or employ any person in his department, without regard to such list. It shall be the duty of said Civil Service Board to promulgate, adopt, publish and apply rules covering the requirements and qualifications of all applicants for appointments to positions or employment in the department concerned, excepting applicants for the several positions or employments mentioned in paragraph 5, and provided that the Board may classify the various positions or employments in the departments, and shall adopt uniform tests and requirements for all applications within each such class, and that a score of ten points shall be allowed all applicants who are now in the employ of the City.

Paragraph 5: The following officers and employees shall not be required to submit to

nor stand examinations herein provided for, and shall not be subject to the provisions hereof:

All elective officers
 The City Attorney and his assistants
 The City Health Officer
 The City Auditor
 The City Purchasing Agent
 The Chief of the Fire Department
 The Chief of Police
 The City Electrician
 The City Building Inspector
 The Park Superintendent
 The City Fire Marshal
 The Garbage Superintendent
 The City Engineer
 The Superintendent of the Street Cleaning Department
 The Chief Deputy Assessor
 The Plumbing Inspector
 The Chief Deputy Collector
 The Market Master

Day laborers whose employment is for less than 30 days

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

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

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

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

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

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

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

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

"Section 66: To provide funds for the maintenance of the Carnegie Library in said City and any branches thereof that may be established in said City by the Board of Trustees of said Carnegie Library, and the Board of Commissioners shall annually levy a tax of not less than two (2) cents on the one hundred dollars of the assessed taxable values of the City and not more than three (3) cents on the one hundred dollars of the assessed values of the City, and said fund shall be protected for the use of said Library and the branches thereof in the same manner as the interest and sinking fund for the benefit of the bonded debt is protected by law. Said Library and branches and the expenditure of the fund arising from such taxation to be under the control and management of the Trustees of the said Carnegie Library."

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

"Section 110: Paragraph 1: The Board of Commissioners shall have the power, by ordinance, to direct the deposit of all money of the City in any bank, banks or trust

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

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

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

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

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

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

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

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

Paragraph 5: The Board of Finance shall elect its own chairman. Three members of said Board of Finance shall constitute a quorum for the transaction of business; but the affirmative vote of three of its members shall be requisite to authorize any such contracts or expenditures. The City Clerk shall be the Clerk of the Board of Finance and shall keep and enter minutes of its proceedings along with the minutes of the Board of Commissioners for each such meeting; and the action and minutes of said Board of Finance shall be evidenced and verified by the signature of its chairman affixed to such minutes."

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

"Section 137: The Commissioners of the City of San Antonio shall have the power, by ordinances duly enacted, to open, extend, straighten or widen any public street, alley, avenue or boulevard within the city limits of the city of San Antonio, and for such purpose shall have the power to acquire the necessary lands, and to appropriate the same under the power of eminent domain, and to provide that the cost of improving any such street, alley avenue or boulevard by opening, extending and widening the same, shall be paid by the

owners of the property specially benefitted, whose property lies in the territory of such improvement, and to provide that the entire cost shall be charged by special assessment, and that a personal charge shall be made against any owner for the amount due by him, and to provide for the appointment by the County Judge or other officer exercising a like or similar powers, of three special commissioners for the purpose of condemning said lands, and for the purpose of apportioning the said cost which apportionment of said costs shall be specially assessed by the commissioners of the City of San Antonio, by ordinance, against the owners and the specially benefitted in enhanced value by said special commissions. The city shall apy such portion to such costs as may be determined by said special commissioners, provided the same shall never exceed one-third the cost, and the property owners and their property shall be liable for the balance of the same, as may be apportioned by said commissioners. That the City of San Antonio may issue assignable certificates for the payment of any such cost against such property owners and may provide for the payment of any such cost in deferred payments, to bear interest not to exceed eight per cent per annum."

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

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

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

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

The word "Highway" as used herein shall include streets, allyes, public places, squares, avenues or boulevards in the City.

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

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

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

Paragraph 3: No assessment shall be made against the owners of abutting property or their property, or owners of railroads or street railroads or their property, without at least ten days written notice and an opportunity to be heard on such question of special benefits given to the owner or owners of such property, lien-holders and interested parties, provided that such notice may be served either personally or by publication in some newspaper of general cirulation published in the City of San Antonio; and the names of said owners and other interested parties and description of said property need not be specifically set out in said notice. The Board of Commissioners shall have power to give other and additional notice, in its discretion, but a published notice shall be sufficient and binding upon said owners, lien holders and other interested parties.

At said hearing said owners, lien holders and other interested parties shall have the right to contest in writing said assessments and to produce testimony and summon witnesses in support of such contests, and the Board of Commissioners shall,

after said hearing, determine the amount, if any, to be assessed and make said assessments by ordinance.

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

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

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

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

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

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

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

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

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

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

Whenever, in the opinion of the Board of Commissioners, any error, mistake or invalidity exists in any proceedings with reference to said improvements or assessments, it shall correct said error or mistake or invalidity, and it shall have power to re-assess said property and the owner thereof with reference to which same exists; and it shall be its duty to do so when requested by the person or persons entitled to compensation for making said improvement, or a holder of an assignable certificate issued therefor. Such re-assessment shall be made after notice and hearing as herein provided and not in excess of benefits in enhanced value of the property assessed, and otherwise as near as possible in accordance with the provisions with reference to original assessments. After such re-assessments the City shall have the power to issue assignable certificates, evidencing the same, as hereinbefore provided, which may be payable in deferred installments with interest, costs and attorneys fees as herein provided with reference to original assessments, the last maturing not over five years from date of said re-assessment, and the terms and conditions of said certificates shall, as near as possible, comply with the provisions hereof relating to original assessments and certificates. No re-assessment shall be made unless proceedings therefor are begun within three years from the date of the original assessment provided that if the validity of any assessment shall be involved in litigation, the period of time consumed therein shall not be considered in computing said three years. The Board of Commissioners shall have power to adopt rules, regulations and ordinances not inconsistent herewith for the purpose of carrying into effect every part of this Section, and to effect said assessments and re-assessments.

Paragraph 8: In any suit brought for the enforcement of an assessment, re-assessment or personal liability, the allegation in the petition or pleadings that all proceedings with reference to making such improvements have been regularly had in compliance with law, and that all prerequisites to the fixing of the assessment lien upon the property assessed, and the personal liability of the owner, or the issuance of assignable certificates, have been performed, shall be deemed a sufficient allegation of every proceeding required by law, the City Charter or its ordinances with reference to such improvements or prerequisites thereto, or the fixing of such lien or liability and issuance of said certificates, and shall dis-

pense with the necessity of pleading each of said preceding steps or prerequisites specifically, and shall in all courts be taken as if each of said steps, proceedings or prerequisites had been alleged and set out by the caption thereof in full.

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

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

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

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

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

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

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

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

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

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

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

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

APPROVED

O. B. Black
Mayor.

Attest

O. C. Spaight
City Clerk.