

DECEMBER 26, 1946

Bids on the following were opened and publicly read and referred as indicated:

Bid, only one received, on junk tractor. Referred to Comm. Hein.

Bids for construction of sanitary sewer main in S. Flores St., from end of existing main north of Compton Ave., northward to Stonewall Ave., and

Bids for construction of 60" storm sewer at Big Foot and S. Flores Sts., thence to San Pedro Creek, both referred to City Engineer for tabulation.

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PURSUANT to motion duly made and carried, the meeting was recessed until 10:00 o'clock, A. M., Tuesday, December 31, 1946.

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PURSUANT TO THE RECESS of the Meeting of December 26, 1946, the Council reconvened in the Council Chamber of the City Hall at 10:00 o'clock, A.M., on Tuesday, December 31, 1946.

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PRESENT: Mauermann, Callaghan, Hein, Steffler and Anderson; Mayor Mauermann presiding.

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PETITIONS PRESENTED:

V. A. Cooke, for refund of taxes paid twice on Lots 19 and 20, Block 13, NCB 6052, referred to Comm. of Taxation.

Miss Emma Stone, and others, protesting blocking of traffic by trucks at warehouse on East LaChappelle St., referred to Comm. of Fire and Police.

Hall P. Street, for permission to make charge for sewer connections in alley between Rigsby and Hammond Sts., referred to Comm. of Streets.

Bench Advertising Co., Detroit, Mich., for permission to place benches at public conveyance stops, referred to Committee of the Whole.

J. L. Emanuel, for permit to operate bus line to Stinson Field, referred to Committee of the Whole.

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City Attorney T. D. Cobbs, in a statement to the Council, said it was with regret that he had to tender his resignation, but was forced to do so by ill health.

Comm. Anderson expressed regret at Judge Cobbs' departure, praised him for the work done in his 20 to 25 years with the City, said he had one of the most illustrious fathers any man was ever fortunate enough to have, then was fortunate to be associated with the late City Attorney Joe Ryan, and had, during his association with the City, built for himself a reputation second to none in his profession. He said the resignation of Judge Cobbs would be a distinct loss to the people of San Antonio, the Bar Association generally, and the League of Texas Municipalities.

Mayor Mauermann also praised the resigning City Attorney, stating he agreed with all that Comm. Anderson had said. He said Judge Cobbs had rendered valuable service in his 25 years with the City, but probably the most valuable has been under the present administration. "The success we've had in the litigation at Austin" (over the acquisition of the Public Service Co.) "I attribute directly to Judge Cobbs", the Mayor said. He said he hoped to be able to call on Judge Cobbs for assistance, if it becomes possible to codify the City Ordinances, adding that Judge Cobbs "knows more about our ordinances than any other living man".

Judge Cobbs replied that he would be glad to help wherever possible and assured the Council of his lasting friendship and interest in the City's welfare.

Commissioners Hein, Steffler and Callaghan joined in the praise and regrets.

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Comm. Callaghan introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 567 AN ORDINANCE (4424)
 APPROPRIATING \$112,297.15 OUT OF 1946 GENERAL FUND FOR SEMI-MONTHLY PAYROLLS.
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APPRO. NO. 568 AN ORDINANCE (4425)
 APPROPRIATING \$700 OUT OF PARK REVENUE BOND 1945 FUND FOR ESTIMATED PAYROLL.
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APPRO. NO. 569 AN ORDINANCE (4426)
 APPROPRIATING \$36,500 OUT OF 1946 GENERAL FUND FOR ESTIMATED PER DIEM PAYROLLS.
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APPRO. NO. 570 AN ORDINANCE (4427)
 APPROPRIATING \$1,831.25 OUT OF COMMERCE BLDG. FUND FOR PAYROLL.
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APPRO. NO. 571 AN ORDINANCE (4428)
 APPROPRIATING \$459.71 OUT OF 1946 GENERAL FUND TO PAY EXCHANGE ON JANUARY 1, 1947, BOND AND INTEREST COUPON MATURITIES.
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APPRO. NO. 572 AN ORDINANCE (4429)
 APPROPRIATING \$1,900 OUT OF 1946 GENERAL FUND, VARIOUS DEPTS., TO PAY FOR INDEPENDENT HIRE OF TEAMS AND TRUCKS.
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APPRO. NO. 573 AN ORDINANCE (4430)
 APPROPRIATING \$248.05 OUT OF 1946 GENERAL FUND TO PAY FOR TELEPHONE SERVICES FOR MONTH OF DECEMBER, 1946.
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Comm. Steffler introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 574 AN ORDINANCE (4431)
 APPROPRIATING \$224 OUT OF 1946 GENERAL FUND, EMERGENCY STREET AND BRIDGE DEPT., PAYABLE TO J..W. BERETTA ENGINEERS FOR PROFESSIONAL SERVICES.
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APPRO. NO. 575 AN ORDINANCE (4432)
 APPROPRIATING \$3,784.50 OUT OF 1946 GENERAL FUND, EMERGENCY STREET AND BRIDGE DEPT., PAYABLE TO SOUTHERN CONSTRUCTION CO. FOR EMERGENCY REPAIRS.
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APPRO. NO. 576 AN ORDINANCE (4433)
 APPROPRIATING \$1,672.50 OUT OF 1946 GENERAL FUND, ENGINEERING DEPT., PAYABLE TO FRANK T. DROUGHT FOR PROFESSIONAL SERVICES.
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APPRO. NO. 577 AN ORDINANCE (4434)
 APPROPRIATING \$300 OUT OF 1946 GENERAL FUND, EMERGENCY STREET AND BRIDGE DEPT., PAYABLE TO M. L. DIVER FOR PROFESSIONAL SERVICES.
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AN ORDINANCE (4435)
 ACCEPTING THE SANITARY SEWER EASEMENT OF M. GROTHUES.
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Pursuant to recommendation and motion of Comm. Anderson, duly seconded and carried, in each case, the Council granted the following petitions for gasoline installation permits:

Golden West Lubricating Co., at 802 S. Zarzamora St.

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Gulf Oil Corp., at corner of W. Travis and N. San Marcos Sts., Labatt Wholesale Gro. Co.
 The Texas Co., at 921 Roosevelt Ave., Milstead Rubber Co.
 Magnolia Petroleum Co., 2 petitions, at 402 E. Commerce and corner of Aransas and South
 Hackberry Sts.

Comm. Anderson introduced the following ordinance, which was passed and approved by roll
 call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 578

AN ORDINANCE (4436)

APPROPRIATING \$13,203.31 OUT OF POLICE & FIREMEN'S PENSION FUND
 FOR PAYROLL.

Mayor Mauermann introduced the following ordinance, which was passed and approved by roll
 call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 579

AN ORDINANCE (4436)

APPROPRIATING \$1,048.37 OUT OF ADVERTISING FUND TO PAY FOR ARTWORK,
 ENGRAVING AND ADVERTISEMENT IN FEB. 1947 ISSUE OF NATIONAL GEOGRAPHIC
 MAGAZINE.

Comm. Anderson moved that the verbal resignation of City Attorney T. D. Cobbs be accepted
 with regret. After a second by Comm. Hein, the motion was carried and the following Resolution
 passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and
 Anderson.

A RESOLUTION

WHEREAS, T. D. Cobbs, City Attorney of the City of San Antonio, has
 tendered his resignation from that office, due to ill health, effective December
 31, 1946; now, therefore,

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

THAT the Mayor and Commissioners, in accepting, with regret, the
 resignation of City Attorney T. D. Cobbs, join in extending appropriate thanks
 in gratitude to Judge Cobbs for approximately a quarter-century of efficient,
 loyal and extremely valuable service to the City of San Antonio, and

THAT due praise be given Judge Cobbs, who has established for him-
 self the reputation of being the outstanding authority on Municipal Law in
 this State during his faithful service of many years in the Legal Department
 of this City, and

THAT the Mayor and Commissioners extend to Judge Cobbs the thanks
 of the entire citizenry of San Antonio for his long and valued service, and
 order that this Resolution be duly recorded in the minutes of this meeting
 of the City Council.

PASSED AND APPROVED this 31st day of December, A. D. 1946.

s/ Gus B. Mauermann
 M A Y O R

ATTEST: Frank W. Brady
 City Clerk

Mayor Mauermann placed in nomination the name of Ben S. Morris, to succeed to the position
 of City Attorney. After a second by Comm. Anderson, the nomination was carried by the follo-
 wing vote on roll call, to-wit: Ayes, Callaghan, Hein, Steffler and Anderson; Mauermann not
 voting (see Charter Sec. 16).

Mayor Mauermann called to the attention of the Council that a suit was pending in 57th
 District Court, brought by H. H. Theis and E. H. Maddox, seeking to restrain the sale of the
 \$5,700,000 Bond Issue by the City. He asked for a motion to instruct the City Attorney to
 answer for the City of San Antonio and for those Commissioners who so desire. In reply to a
 question from Comm. Anderson, the Mayor said the suit was against both the City and the City
 Officials.

Comm. Anderson said he doubted the wisdom of the program as outlined, but thought the

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City ought to fight this suit.

Comm. Callaghan said that since the suit contesting the bond issue was in the U. S. Supreme Court, he would like to see the injunction granted until the bond contest is disposed of by the U. S. Supreme Court.

MOTION: Mayor Mauermann moved that the City Attorney be instructed to answer for the City of San Antonio in the injunction suit, and to defend the suit. After a second by Comm. Hein, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan.

MOTION: Mayor Mauermann moved that the City Attorney represent the Mayor and three Commissioners agreeable to defending the injunction suit, and file such other answer as should be filed in regard to Comm. Callaghan, if the Commissioner so desires. After a second by Comm. Hein, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

Comm. Callaghan said he would accept the services of the City Attorney.

City Attorney Morris said he would prepare the answer as desired by Comm. Callaghan, to be filed by Comm. Callaghan.

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On motion of Comm. Callaghan, duly seconded and carried, the Council ordered City Hall closed at noon, December 31, 1946, and all day January 1, 1947, for the New Year holiday.

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PURSUANT to motion duly made and carried, the Council Meeting was adjourned this Tuesday, December 31, 1946.

APPROVED:

Just M. Mauermann

M A Y O R

ATTEST:

Frank Brady
City Clerk

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