

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

MONDAY, OCTOBER 15th, A. D. 1928, 10:00 A. M.

PRESENT: Honorable C. M. Chambers, Mayor, presiding, and Commissioners, Bushick, Rubiola, Steffler, Wright.

On motion, of Commissioner Steffler, duly seconded and carried, the reading of the Minutes of the meeting of October 8th, was dispensed with, and ordered approved.

---MEMORIALS AND PETITIONS---

Proposals to construct a Steel Pipe viaduct connecting Outfall Sewer over San Antonio River, and proposals to build Sanitary Sewers in Palm Heights Addition, Were opened and referred to City Engineer.

On motion, duly seconded and carried, the following petitions, were read and referred to the Commissioner of Fire and Police,

- B. & Y. Martinez, for permit to install gas equipment at 327 San Luis Street.
- R. E. Megee & Company, for permit to install gas equipment for C. H. Clifton 1207 Nogaslitos St.
- Reo Motor Car Co. of Texas, for permit to install gas pump and tank at Broadway & Sixth Sts.
- Pedro Varela, for permit to install gas equipment at 2301 Lakeview Ave.
- Texas Outdoor Adv. Co., for permit to erect Bill Boards at 1800 South Flores Street.
- Grace Lutheran Church, for permit to install fuel oil tank, Ave "B" and 5th Street.

Petition requesting that the name of Castro Street be changed to Poplar Street. Was read and laid over.

On motion, duly seconded and carried, the following petition, was read and referred to the Commissioner of Taxation.

Petition of the Trustees of the Prospect Hill Baptist Church for cancellation of Taxes.

On motion, duly seconded and carried, the following petitions, were read and referred to the City Engineer.

- J. T. Briscoe, for approval of Plat Lots, Nos. B-1, B-2, B-3, B-4, B-5, B-6, N.C.B. No. 2418.
- J. T. Briscoe, to vacate Plat of East 90 feet of Lot No.A-10 and East 70 feet of Lot No.A-11, N.C.B. No. 2418.
- J. T. Briscoe, for approval of Plat Lots Nos. A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, N. C. B. No. 3028.
- J. T. Briscoe, to vacate Plat Lots Nos. 6-7-13-14, N. C. B. No. 3048.
- J. T. Briscoe, for approval of Plat of Lots Nos. 6-7-8-9-18-19-20-21, N. C. B. No. 2039.
- J. T. Briscoe, to vacate Plat of Lots Nos. 6-7-8-9-18-19-20-21 N. C. B. No. 2039.
- H. E. Dickinson, for approval of sub-division known as Houston Heights.

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City Engineer, recommending acceptance of Sumner Sollitt Companys', proposal to build Ninth Street Bridge.

A Hearing was given the owners of property interested in the improvement of S. Alamo Street from Nueva Street to Lavacca Street. (See Record of Hearings page 106).

Commissioner Wright, made the following recommendation, which were read and adopted by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

J. F. Lozano, for permit to install gas pump at 208 S. Concho Street. Granted.

R. E. Megee & Co., for permit to install gas pump & tank for L. Werbner, 525 Guadalupe St. Granted.

Graham and Collins, for permit to erect an Electric Sign 9th and Broadway. Granted.

Neon Electric Sign Co., for permit to erect Electric Sign for Peck Furniture Co. Granted.

R. E. Megee & Co., for permit to install gas equipment for Blaggs Grocery, No. Brazos & Perez Streets. Granted.

--- **MI-77**

Commissioner Bushick, made the following recommendation, which was read and adopted by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

W. L. Evans, for refund of taxes paid on Chevrolet and Marmon Autos. Granted.

Upon the application of F. W. Moore, requesting approval of a plat of a subdivision out of Lot A-13, and the South one half of Lot A-20, to be named Parkview, was ordered by unanimous vote that the application be granted, and that the plat submitted be approved.

Commissioner Bushick, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION **- 79**

Authorizing purchase of 4000 bicycle tags for License and Dues Collector.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Purchasing Agent be and he is hereby authorized to purchase 4000 bicycle tags from Clussen Mfg. Co. for use in the office of License and Dues Collector, at a cost of 4½ cents each.

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION **- 80**

Authorizing the purchase of lumber to be used for bridge work, from the Karren-Tobias Lumber Company.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Purchasing Agent be directed to purchase from the Karren-Tobias Lumber Company, the Grand stand on the north side of Military Plaza, at the sum of Seven Hundred forty-two and 50/100 (\$742.50) Dollars, said lumber to be used for bridge work, the City to wreck the present stand.

Commissioner Steffler, introduced the following resolution which was on his motion adopted by unanimous vote.

RESOLUTION **- 81**

Authorizing certain purchase for use Street Maintenance Department.

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BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Purchasing Agent be and he is hereby authorized to make the following purchase of supplies for use in the Street Maintenance Department:

4 cars of Krebs coal at \$8.65 per ton, f.o.b. City Material Yards.
Lumber contained in grand stand on Military Plaza at a total cost of \$742.50

Commissioner Steffler, introduced the following resolution, which on his motion adopted by unanimous vote.

MI-77 RESOLUTION

APPROVING PLANS, SPECIFICATIONS, PROFILES, ETC., filed by the City Engineer for the improvement of Walton Avenue, Carroll Avenue, Jennings Avenue, Cavalier Avenue, Hearne Avenue, Linares Avenue, West Theo Avenue, Malone Avenue, Royston Avenue, Winnipeg Avenue, Iola Street and Gladys Street, DIRECTING ADVERTISEMENT FOR BIDS.

(For full text of this resolution see Street Improvement Records, Vol. 19 page 35).

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

MI-83 RESOLUTION

DIRECTING THE CONDEMNATION OF CERTAIN PROPERTY FOR RIVER FLOOD PREVENTION IN THE NINTH STREET AREA.

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

1. That the City Attorney prepare proper proceedings for the condemnation of certain property in the vicinity of Ninth Street to acquire from the land owners and tenants sufficient land to establish a channel for the San Antonio River;
2. The names of the owners, tenants, and description of the property involved are specified as follows, to-wit:-

Name.	City Block.	Lot No.
J. H. Morrison, Owner	783	N. W. 50 feet Lot 10
H. C. Schroeder "	783	S. E. 50 " Lot 10
Miss M. A. Bowman "	449	S. E. 50 " Lot 11
Dr. H. H. Ogilvie "	449	N. W. 50 " Lot 10
Theodosa Cantu, Tenant	449	N. W. 50 " Lot 9

3. A public necessity exists for the establishment of this river channel and the City of San Antonio has not been able to enter into an agreement, with terms satisfactory, for the acquisition of this property; and it is therefore necessary to proceed under the right of eminent domain, and to permit the damages, if any, to the property owners and tenants, to be fixed as made and proved by the Statutes of Texas and the Charter of the City of San Antonio in condemnation.

4. This resolution is passed to give notice to all persons of the intention of the City to acquire this property for the purpose herein expressed.

5. PASSED AND APPROVED, this 15th day of October, A. D. 1928.

C. M. Chambers.
Mayor.

ATTEST: Fred Fries.
City Clerk.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

AN ORDINANCE *-84*

ACCEPTING PROPOSAL OF Sumner-Sollitt Company for constructing Bridge over S. A. River on

Ninth Street and authorizing Contract and Appropriating Money Therefor.

(For full text of this ordinance see Street Improvement Records, Vol. 19, page 41).

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

No. 121

AN ORDINANCE *MI-85*

Appropriating \$1,015.00 out of Auditorium Fund to meet payrolls.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$1,015.00 be and the same is hereby appropriated out of Auditorium Fund to meet payrolls.

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

No. 122

AN ORDINANCE *-86*

Appropriating \$1,225.00 out of various Improvement Districts Sinking Funds, to pay interest coupons.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$1, 225.00 be and the same is hereby appropriated payable to the Alamo National Bank of San Antonio, Texas for matured interest coupons, out of the following Improvement District Sinking Funds:

Improvement District #8	- - - - -	\$425.00
#9	- - - - -	225.00
#10	- - - - -	75.00
#13	- - - - -	500.00
Total		<u>\$1,225.00</u>

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

No. 123

AN ORDINANCE *-87*

Appropriating \$4,794.58 to pay Merchants' Bills.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$4,794.58 be and the same is hereby appropriated out of the following Funds to pay Merchants' Bills as per itemized Invoices duly approved and now on file in the office of the City Auditor.

Auditorium Fund	- - - - -	\$ 1,052.74
Trench Fund	- - - - -	499.62
Golf Course Fund	- - - - -	941.11
Market House Fund	- - - - -	878.31
Flood Prevention Fund 1927	- - - - -	1,000.00
Storm & Sanitary Sewer Fund 1927	- - - - -	353.26
Street Opening & Widening Fund 1927	- - - - -	69.54
		<u>\$ 4,794.58</u>

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

No. 124

AN ORDINANCE *-88*

Appropriating the sum of Two Thousand Five Hundred Dollars (\$2500.00) to pay for material and work on Castro St. Bridge over San Pedro Creek.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of Two Thousand Five Hundred Dollars (\$2500.00) is hereby appropriated from Bridge Fund of 1927 to pay for material and work on Castro Street Bridge over San Pedro Creek.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

MI-89 AN ORDINANCE MI-89

Approving contract of Uvalde Rock Asphalt Company for paving of Lynwood Avenue, from Buckeye to Neer Street.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The City of San Antonio does hereby approve contract of the Uvalde Rock Asphalt Company and the property owners on Lynwood Avenue from Buckeye to Neer Street, for the paving of said street with a one and one-half inch (1 1/2") wearing surface of cold Uvalde Rock Asphalt on a macadam base, for which said property owners agree to pay the entire cost, and the Uvalde Rock Asphalt does hereby agree, to accept the macadam base constructed by the City.

Mayor Chambers, introduced the following ordinance, which was read and passed and approved by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

No. 125

AN ORDINANCE -90

AUTHORIZING PAYMENT OF CERTAIN AMOUNTS THEREIN NAMED.

WHEREAS, S. F. Crecelius, Flood Prevention Engineer, authorized the following expenditures for repairing of the dam at Mitchell Lake, particularly the portion of it at the Northwest corner of the Lake along the Pleasanton Road, the work in his opinion being necessary in raising portions of the dam to prevent it from breaking and the water from going over it, such arrangement being merely for the purpose of taking care of then emergency condition and not to affect or prejudice the rights of any party, either plaintiff or defendants, to the litigation pending between the City of San Antonio and the San Antonio Irrigation Company and others, and such action not to be used in evidence by either party; said amounts paid out being as follows, to-wit:

For the week ending	December 17, 1927	- -	\$ 55.50
" " " "	January 21, 1928	- -	73.30
	Total	- - -	\$128.80

THEREFORE:

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

1. That the sum of ONE HUNDRED TWENTY EIGHT AND 80/100 (\$128.80) DOLLARS, be and the same is hereby appropriated out of the 1928 General Fund, payable to the San Antonio Irrigation Company in payment thereof, and subject to the reservations and stipulations above stated.

2. PASSED AND APPROVED, this 15th day of October, A. D. 1928.

ATTEST: Fred Fries. City Clerk.

C. M. Chambers. Mayor.

Mayor Chambers, introduced the following ordinance, which was read and passed and approved by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

No. 126

AN ORDINANCE -91

MAKING AN APPROPRIATION TO CARRY OUT AN ARRANGEMENT BETWEEN THE CITY ATTORNEY AND ATTORNEYS FOR ALL ADVERSELY INTERESTED PARTIES IN THE LITIGATION BETWEEN THE CITY AND THE SAN ANTONIO IRRIGATION COMPANY AND OTHERS.

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WHEREAS, an arrangement was made between the City Attorney and the Attorneys for all the adversely interested parties in the litigation now pending between the City of San Antonio and the San Antonio Irrigation Company and others, by which the City will advance \$7.50 per day to employ five men at \$1.50 per day, to be employed and used by Mr. Drake as President and General Manager of said Irrigation Company, for the purpose of spreading water from sewage disposal, and lands, such arrangement being made merely for the purpose of trying to keep the water from overflowing from the lake until the litigation can be decided by the Appellate Courts, but either the City or other parties to such arrangement shall have the right to discontinue the same at any time. Such arrangement was entered into merely for the purpose of taking care of present conditions and is not to affect or prejudice the rights of any party, either plaintiff or defendants, to the litigation and is not to be used in evidence by either party; and

WHEREAS, in accordance with such arrangement, men were so employed and did such work, and the following bill was rendered by F. M. Drake, President of such San Antonio Irrigation Company, covering the period to September 29, 1928:

June 23, 1928,	5 men	7 days	@ \$1.50 per day,	\$52.50
" 30, 1928,	5 men	7 days	@ \$1.50 " "	52.50
July 7, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 14, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 21, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 28, 1928,	5 "	7 "	@ \$1.50 " "	52.50
Aug. 4, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 11, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 18, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 25, 1928,	5 "	7 "	@ \$1.50 " "	52.50
Sept. 1, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 8, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 15, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 22, 1928,	5 "	7 "	@ \$1.50 " "	52.50
" 29, 1928,	5 "	7 "	@ \$1.50 " "	52.50
Total				\$ 787.50

THEREFORE:

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

1. That the sum of SEVEN HUNDRED AND EIGHT SEVEN AND 50/100 (\$787.50) DOLLARS, be and the same is hereby appropriated out of the _____ Fund, payable to the San Antonio Irrigation Company, in payment thereof.

2. Said payment is made subject to all terms, conditions and provisions of said arrangement between the City Attorney and the Attorneys for all adversely interested parties in said litigation.

PASSED AND APPROVED, this 15th day of October, A. D. 1928.

ATTEST: Fred Fries.
City Clerk.

C. M. Chambers.
Mayor.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

AN ORDINANCE *MI-92*

AUTHORIZING RELEASE OF STREET WIDENING BENEFIT ASSESSMENT LIEN ON WEST MARKET STREET TO VINTON L. JAMES.

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

1. That whereas, the conveyance from Vinton L. James to the City of San Antonio, dated the 4th day of August, A. D. 1926, and recorded in the Deed Records of Bexar County, Texas, as a

part of the consideration for property therein conveyed to the City of San Antonio, the City of San Antonio assumed the Street Widening Benefit Assessment levied against it, which assessment has been satisfied;

2. That the City Auditor is hereby authorized and empowered to issue a release of said Assessment Lien under the stipulations of Section 24, of an Ordinance entitled "The Improvement Ordinance".

3. PASSED AND APPROVED this 15th day of October, A. D. 1928.

ATTEST: Fred Fries.
City Clerk.

C. M. Chambers.
Mayor.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Rubiola, Steffler, Wright.

No. 127

AN ORDINANCE *MI-93*

APPROPRIATING TWENTY THOUSAND TWO HUNDRED AND EIGHTY SEVEN AND 27/100 (\$20,287.27), DOLLARS TO PAY A SHARE OF THE CITY FOR LAND NECESSARY FOR THE OPENING AND EXTENSION OF EAST MARKET STREET; AND AUTHORIZING THE CITY AUDITOR TO EXECUTE A RELEASE OF THE DIETZEL CERTIFICATES.

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

1. That WHEREAS, as part of the consideration for land necessary to open and extend East Market Street from South Alamo Street to Water Street, City of San Antonio assumed and promised to pay the Street Widening Benefit Assessment chargeable against the remainder of the property of the grantor as more fully appears in two certain deeds from Louis Dietzel to the City of San Antonio and from the City of San Antonio to Luis Dietzel, dated the 13th day of July, A. D. 1925, and recorded in the Deed Records of Bexar County, Texas; and,

2. WHEREAS, Street Improvement Benefit Assessment Certificates Nos. 142 and 143 were issued against said property and sold to Herbert C. Heller & Company, Incorporated.

3. Now, therefore, the sum of \$9,526.53, or as much thereof as is necessary, is appropriated out of the Street Opening and Widening Fund of 1924 to satisfy the principal amount of Certificate No. 142 and interest thereon from the 16th day of July, A. D. 1928, to the 30th day of September, A. D. 1928; and the sum of \$10,760.74, or as much thereof as is necessary, is appropriated out of the Street Opening and Widening Fund of 1927 to satisfy the principal amount of Certificate No. 143 and interest thereon from the 16th day of July, A. D. 1928, to the 30th day of September, A. D. 1928; and said sums are ordered refunded to Herbert C. Heller & Company, Incorporated, upon the delivery of said Certificates to the City of San Antonio.

4. That the City Auditor of the City of San Antonio is hereby authorized to cancel said Certificates and deliver the same to the persons entitled thereto; and to execute and issue a release of the Assessment Liens under the stipulations of Section 24 of an Ordinance entitled "The Improvement Ordinance", passed and approved by the Commissioners of the City of San Antonio on the 8th day of March, A. D. 1920, and recorded in Volume "F", Page 494 of the Minutes of the Proceedings of the Commissioners of the City of San Antonio.

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5. PASSED AND APPROVED, this 15th day of October, A. D. 1928.

ATTEST: Fred Fries.
City Clerk.

C. M. Chambers.
Mayor.

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

ATTEST: *Fred Fries*
CITY CLERK.

APPROVED: *C. M. Chambers*
MAYOR.