

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO

After

Recess of Thursday, July 17, 1941 - Saturday, July 19, 1941.

PRESENT: Honorable C. K. Quin, Presiding, and Commissioners Steffler, Hein, and Anderson.

ABSENT : Commissioner Davis.

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Mayor Quin introduced the following Ordinance, which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Steffler, Hein and Anderson. Nays, Davis, Absent.

Appro. No. 142

AN ORDINANCE (209)

APPROPRIATING \$17,551.87 OUT OF THE 1941 GENERAL FUND, FOR PAYROLLS.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$17,551.87, be and the same is hereby appropriated out of the 1941 General Fund, for per diem payrolls for the period ending July 15, 1941, as follows:

Municipal Auditoriums	42.00	
Witte Museum	<u>111.10</u>	153.10
Street Maintenance	2,800.87	
Street Maintenance	233.75	
Sewer Maintenance	<u>426.77</u>	3,461.39
Parks & Plazas	2,026.91	
St. Cleaning & Garbage	8,370.78	
Rivers & Ditches	322.25	
Old City Cemetery	103.75	
San Jose Burial Park	297.50	
Brackenridge Park Golf	206.25	
Riverside Golf Course	173.75	
Recreation Dept.	2,005.69	
Olmos Basin & Dam	137.50	
Sewage Plant	130.00	
La Villita - Parks	<u>163.00</u>	13,937.38
		17,551.87

"And that Warrant therefor shall be numbered #39 and dated to correspond with payroll accounts."

PASSED AND APPROVED on the 19 day of July, 1941.

C. K. Quin
M a y o r

Attest:

Jas. Simpson
City Clerk

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Mayor Quin introduced the following Ordinance, which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Anderson, Steffler and Hein, Nays, Davis, Absent.

Appro. No. 143

AN ORDINANCE (210)

APPROPRIATING \$628.65 OUT OF THE AIRPORT FUND OF 1941 FOR PAYROLL.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$628.65, be and the same is hereby appropriated out of the Airport Fund of 1941, for payroll for the period ending July 15, 1941, in the amount of \$628.65.

"And that Warrant therefor shall be numbered #40 and dated to correspond with payroll accounts."

PASSED AND APPROVED on the 19 day of July, 1941.

C. K. QUIN
M A Y O R

ATTEST:

Jas. Simpson
City Clerk

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Mayor Quin introduced the following Ordinance, which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Anderson, Hein, and Steffler. Naves, Davis, absent.

Appro. No. 144 *MS-292* AN ORDINANCE (211)

APPROPRIATING \$32.50 OUT OF THE STINSON FIELD FUND, FOR PAYROLL.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$32.50, be and the same is hereby appropriated out of the Stinson Field Fund, for payroll for the period ending July 15, 1941, in the amount of \$32.50.

"And that Warrant therefor shall be numbered #95 and dated to correspond with payroll accounts."

PASSED AND APPROVED on the 19 day of July, 1941.

C. K. QUIN
M A Y O R

Attest:

Jas. Simpson
City Clerk

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Mayor Quin introduced the following Ordinance, which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Anderson, Hein, and Steffler. Naves, Davis, absent.

Appro. No. 145 *MS-293* AN ORDINANCE (212)

APPROPRIATING \$20.00 FOR USE BY THE CITY CLERK FOR RECORDING FEES.

BE IT ORDAINED by the Commissioners of the City of San Antonio:

1. That \$20.00 be and the same is hereby appropriated out of the 1941 General Fund - City Clerk's Department, payable to Jas. Simpson, City Clerk, to be used as a revolving fund for payment of recording fees of instruments in the County Clerk's Office, and for no other purpose.
2. That monthly the City Clerk shall render statement to the City Auditor of all expenditures from said fund and reimbursement to said fund shall be made based on said statement so that there will always be kept in said fund the sum of \$20.00.
3. PASSED AND APPROVED this 19 day of July, A.D. 1941.

C. K. QUIN
M A Y O R

Attest:

Jas. Simpson
City Clerk

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Commissioner Steffler introduced the following Ordinance, which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Hein, Steffler and Anderson. Naves, Davis, absent.

MS-294 AN ORDINANCE (213)

ACCEPTING THE PROPOSAL OF MAGNOLIA PETROLEUM COMPANY FOR SALE AND DELIVERY OF GASOLINE, AND MAKING A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND MAGNOLIA PETROLEUM COMPANY CONCERNING SAID PURCHASE AND SALE OF GASOLINE.

BE IT ORDAINED by the Commissioners of the City of San Antonio:

1. That this ordinance accepts the proposal of Magnolia Petroleum Company, dated July 3, 1941, for the sale and delivery of gasoline to the City of San Antonio, and creates and manifests a contract by and between the City of San Antonio, a municipality of the State of Texas, situated in the County of Bexar, hereinafter called "CITY", acting by and through its Mayor, and Magnolia Petroleum Company, a corporation, hereinafter called "CONTRACTOR", in words and figures

as follows:-

2. Contractor agrees to sell and City agrees to purchase from Contractor, gasoline in tank car quantities of 8,000 or 10,000 gallons each, to be delivered on any railroad spur within the City limits of the City of San Antonio designated by the Purchasing Agent of the City of San Antonio.

3. The gasoline sold shall be MOBILGAS, of the following specifications:-

Octane (39 Research	80
Initial Boiling Point	102
End Point (Maximum)	405

Said gasoline shall be kept free of impurities.

4. In consideration of the above agreement and the hereinafter set out conditions and stipulations, City agrees to pay Contractor the sum of \$0.0675 per gallon of gasoline delivered, plus State tax of \$0.04 per gallon making a total cost of \$0.1075 per gallon. Should the posted tank car schedule advance during the period of this contract, Contractor agrees that City shall still pay the above set price; however, should the posted tank car price decline during the period of this contract, then the posted tank car price shall apply, and the City agrees to pay only that price in that event.

Contractor agrees that in computing the net charge to the City of San Antonio, the regular temperature adjustment shall be made.

City agrees to make settlement on the 10th day of each month during the term of this contract, and to settle for the last month of this contract within 15 days after its termination. Contractor agrees that City shall have a discount of one per cent (1%) off of the net amount due provided the payment for the total amount of gasoline sold and delivered to the City of San Antonio each month is made on or before the 10th day of the succeeding month.

5. Contractor agrees that all gasoline ordered by the City shall be delivered to any railroad spur within the City limits of the City of San Antonio designated by the Purchasing Agent of the City of San Antonio within two days from the date of order.

Contractor shall not, however, be responsible for failure to deliver when such failure is caused by conditions beyond Contractor's control, such as a strike. Delays due to causes within the control of Contractor shall not, however, excuse performance by Contractor.

6. Contractor agrees to comply strictly with all laws applicable to Contractor's business, whether Federal, State or local.

7. Strick performance of the terms of this contract is expressly provided for and substantial performance of its terms in good faith and without wilful failure shall not be deemed sufficient performance on the part of Contractor. Strick performance shall be deemed the essence of the contract and is expressly contracted for by the parties hereto.

8. This agreement and all of its terms is to be performed at San Antonio, Bexar County, Texas.

9. In order to secure the faithful performance of each and every condition, stipulation and requirement of this contract on the part of the Contractor, and in order to indemnify and save harmless the City from all damages, either directly or indirectly, arising out of any failure to perform same, the Contractor is required to exercise and deliver a performance bond in the amount of \$1,000.00 on or before the date of this contract becomes effective, to secure the City against the happening of the above contingencies.

10. This contract shall become effective as of July 17th, 1941, and shall terminate at 12:00 midnight on Noevember 30th, 1941, or it may be terminated, prior to expiration date, by either party on seven days' written notice. With the consent of the Board of Commissioners of the City of San Antonio, Contractor may extend the term hereof for an additional 90 day period by giving 15 days' written notice prior to expiration date.

11. This contract shall be accepted and binding upon Contractor by virtue of the signatures subscribed to this instrument.

12. The acceptance of this proposal of Magnolia Petroleum Company is also a rejection of all other bids submitted concerning this same purchase.

13. PASSED AND APPROVED this 19 day of July, A.D. 1941.

C. K. QUIN
M A Y O R

Attest:

Jas. Simpson
City Clerk

14. The foregoing instrument, constituting a contract with Magnolia Petroleum Company, is accepted in all things by the undersigned, duly authorized to do so, this day of July, A.D. 1941.

MAGNOLIA PETROLEUM COMPANY

By

Commissioner Steffler introduced the following Ordinance, which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Hein, Steffler, and Anderson. Naves, Davis, absent.

MS-295

AN ORDINANCE (214)

EXTENDING CONTRACT WITH RODGERS & STEWART, INC. FOR RE-PROCESSING SALVAGED ASPHALT.

WHEREAS, by an ordinance passed and approved on May 31, 1940, the bid of Rodgers & Stewart, Inc., for re-processing salvaged asphalt, Item 15 of said bid was duly accepted, same covering a period beginning June 1, 1940 and ending May 31, 1941; and,

WHEREAS, there is remaining on hand at the place of business of Rodgers & Stewart, Inc., approximately 4,000 tons of salvaged asphalt and same should be re-processed as and when needed by the Street Department to be used by the City of San Antonio for repairs and other work; THEREFORE:-

BE IT ORDAINED by the Commissioners of the City of San Antonio:-

1. That the aforesaid contract and agreement, between the City of San Antonio and Rodgers & Stewart, Inc., relative to the re-processing of salvaged asphalt, be and the same shall remain in full force and effect, and the same is hereby extended for a period of one year beginning June 1, 1941 and ending May 31, 1942,

2. PASSED AND APPROVED this 19 day of July, A.D. 1941.

C. K. QUIN
M A Y O R

ATTEST:

Jas. Simpson
City Clerk

Mayor Quin introduced the following Resolution, which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Heih, Steffler and Anderson. Naves, Davis, absent.

A RESOLUTION (215)

DIRECTING THE CITY CLERK TO ADVERTISE FOR BIDS FOR LEASE OF
THE CONCESSION STAND AT THE CITY HALL.

BE IT RESOLVED by the Commissioners of the City of San Antonio:

1. That the City Clerk of the City of San Antonio be and he is hereby directed to advertise for bids, to be opened at 10:00 o'clock A.M. on July 31, 1941, in the Council Chamber of the City Hall, in the City of San Antonio, Bexar County, Texas, for lease of the Concession Stand at the City Hall, in accordance with copy of proposed lease on file in the office of the City Clerk.

2. PASSED And APPROVED this 19 day of July, A.D. 1941.

C. K. QUIN

M A Y O R

ATTEST:

Jas. Simpson

City Clerk

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Mayor Quin introduced the following Resolution which was read, passed and approved by the following vote on roll call to-wit: Ayes, Quin, Hein, Steffler and Anderson. Nays, Davis, absent.

A RESOLUTION (216)

DIRECTING THE CITY PURCHASING AGENT TO ADVERTISE FOR PROPOSALS FOR
REMODELING BASEMENT OF THE MUNICIPAL AUDITORIUM FOR THE PURPOSE OF
STORING ARMS AND SUPPLIES FOR THE TEXAS DEFENSE GUARD.

BE IT RESOLVED by the Commissioners of the City of San Antonio:

1. That the City Purchasing Agent of the City of San Antonio be and he is hereby directed to advertise for bids, to be opened in the Council Chamber of the City Hall, in the City of San Antonio, Bexar County, Texas, at 10:00 A.M. on July 31, 1941, for remodeling the basement of the Municipal Auditorium for the purpose of storing arms and supplies for the Texas Defense Guard, in accordance with plans and specifications on file in the office of the City Purchasing Agent.

2. PASSED AND APPROVED this 19 day of July, A.D. 1941.

C. K. QUIN

M A Y O R

Attest:

Jas. Simpson

City Clerk

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On motion of Commissioner Steffler, duly seconded and carried, the meeting adjourned.

APPROVED:

C. K. Quin

Attest:

Jas. Simpson