

AN ORDINANCE 01-56

AMENDING AN ORDINANCE PROVIDING FOR STORAGE AND HANDLING OF GASOLINE
AND OTHER VOLATILE AND INFLAMMABLE LIQUIDS IN THE CITY OF SAN ANTONIO,
AS AMENDED.

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

1. That the ordinance of the City of San Antonio entitled "AN ORDINANCE PROVIDING FOR THE STORAGE AND HANDLING OF GASOLINE AND OTHER VOLATILE AND INFLAMMABLE LIQUIDS IN THE CITY OF SAN ANTONIO", passed and approved on the 12 of June, 1919, as amended on the 28 of July, 1919;

2. Be and the same is hereby amended by adding Sections 3-B to 3-H to said ordinance as follows:-

"3-B. Storage tanks to contain not exceeding ten barrels each, or approximately 560 gallons. Duly approved and otherwise conforming to the requirements of this ordinance, may be installed and used, provided, first that storage tanks shall not be installed under or within walls of any inclosed building or basement or under any sidewalk or public street.

"3-C. In each filling station, all 560 gallons storage tanks, installed shall be spaced not less than ten feet apart and separated not less than ten feet from any basement or adjoining property.

"3-D. No gasoline storage tank having a capacity greater than 560 gallons shall be installed at any retail filling station.

"3-E. Not more than ten 560 gallon storage tanks will be permitted for super-filling stations. Super-stations shall have a ground floor space of 10,000 or more square feet.

"3-F. Each 560 gallon storage tank shall be entirely and closely encased with twelve inches of concrete.

"3-G. When a battery of tanks are installed vent pipes may be run into a header extension two feet above roof.

"3-H. A complete set of blue print plans drawn to scale and specifications of proposed installations shall be submitted with petition to the Police and Fire Commissioner before beginning installation. After petition is granted by the City Commissioners, the Plumbing Inspector shall issue a permit and collect a fee of Two Dollars for each Complete filling device so installed."

3. All laws and ordinances, and parts thereof, in conflict herewith, are hereby repealed.

4. Whereas, it is necessary for the preservation of order, good government and public safety, an urgency is created that this ordinance take immediate effect upon its passage; therefore, upon the passage of this ordinance by vote of four-fifths of the Commissioners, it shall be effective, as made and provided by the Charter of the City of San Antonio.

5. PASSED AND APPROVED this 24 day of June, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

01-57
AN ORDINANCE

AMENDING SECTION 16 OF AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING AND LICENSING TAXICABS; LICENSING CHAUFFEURS; CREATING THE OFFICE OF INSPECTOR OF TAXICABS OF THE CITY OF SAN ANTONIO AND PRESCRIBING HIS DUTIES; PROVIDING A PENALTY; PROVIDING FOR THE METHOD OF PROSECUTING INDIVIDUALS AND OTHERS FOR VIOLATING THIS ORDINANCE; ENACTING THE NECESSARY PROVISIONS INCIDENT TO THE OBJECT AND PURPOSE OF THIS ORDINANCE WHETHER MENTIONED IN DETAIL IN THE CAPTION OR NOT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND CONTAINING A SAVING CLAUSE". PASSED AND APPROVED ON THE 19TH DAY OF DECEMBER, A. D. 1935.

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

That SECTION 16 of an ordinance entitled "An ordinance regulating and licensing taxicabs; licensing chauffeurs, creating the office of Inspector of Taxicabs of the City of San Antonio and prescribing his duties; providing a penalty; providing for the method of prosecuting individuals and others for violating this Ordinance; enacting the necessary provisions incident to the object and purpose of this Ordinance whether mentioned in detail in the caption or not; repealing all Ordinances in conflict herewith; and containing a saving clause.", passed and approved on the 19th day of December, A. D. 1935, be, and the same is hereby amended so that said SECTION 16 shall hereafter read as follows:

SECTION 16: FARES TO BE CHARGED.

(a) The minimum rate of fare for one or more passengers shall be Twenty-five Cents (25¢) for the first mile or fraction thereof, and Ten Cents (10¢) for each additional mile or fraction thereof.

(b) Where a taxicab is engaged on the hour basis for one or more passengers the minimum charge shall be One Dollar and Fifty Cents (\$1.50) for each and every hour or fraction thereof, regardless to the number of passengers.

(c) As many passengers up to the seating capacity of the taxicab shall be transported for the one fare, within the above defined minimum rates."

PASSED AND APPROVED, this the 8th day of July, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

AN ORDINANCE ^{OL-58}

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$2,900,000.00 TO PAY
THE CURRENT EXPENSES OF SAID CITY DURING THE FISCAL YEAR 1937

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

1. That, for the purpose of paying the debts of the City of San Antonio incurred for current expenses during the fiscal year beginning June 1, 1937, and to pay the current expenses of said City for the remainder of said fiscal year ending May 31, 1938, there shall be borrowed and secured from the Frost National Bank of San Antonio, Texas, advances of money for said purposes in the amount of \$1,450,000.00 and there shall be borrowed and secured from the Alamo National Bank of San Antonio, Texas, advances of money for said purposes in the amount of \$1,450,000.00, which amounts do not exceed the estimated current income of said City for said fiscal year, and to evidence said loans and advances promissory notes of the City of San Antonio shall be executed and delivered to said Frost National Bank and said Alamo National Bank as hereinafter provided, under the power vested in the City of San Antonio by its Charter and the Constitution and Laws of the State of Texas.

2. That said notes shall be numbered consecutively from 1 to 116, both inclusive, and shall be for the sum of \$25,000.00 each. The proceeds of notes Nos. 1, 3, 5, 7 and 9 shall be applied so far as necessary to the payment of notes for \$125,000.00 issued by the City to the Frost National Bank, dated the 12th day of June, 1937, the 15th day of June, 1937, the 16th day of June, 1937, the 30th day of June, 1937 and the 1st day of July, 1937, respectively, and the proceeds of notes Nos. 2, 4, 6, 8 and 10 shall be applied so far as necessary to the payment of notes for \$125,000.00 issued by the City to the Alamo National Bank, dated the 15th day of June, 1937, the 15th day of June, 1937, the 30th day of June, 1937, the 30th day of June, 1937 and the 14th day of July, 1937, respectively, payable on or before July 1, 1938, with interest to July 15, 1937 at 3-1/2 per cent per annum, the money received by the City on said notes for \$250,000.00 having been used by the City in payment of current expenses of the City for said 1937 fiscal year.

3. That the above said notes bearing odd numbers, aggregating \$1,450,000.00 shall be payable to the order of said Frost National Bank, and the above said notes, bearing even numbers, aggregating in amount \$1,450,000.00, shall be payable to the order of the said Alamo National Bank; all said notes to be dated the day and date they are executed, and shall bear interest at the rate of 3 per cent per annum from date, thereof, calculated and payable monthly, as it accrues, provided, that interest shall be paid only on cash actually advanced on said notes and only from the dates of such advancements, and, provided, that said notes or advances made by said banks to said City shall draw interest after the maturity thereof at the rate of 6 per cent per annum; said notes shall be signed by the Mayor, countersigned by the City Auditor of said City, and attested by the City Clerk of said City, and the corporate seal of said City shall be impressed upon each of said notes; said notes shall provide for final maturity not later than July 1, 1938, with privilege of prepayment prior to maturity.

4. That the uncollected taxes and revenues of the City of San Antonio for the fiscal year beginning June 1, 1937, and ending May 31, 1938, and all of the current revenues of the City of San Antonio arising from taxation and all other sources during said fiscal year, and all uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, be and the same are hereby irrevocably pledged for the payment of the above said notes and advances, and that said notes and all interest thereon shall constitute a first lien upon and against all said taxes and revenues for said fiscal year, and all said uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, and shall be paid therefrom and from the current incomes and revenues of the City and such

uncollected back taxes before any such taxes, revenues or incomes or back taxes may be lawfully appropriated to any other purpose or object whatsoever.

5. That the money to be borrowed by the City from the said banks as above provided shall be borrowed as provided by and in accordance with the terms of the contract between the City and the banks for the loan thereof by the banks to the City, which contract is set out in and evidenced by ordinance passed by the Commissioners of the City, dated July 15, 1937, and recorded in Ordinance Book I, of the City of San Antonio.

6. That the proceeds of said loans shall be used to take up and pay off the outstanding indebtedness of the City of San Antonio legally incurred for the current expenses of said City during the said current fiscal year, and in the payment of the current expenses of said City for the remainder of this fiscal year, as provided by and in accordance with the Charter and Ordinances of said City.

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

"No. _____ \$ _____

CITY OF SAN ANTONIO

1937 GENERAL FUND NOTE

The City of San Antonio, a municipal corporation, in the County of Bexar and State of Texas, for value received, acknowledges itself indebted, and hereby promises to pay to the order of _____, of San Antonio, Texas, on or before the 1st day of July, 1938, the principal sum of _____ Dollars (\$ _____), in lawful money of the United States of America, together with interest thereon from the date hereof until maturity at the rate of 3 per cent per annum, payable monthly, and at the rate of 6 per cent per annum after maturity until paid.

This note is one of a series of 116 notes numbered from 1 to 116, both inclusive, aggregating \$2,900,000.00, authorized to be issued from time to time by the City of San Antonio to the Frost National Bank of San Antonio, Texas, in the aggregate sum of \$1,450,000.00, and to the Alamo National Bank of San Antonio, Texas, in the aggregate sum of \$1,450,000.00, evidencing loans made to said City by said Banks, for the purpose of paying off certain indebtedness incurred for current expenses of said City during the fiscal year beginning June 1, 1937 and to supply the needed funds to pay the current expenses of said City for the remainder of said fiscal year ending May 31, 1938, said notes having been issued under and by virtue of the Charter and Ordinances of the City of San Antonio, and the Constitution and Laws of the State of Texas, and in pursuance of an ordinance passed by the Commissioners of said City on the 15th day of July, 1937, which ordinance is recorded in Ordinance Book I, of the City of San Antonio.

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

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this series of notes, have been properly done and performed, and have happened in regular and due time, form and manner, as provided by law; and that the full faith and credit of said City of San Antonio, and the taxes and current revenues of said City for the fiscal year beginning June 1, 1937 and ending May, 31, 1938, and all uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, are hereby irrevocably pledged for the punctual payment of the principal and interest of this series of notes.

IN TESTIMONY WHEREOF, the City of San Antonio, Texas, has caused its corporate seal to be hereto affixed, and this note to be signed by the Mayor, countersigned by the City Auditor and attested by the City Clerk of said City this the _____ day of _____, 193____."

8. That the Mayor of said City be and he is hereby authorized and directed to deliver

said promissory notes to the payees thereof upon payment by said payees of the amount designated in each of said notes, said notes to be delivered to said payees in consecutive numerical order hereinabove designated.

9. It is ordered by a two-thirds vote of the full Board of Commissioners of the City of San Antonio that this Ordinance shall receive final action without having been read at three several meetings of the Commission.

10. PASSED AND APPROVED this the 15th day of July, 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

AN ORDINANCE

01-59

CREATING THE CONTRACTS BETWEEN THE FROST NATIONAL BANK OF SAN ANTONIO AND THE ALAMO NATIONAL BANK OF SAN ANTONIO TO MAKE LOANS TO THE CITY FOR THE FISCAL YEAR 1937.

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

1. This ordinance creates and manifests the contracts between the City of San Antonio and the Frost National Bank of San Antonio, and the Alamo National Bank of San Antonio, to make loans to the City of San Antonio for the use of the City in anticipation of the receipts from taxes levied for the current fiscal year beginning 1 June 1937 and ending 31 May 1938, and the current revenues for said fiscal year as provided by the Charter of the City of San Antonio, in the amounts and upon the terms stated herein.

2. The money borrowed by the City hereunder to be advanced by the banks on legally contracted notes, which instruments shall provide for final maturity not later than July 1, 1938 with privilege of prepayment prior to maturity, which instruments shall be drawn in form acceptable to the banks.

3. Interest to be charged on the loans at the rate of 3 per cent per annum, calculated and payable monthly, notes and or advances to draw interest after maturity at the rate of 6 per cent per annum.

4. The City to pledge as security for such loans the receipts of taxes and the current revenue of the City for the fiscal year beginning June 1, 1937 and ending May 31, 1938, and all uncollected back taxes for previous years subject only to existing prior valid pledges of said back taxes, and the notes given by the City to the banks to cover such loans shall constitute a first lien upon such receipts of taxes and current revenue for said fiscal year and upon such uncollected back taxes for previous years.

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

<u>MONTH</u>	<u>GENERAL FUND</u>	<u>LIBRARY FUND</u>	<u>PENSION FUND</u>
June 1937	\$ 250,000.00	\$ 7,000.00	\$4,000.00
July 1937	300,000.00	7,000.00	4,000.00
August 1937	250,000.00	7,000.00	4,000.00
September 1937	250,000.00	7,000.00	4,000.00
October 1937	250,000.00	7,000.00	4,000.00
November 1937	250,000.00	7,000.00	4,000.00
December 1937	225,000.00	7,000.00	4,000.00
January 1938	225,000.00	7,000.00	4,000.00
February 1938	225,000.00	7,000.00	4,000.00
March 1938	225,000.00	7,000.00	4,000.00
April 1938	225,000.00	7,000.00	3,000.00
May 1938	225,000.00	7,000.00	3,000.00

Provided, however, that the amount of loans and advances for general fund purposes shall not exceed the sum of \$815,000.00, representing the surplus cash on hand in the general fund, estimated, back tax collections for the general fund, and estimated collections from license fees, fines, permit fees, etc. for the general fund; plus seventy-five per cent of the estimated full collections based upon the general fund tax rate fixed for the fiscal year as applied to

the assessed taxable valuations for the fiscal year, but should the total amount to accrue from back tax collections for the general fund and from license fees, fines, permit fees, etc. plus the said cash on hand prove to exceed the said sum of \$815,000.00, said loans and advances will be increased to the amount of such increase in collections, but not to exceed in any event the total sum of \$2,900,000.00.

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

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

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

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

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

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

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

13. It is ordered by two-thirds vote of the full Board of Commissioners of the City of the City of San Antonio that this ordinance shall receive final action without having been read at three several meetings of the Commission.

14. PASSED AND APPROVED this 15 day of July, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

15. IN WITNESS WHEREOF, the Frost National Bank of San Antonio, Texas, aforesaid has caused these presents to be signed by J. H. Frost, its President, thereunto authorized by a vote of said corporation, a copy of which is hereto annexed, and its common seal hereunto affixed; and the Alamo National Bank of San Antonio, Texas, aforesaid has caused these presents to be signed by Walter P. Napier, its president, thereunto authorized by a vote of said corporation, a copy of which is hereto annexed, and its common seal hereunto affixed; this 15 day of July,

THE FROST NATIONAL BANK OF
SAN ANTONIO, TEXAS

BY J. H. FROST
ITS PRESIDENT

ATTEST: ROBT. C. SMITH
CASHIER

THE ALAMO NATIONAL BANK OF SAN ANTONIO, TEXAS

BY WALTER P. NAPIER
ITS PRESIDENT

ATTEST: W. G. HERBEL
SECRETARY

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THE ALAMO NATIONAL BANK
SAN ANTONIO, TEXAS

JULY 2, 1937

TO THE HONORABLE MAYOR AND COMMISSIONERS

OF THE CITY OF SAN ANTONIO, TEXAS

Gentlemen:

With reference to the proposals submitted by the National Bank of Commerce, the Frost National Bank and the Alamo National Bank of the City of San Antonio, Texas, (being all of the bidders), to act as depositories of the funds of the City of San Antonio, Texas for the current fiscal year beginning June 1, 1937 and ending May 31, 1938, and to make loans to the City of San Antonio during said current fiscal year, the undersigned beg to advise:

1st: That they recognize that the bid of the National Bank of Commerce to act as depository for the funds of the City of San Antonio is the best bid and that the bid of the Frost National Bank and the Alamo National Bank to make loans to the City is the best bid.

2nd: Therefore, not-with-standing any conditions that may have been interposed in the bids of the respective bidders connecting the depository bids with the financing bids, it is agreed that the City may award the depository contract to the National Bank of Commerce upon the terms and conditions set out in its proposal, and that the contract for financing the needs of the City during the current fiscal year may be awarded to the Frost National Bank and the Alamo National Bank upon the terms and conditions set out in their proposal to finance the City.

Respectfully

NATIONAL BANK OF COMMERCE

BY J. K. BERETTA, Its President

FROST NATIONAL BANK

BY J. H. FROST, Its President

THE ALAMO NATIONAL BANK

BY WALTER P. NAPIER, Its President

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THE ALAMO NATIONAL BANK
SAN ANTONIO, TEXAS

JUNE 30, 1937

TO THE HONORABLE MAYOR AND COMMISSIONERS OF THE

CITY OF SAN ANTONIO, TEXAS

Gentlemen:

The undersigned, Frost National Bank of San Antonio, Texas, and The Alamo National Bank of San Antonio, Texas, submit this proposal to act as depositories of the funds of the City of San Antonio, Texas, for the current fiscal year beginning June 1, 1937 and ending May 31, 1938:

1. Each of said banks bids severally for fifty (50%) per cent of said funds, and severally agrees to pay interest at the rate of three-fourths of one per cent (.0075%), calculated and credited monthly, upon daily balances in all the various funds of said City on deposit with it up to and including August 22, 1937, and as long thereafter, up to and including May 31, 1938, as any amendment to the National Banking Act of 1935 will permit.

2. Should there be no amendments to the National Banking Act of 1935 permitting the paying of interest on public funds, payable on demand, then beginning August 23, 1937, the effective date of the National Banking Act of 1935 which prohibits the paying of interest on public funds payable on demand, and thereafter each of said banks severally agrees to pay interest upon such portion of said funds as the City of San Antonio may, from time to time, designate as "time deposits, open account" at the rate of three-fourths of one per cent (.0075%) per annum, calculated and credited monthly, upon daily balances in all the various funds of said City deposited with it as "time deposits, open account".

"Time deposits, open account" is defined by the Board of Governors of the Federal Reserve System as follows:

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

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MAYOR AND CITY COMMISSIONERS

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June 30, 1937

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

4. The said banks severally propose to secure the City funds deposited with them, respectively, by pledge, at their option, respectively, of legally issued notes of the City of San Antonio and/ or of other valid securities.

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

THE ALAMO NATIONAL BANK OF
SAN ANTONIO, TEXAS

BY WALTER P. NAPIER
ITS PRESIDENT

THE FROST NATIONAL BANK OF
SAN ANTONIO, TEXAS

BY J. H. FROST
ITS PRESIDENT

- - -

AN ORDINANCE ⁰¹⁻⁶⁰

ACCEPTING PROPOSAL OF NATIONAL BANK OF COMMERCE AND DESIGNATING
IT AS GENERAL DEPOSITORY AND SPECIAL DEPOSITORY OF THE CITY AND
AS FISCAL AGENT FOR THE CITY; AND CREATING THE CONTRACT WITH SAID BANK

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

1. That the proposal of the National Bank of Commerce of San Antonio, dated the 1 of July 1937, to act as depository of the City of San Antonio, all of which is more fully set out in said instrument attached hereto marked A, and made a part hereof for all intents and purposes as fully as if it were copied herein, be and the same is hereby accepted.

2. That said bank be and is hereby designated as general depository, and as special depository, of said City, and, upon deposit of securities approved by the City to secure the City funds, duly authorized and eligible to receive the general deposits and the special deposits of the City of San Antonio for the fiscal year beginning June 1, 1937 and ending May 31, 1938.

3. That said bank be and is hereby designated as the fiscal agent for said City.

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

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

6. It is ordered by a two-thirds vote of the full Board of Commissioners of the City of San Antonio that this ordinance shall receive final action without having been read at three several meetings of the Commission.

7. PASSED AND APPROVED this 15 day of July, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

THE ALAMO NATIONAL BANK
SAN ANTONIO, TEXAS

JULY 2, 1937

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

Gentlemen:

With reference to the proposals submitted by the National Bank of Commerce, the Frost National Bank and the Alamo National Bank of the City of San Antonio, Texas, (being all of the bidders), to act as depositories of the funds of the City of San Antonio, Texas, for the current fiscal year beginning June 1, 1937 and ending May 31, 1938, and to make loans to the City of San Antonio during said current fiscal year, the undersigned beg to advise:

1st: That they recognize that the bid of the National Bank of Commerce to act as depository for the funds of the City of San Antonio is the best bid and that the bid of the Frost National Bank and the Alamo National Bank to make loans to the City is the best bid.

2nd: Therefore, not-with-standing any conditions that may have been interposed in the bids of the respective bidders connecting the depository bids with the financing bids, it is agreed that the City may award the depository contract to the National Bank of Commerce upon the terms and conditions set out in its proposal, and that the contract for financing the needs of the City during the current fiscal year may be awarded to the Frost National Bank and the Alamo

National Bank upon the terms and conditions set out in their proposal to finance the City.

Respectfully

NATIONAL BANK OF COMMERCE

BY J. K. BERETTA, ITS PRESIDENT

FROST NATIONAL BANK

BY J. H. FROST, ITS PRESIDENT

THE ALAMO NATIONAL BANK

BY WALTER P. NAPIER, ITS PRESIDENT

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NATIONAL BANK OF COMMERCE

SAN ANTONIO, TEXAS

JULY 1, 1937

EXHIBIT A

TO THE HONORABLE MAYOR AND COMMISSIONERS OF SAN ANTONIO

The undersigned, National Bank of Commerce of San Antonio, Texas, submits this proposal for current fiscal year beginning June 1st, 1937, ending May 31st, 1938.

1. We offer to pay interest on funds deposited with us by you as follows:

(a) To August 23rd, 1937, we propose to pay interest at the rate of 1.02% per annum on daily balances calculated and paid monthly as its accrues, and we propose to continue the payment of said interest after August 23rd, 1937, if Federal laws and regulations should permit.

(b) In the event present Federal laws and regulations continue, forbidding payment of interest on demand deposits on and after August 23rd, 1937, then in that event we propose to pay interest on and after August 23rd, 1937, on any funds legally designated as TIME DEPOSITS, said interest to be at the rate of 1.15% per annum calculated and paid monthly as it accrues, said "TIME DEPOSITS" to be subject to not less than 30 days notice prior to any withdrawals.

2. Said Bank to be designated by the City of San Antonio as general depository and as special depository of said funds eligible to receive general and special deposits of said City and this Bank to be designated as fiscal agent for the City.

3. We propose to secure City funds deposited with us by pledge at our option of legal issue of the City of San Antonio notes or other valid securities.

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

NATIONAL BANK OF COMMERCE
SAN ANTONIO, TEXAS

BY J. K. BERETTA
PRESIDENT

- - -
AN ORDINANCE

OT-61

AMENDING RULE 39, DIVISION VII OF "AN ORDINANCE REGULATING THE GOVERNMENT OF TRAFFIC ON THE STREETS, PLAZAS AND PUBLIC PLACES OF THE CITY OF SAN ANTONIO BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That Rule 39 of Division VII of an ordinance entitled "AN ORDINANCE REGULATING THE GOVERNMENT OF TRAFFIC ON THE STREETS, PLAZAS AND PUBLIC PLACES OF THE CITY OF SAN ANTONIO", passed and approved on the 8 day of December, 1921, with amendments thereto, providing for one hour parking on certain streets, plazas, and public places of the City of San Antonio.

2. Be and the same is amended hereby by adding after the words "On Nacogdoches Street, from the south line of East Crocket Street to the North line of East Houston Street",

the following:-

3. "On North St. Mary Street, between Martin Street and Fannin Street, on both east side and west side thereof;

"On East Commerce Street, from St. Joseph Street to Bonham Street, on both the North side and South side thereof."

4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. PASSED AND APPROVED this 15 day of July, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

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AN ORDINANCE *01-62*

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE SOLICITATION OF FUNDS AND THE RAISING OF CONTRIBUTIONS OVER THE TELEPHONE WITHIN THE CITY OF SAN ANTONIO, TEXAS.", PASSED AND APPROVED ON THE 1ST DAY OF MARCH, A. D. 1934.

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

That Section 2 of an Ordinance Entitled "An Ordinance regulating the solicitation of funds and the raising of contributions over the telephone within the City of San Antonio, Texas." passed and approved on the 1st day of March, A. D. 1934, be, and the same is hereby amended so that there shall be added to Section 2 thereof Section 2a reading as follows:

2a. The term "person" as used in this Ordinance shall be construed to include both singular and plural, and shall mean and embrace any individual, firm, corporation, association, partnership or society, and their agents, servants and employees.

PASSED AND APPROVED, this the 15th day of July, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

- - -
AN ORDINANCE *01-63*

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$84,000.00 TO PAY THE CURRENT EXPENSES OF THE CITY OF SAN ANTONIO FOR PUBLIC LIBRARIES

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

1. That for the purpose of paying the current expenses of the City of San Antonio for the support and maintenance of the public libraries of said City for the fiscal year 1937 beginning June 1, 1937, there shall be borrowed and secured from the Alamo National Bank an advance of money in the sum of \$42,000.00, and from the Frost National Bank an advance of money in the sum of \$42,000.00, as provided by the Charter and Ordinances of said City, which amounts do not exceed the estimated current revenue and income of said City for said fiscal year applicable to said purpose.

2. That to evidence said loans and advances by said banks, there shall be executed and delivered to them 84 promissory notes of the City of San Antonio, numbered consecutively from 1 to 84, both inclusive, and said notes shall be for the sum of \$1,000.00 each, the notes bearing the odd numbers shall be payable to the order of the Frost National Bank and the notes bearing even numbers shall be payable to the order of the Alamo National Bank, all as provided by the Charter and Ordinances of the City of San Antonio, the said notes aggregating the sum of \$84,000.00, and shall bear interest at the rate of 3 per cent per annum from date until maturity, provided, that interest shall be paid on money actually advanced on said notes and only from the dates of advancement to the dates of payment and, provided, that said notes shall bear interest at the rate of 6 per cent per annum after maturity until paid; said notes shall be signed by the Mayor, countersigned by the City Auditor, and attested by the City Clerk, and the corporate seal

of the City shall be affixed thereto, all advances shall be made on lawful warrants and or notes which shall provide maturity not later than the 1st day of July, 1938, with privilege of prepayment prior to maturity; and the said warrants and or notes given by said City to said banks shall constitute a first lien upon the revenue arising from the special tax levied and collected to create such Library Fund for said fiscal year, and all uncollected back taxes arising from the special tax levied for this purpose for previous years, subject only to existing prior valid pledges of said back taxes, and said taxes and revenues are hereby irrevocably pledged for the payment of said loans and advances; and said warrants and/or notes and all interest thereon shall be paid from said taxes and current income and revenues before said taxes, income and revenues may be lawfully appropriated for any other purpose whatsoever.

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

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

"CITY OF SAN ANTONIO LIBRARY FUND NOTE - 1937.

The City of San Antonio, a municipal corporation, in the County of Bexar and State of Texas, for value received, acknowledges itself indebted and hereby promises to pay to the order of (- - name of bank - -) of San Antonio, Texas, on or before the 1st day of July, 1938, the principal sum of (- - state amount in dollars - -), in lawful money of the United States of America, together with interest thereon from date hereof until maturity, at the rate of 3 per cent per annum payable monthly, and at the rate of 6 per cent per annum after maturity until paid.

This note is one of a series of 84 notes, numbered 1 to 84, both inclusive, being of the denomination of \$1,000.00 each, aggregating \$84,000.00, authorized to be issued from time to time by the City of San Antonio to the Alamo National Bank and the Frost National Bank, of San Antonio, Texas, evidencing loans made to said City by said banks, for the purpose of paying indebtedness incurred and to be incurred for current expenses of said City for support and maintenance of public libraries of said City, for the fiscal year beginning June 1, 1937 and ending May 31, 1938, said notes having been issued under any by virtue of the Charter and Ordinances of the City of San Antonio, and the Constitution and Laws of the State of Texas, and in pursuance of an ordinance passed by the Commissioners of said City on the 15th day of July, 1937, which ordinance is recorded in Ordinance Book "I", of the City of San Antonio.

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

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

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

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

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

8. It is ordered by a two-thirds vote of the full Board of Commissioners of the City of San Antonio that this ordinance shall receive final action without having been read at three several meetings of the Commission.

9. PASSED AND APPROVED this 15 day of July, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

AN ORDINANCE

AUTHORIZING THE CITY OF SAN ANTONIO TO BORROW \$46,000.00 FROM THE FROST NATIONAL BANK AND THE ALAMO NATIONAL BANK TO PAY CURRENT EXPENSES IN THE MATTER OF THE FIREMEN, POLICEMEN AND FIRE ALARM OPERATORS' PENSION FUND. *01-64*

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

1. That the City of San Antonio is authorized to borrow from the Frost National Bank and the Alamo National Bank of San Antonio, Texas, \$46,000.00, to pay that part of the current expenses for the fiscal year beginning June 1st, 1937 and ending May 31st, 1938, which represents the obligations of the City for the payments of benefits stipulated under the terms of an Ordinance creating a Special Fund to aid the disbursements of the Board of Firemen, Policemen and Fire Alarm Operators' Pension Fund Trustees, passed and approved on the 1st day of July, A. D. 1929; which sum does not exceed the estimated income of said City for said Fiscal year for said purpose.

2. As evidence of said loan 46 promissory notes of the City of San Antonio shall be executed and 23 notes delivered to each of said banks representing the amount borrowed from each of said banks respectively, which notes shall be drawn and executed as stipulated by the Charter and Ordinances of the City of San Antonio and the Constitution and Laws of the State of Texas, which notes shall be numbered consecutively from 1 to 46, both inclusive, and shall be for the sum of \$1,000.00 each, aggregating the sum of \$46,000.00, and shall bear interest at the rate of 3 per cent per annum from date until maturity, interest to be paid only on money actually advanced on said notes and only from the dates of the advancement to the dates of payment, which notes shall be signed by the Mayor, countersigned by the City Auditor, and attested by the City Clerk, and the corporate seal of the City shall be applied thereto, and said notes shall bear interest after maturity at the rate of 6 per cent per annum. All advances shall be made on lawful warrants and/ or notes which shall provide for maturity not later than July 1st, A. D. 1938, with privilege of prepayment prior to maturity and the aggregate amount of the warrants, notes or other obligations outstanding at any one time shall not exceed the unpledged current revenue of the Firemen, Policemen and Fire Alarm Operators' Pension Fund remaining uncollected for such current fiscal year, and said warrants and/ or notes shall constitute a first lien upon said uncollected and unpledged revenue arising from the special tax levied and collected to create such fund for the current fiscal year, and all uncollected back taxes arising from the special taxes levied for this purpose for previous years, subject only to existing prior pledges of said back taxes are hereby irrevocably pledged for the payment of said advancements, and said warrants and/ or notes and all interest thereon shall be paid from said current incomes before such revenues may be lawfully appropriated for any other purpose.

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

subject to the stipulation thereof.

4. The notes bearing odd numbers, aggregating the sum of \$23,000.00, shall be payable to the order of the Frost National Bank, and the notes bearing even numbers, aggregating \$23,000.00, shall be payable to the order of the Alamo National Bank.

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

"CITY OF SAN ANTONIO PENSION FUND NOTE - 1937.

The City of San Antonio, a municipal corporation, in the County of Bexar and State of Texas, for the value received, acknowledges itself indebted and hereby promises to pay to the order of (- - name of bank - -) of San Antonio, Texas, on or before the 1st day of July, A. D. 1938, the principal sum of (- - state amount in dollars - -) in lawful money of the United States of America, together with interest thereon from date hereof until paid, at the rate of 3 per cent per annum, payable monthly, and from maturity until paid at 6 per cent per annum.

This note is one of a series of 46 notes, numbered from 1 to 46, both inclusive, notes being of the denomination of \$1,000.00 each, aggregating \$46,000.00, authorized to be issued from time to time by the City of San Antonio, evidencing loans made to said City by said bank, for the purpose of paying off certain indebtedness incurred for current expenses of said City during the fiscal year beginning June 1st, A. D. 1937, ending May 31st, A. D. 1938, under the provisions of the Firemen, Policemen and Fire Alarm Operators' Pension Fund Ordinance, said notes having been issued under and by virtue of the Charter and Ordinances of the City of San Antonio, and the Constitution and Laws of the State of Texas, and in pursuance of an Ordinance passed by the Commissioners of the City on the 15th day of July, A. D. 1937, which Ordinance is recorded in Ordinance Book "I" of the City of San Antonio.

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

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this series of notes, have been properly done and performed, and have happened in regular and due time, form and manner as required by law; and that the full tax authorized by the Ordinance creating the Firemen, Policemen and Fire Alarm Operators' Pension Fund of said City for the fiscal year June 1st, A. D. 1937, to May 31st, A. D. 1938, and all uncollected back taxes arising from the special tax levied for this purpose for previous years, subject only to existing prior valid pledges of said back taxes, are hereby irrevocably pledged for the punctual payment of the principal and interest of this series of notes."

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

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

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

9. It is ordered by a two-thirds vote of the full Board of Commissioners of the City of San Antonio that this ordinance shall receive final action without having been read at three several meetings of the Commission.

10. PASSED AND APPROVED this 15 day of July, A. D. 1937.

C. K. QUIN
MAYOR

ATTEST: JAS. SIMPSON, CITY CLERK

AN ORDINANCE ⁰¹⁻⁶⁵FOR PERMISSION TO USE THE CITY SANITARY SEWERS GRANTING THE
PETITION OF LEROY HICKS

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

1. That the petition of Leroy Hicks, outside the City Limits of the City of San Antonio, for a license to use the sanitary sewerage system of the City of San Antonio through means to be made by the Licensee, is granted hereby, subject to the following precedent conditions.
2. That the permit hereby granted is purely temporary and the City reserves the right to revoke same at any time, with or without notice, for any reason that may in the judgment of the City be sufficient.
3. The connection with the City sewer to be made at the risk of the licensee 31-32 and 7 $\frac{1}{2}$ feet of 30 Blk 15 County Blk. 5767.
4. That this permit is intended to cover only the sewerage from the property of the above mentioned petitioner, as same is now situated on said premises at 302 Alexander Hamilton Drive, outside of the City Limits, and no other person or persons shall be allowed or permitted by the person to whom this permit is granted, his agents, servants or employees, to use the said City sanitary sewers through the connection here permitted to be made.
5. That the future purchaser or owner of the above property mentioned in this ordinance, shall comply with all the provisions hereof.
6. That the use to be made of said sewer connection with the City sewerage system shall be subject to the regulation and direction of the City and no use shall be made hereof which might in any way impair the City sewer system or cause same to be obstructed or damaged in any manner whatsoever.
7. That in consideration of the permit hereby granted and the service to be rendered the said licensee hereunder, said grantee agrees to pay the City of San Antonio, as a rental charge, the schedule of fees fixed, and to be fixed, by the Ordinances of the City of San Antonio, said rental commencing on the date of connection made with the City sanitary sewers but in the event the permit hereby granted is cancelled for any reason, the pro rata amount of said rental shall be returned, less any expense incurred by the City in the premises.
8. That the inspectors of the City shall have free access to the grantee's premises and all buildings situated thereon during the continuance of this permit and while said premises are connected with said City sanitary sewers, for the purpose of inspecting the condition of the plumbing and the use of said sewers, and that all condition as herein embodied are being faithfully observed.
9. All expense incident to making this connection with the City sewers shall be borne by the petitioner, and the petitioner shall indemnify, hold and save harmless the City against any loss or damage of any character whatsoever incident to or caused by the use of the facilities here now granted.
10. This ordinance shall become effective upon recording with the County Clerk of Bexar, and the returning of same to the City Clerk for filing as a permanent record, and the filing by the petitioner of a written acceptance of same with the City Clerk.
11. The City of San Antonio shall never be liable to the licensee for pecuniary damages for failure to take and treat the sewage, of the licensee, said right of action is waived as a part consideration of this permit.

PASSED AND APPROVED this 15th day of July, A. D. 1937.

ATTEST: Jas. Simpson
CITY CLERK

C. K. QUIN
MAYOR

01-66

AN ORDINANCE

CREATING AND MANIFESTING AN AGREEMENT BETWEEN THE STATE OF TEXAS AND THE
CITY OF SAN ANTONIO FOR THE CONSTRUCTION OF THE CENOTAPH IN HONOR OF THE
ALAMO HEROES.

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

1. That this ordinance creates, manifests and constitutes a valid and binding contract and agreement between the City of San Antonio, a municipality of the State of Texas, and the State of Texas, acting by the State Board of Control of the State of Texas, duly created and authorized to act for the State of Texas, for the building of a Cenotaph by the State Board of Control of the State of Texas, in honor of the Alamo Heroes, on the north plot of the Alamo Plaza in the City of San Antonio, Bexar County, Texas.

2. A map of the site of the Cenotaph is attached hereto, which shows the arrangement and location of the boundaries of the said plot.

3. The City of San Antonio grants the State Board of Control the right to use the land herein specified as a site for said Cenotaph; and, during the construction of the Cenotaph, the State Board of Control, its contractors, agents and servants will be allowed necessary working space in the area adjacent to the site of the structure, together with the right of ingress and egress over the adjacent streets and public places not inconsistent with the paramount right of the public.

4. Upon the completion of the Cenotaph the title thereto shall pass to the City of San Antonio; and, thereafter, the City shall use said structure as a memorial in honor of the Heroes of the Alamo; and, the City of San Antonio assumes all obligation of maintenance, repair and preservation of said structure, and agrees that the property shall be used only for the purpose for which it is intended.

4. Upon the approval of this agreement by the Attorney General of the State of Texas and its execution by the State Board of Control, it shall become the valid and binding deed and act of the principal contracting parties herein specified.

6. It is ordered by two-thirds vote of the full Board of Commissioners of the City of San Antonio that this ordinance shall receive final action without having been read at three several meetings of the Commission.

7. The ordinance of October 29, 1936, creating and manifesting an agreement between the State of Texas and the City of San Antonio for the construction of the Cenotaph, be and the same is hereby repealed.

8. PASSED AND APPROVED this 29 day of July, A. D. 1937.

ATTEST: JAS. SIMPSON
CITY CLERK

C. K. QUIN
MAYOR

9. ACCEPTED for the State of Texas, by the State Board of Control, this 2nd day of August, A. D. 1937.

ATTEST

Secretary

APPROVED: LLEWELLYN B. DUKE

ASST. ATTORNEY GENERAL OF THE STATE OF TEXAS.

APPROVED AS TO FORM

COBBS, JR
CITY ATTORNEY

STATE OF TEXAS

BY: STATE BOARD OF CONTROL

BY: CLAUD D. FUR, CHAIRMAN.