

## AN ORDINANCE

OF 97

Amending Section 3 of an ordinance entitled "An ordinance granting an easement to and authorizing the UNITED STATES OF AMERICA to lay, construct, install and maintain a drain and to make such excavations, ditches and tunnels for the laying, construction, installation and maintenance from time to time as may be necessary, through, under, on and across Brackenridge Avenue, River Avenue and Brackenridge Park, City of San Antonio", passed and approved March 4th, 1918, so as to provide for a 36-inch vitrified, segmental, block storm sewer in lieu of the 42-inch storm sewer, as provided in the original plans for the construction of said drain.

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

That Section 3 of an ordinance entitled "An ordinance granting an easement to and authorizing the United States of America to lay, construct, install and maintain a drain and to make such excavations, ditches and tunnels for the laying, construction, installation and maintenance from time to time as may be necessary, through, under, on and across Brackenridge Avenue, River Avenue, and Brackenridge Park, City of San Antonio", passed and approved March 4th, 1918, be and the same is hereby amended so as to hereafter read as follows, to-wit:

Section 3: That the said drain shall be laid and constructed under the direction of the United States of America, with the approval of the Commissioner of the Department of Streets and Public Improvements, who does hereby approve the plans for the construction of said drain as outlined, prepared and submitted by the United States of America and as amended on November 6th, 1918, by request through the Construction Quartermaster at Fort Sam Houston, providing for a 36-inch vitrified, segmental, block storm sewer in lieu of a 42-inch storm sewer, as provided for in the original plans for the construction of said drain.

PASSED AND APPROVED, this 7<sup>th</sup> day of November, A.D.1918.

Sam C. Bell,

Mayor of the City of San Antonio.

ATTEST:

Fred Fries  
City Clerk.

## A RESOLUTION

OF-97.1

WHEREAS, the City of Cincinnati, as Trustee for the University of Cincinnati, and Julia W. Anderson, a widow of Watch Hill, Rhode Island, have conveyed to the City of San Antonio a tract of land lying and being in the City of San Antonio, upon certain terms and conditions, all of which, together with a description of said tract of land, occur in the deed, a copy of which is as follows, to-wit:

"THE STATE OF TEXAS,  
COUNTY OF BEXAR

KNOW ALL MEN BY THESE PRESENTS... That we, Julia W. Anderson, a widow of Watch Hill, Rhode Island, and the City of Cincinnati, Trustee for the University of Cincinnati, of Hamilton County, State of Ohio, acting herein by and through the Chairman and Clerk of the Board of Directors of the said University of Cincinnati, who have been duly authorized to execute this instrument by Resolution of its Board of Directors, dated August 12, 1918, for and in consideration of the purposes hereinafter set out, and as a donation upon the terms and conditions hereinafter expressed, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the City of San Antonio, a Municipal Corporation of the State of Texas, in the County of Bexar and State of Texas, all that certain tract and parcel of land, lying in the City of San Antonio, Bexar County, Texas, and described as follows, to-wit:

Beginning where the north line of Cincinnati Avenue intersects the east line of Alexander Avenue;

Thence in a northerly direction following the east line of Alexander Avenue, also the meanderings of Lake Avenue to where the same intersects the North line of Woodlawn Avenue;

Thence West along the North line of Woodlawn Avenue to the south-west intersection of Lake Avenue and Woodlawn Avenue;

Thence following the meanders of the South line of Lake Avenue to City Block 2014;

Thence through said block 2014 a strip twenty feet wide parallel with Lake Avenue to the east line of Baldwin Avenue;

Thence south along Baldwin Avenue to Cincinnati Avenue;

Thence east along Cincinnati Avenue to Lake Avenue;

Thence east along south line of Lake Avenue to Williams and Texas Avenues;

Thence east along the North line of Texas Avenue to Alexander Avenue;

Thence North on Alexander Avenue to the place of beginning.

TO HAVE AND TO HOLD the above described premises together with all and singular the rights and appurtenances thereto in any wise belonging unto the City of San Antonio forever.

BUT THIS CONVEYANCE is made and delivered and accepted by the City of San Antonio upon the following terms and conditions:

1. This property is to be used exclusively for park and pleasure purposes for the benefit of the residents of San Antonio, Texas, and the public generally, and for no other purpose;

2. And to this end the City of San Antonio has agreed and does hereby agree to do and perform the following things:

(1) to immediately make such repairs on the dam and the dykes as are necessary to impound the storm waters in the lake or reservoir, and maintain the same as a reservoir thereafter; and thereafter maintain the dam and dykes in reasonably safe condition, and to assume all liability for claims or damages growing out of the maintenance of the same;

(2) to immediately improve Lake Avenue, extend Cincinnati Avenue across the dam and improve the same as a driveway or street;

(3) to plant shades and ornamental trees and shrubs around the Lake and otherwise beautify the same as a park, and thereafter to maintain the said trees and shrubs;

(4) to permit neither beer nor intoxicating liquors of any kind to be sold, given away, or drunk upon said premises;

Nor to permit said premises or any part thereof to be used or occupied for any other immoral or unlawful purpose;

(5) not to convey, alienate or encumber said premises or any part thereof.

3. The City has assumed and hereby agrees to pay all unpaid taxes assessed against said property or any part thereof, and due either to the City of San Antonio, the State of Texas or the County of Baxar;

4. And it is distinctly understood and agreed that if the City shall at any time in the future fail to do or perform any one of said covenants and such default shall continue for sixty days after written demand from the grantors or their legal representatives, that the covenant shall be performed by the City, made upon the governing body of said City, then and in that event the title to the above described property shall revert to and <sup>re</sup>invest in the grantors, their heirs or assigns, and the City shall at once surrender possession of said property to them.

WITNESS our hands this 24th day of October, 1918.

JULIA W. ANDERSON.

THE CITY OF CINCINNATI, TRUSTEE,  
for  
THE UNIVERSITY OF CINCINNATI,  
by  
THE BOARD OF DIRECTORS  
of  
THE UNIVERSITY OF CINCINNATI,  
RUFUS B. SMITH, Chairman  
DANIEL LAURENCE, Clerk.

Signed and delivered  
in the presence of  
MARY CHAMBLISS ANDERSON,  
MARGARET S. ANDERSON.

( S E A L )

MYRTLE STELMERS,  
MILDRED PFISTER,

STATE OF OHIO,  
COUNTY OF HAMILTON,

BEFORE me, the undersigned authority, on this day personally appeared Julia W. Anderson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this 24th day of October, 1918.

( S E A L )

SAMUEL B. BAUER,  
Notary Public in and for Hamilton County, State of Ohio.

THE STATE OF OHIO,  
COUNTY OF HAMILTON,

BEFORE me, the undersigned authority, on this day personally appeared Rufus B. Smith, Chairman and Daniel Laurence, Clerk of the Board of Directors of the University of Cincinnati, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same as such Chairman and Clerk for the purposes and consideration therein expressed, and as the act and deed of the City of Cincinnati, Trustee for the University of Cincinnati.

GIVEN under my hand and seal of office this 24th day of October, 1918.

ALBERT MASSET,  
Notary Public, in and for Hamilton County State of Ohio.

and

WHEREAS, the Commissioners of San Antonio deem it for the best interest and welfare of the City and its inhabitants to accept said gift as a donation, upon the terms and conditions set out in said deed copied herein: Now, Therefore,

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

That the terms and conditions contained in the deed hereinbefore set out in this resolution are by the City of San Antonio hereby in all things accepted.

PASSED AND APPROVED, this 14th day of November A.D. 1918

Sam C. Bell,  
Mayor of the City of San Antonio.

ATTEST

Fred Fries,  
City Clerk.

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AN ORDINANCE

OF-98

Regulating the issuance of uniforms to the members of the Police and Fire Departments and repealing all other ordinances in conflict with such provisions.

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

Section 1. The City of San Antonio shall issue to each member of the uniformed force of the Police and Fire Departments two uniforms and two hats or caps annually, one in the month of February and one in the month of September of each year, and no member of either of said departments shall be allowed or receive any clothing allowance for clothing after November 30, 1918.

Section 2. Each member of the non-uniformed force of the Police and Fire Departments shall receive after November 30, 1918, the sum of (\$3.75) Three and 75/100 Dollars a month in addition to the amount paid to the holder of such office at this time, and no clothing shall be issued by the City to such non-uniformed member of said Police and Fire Department Force, nor shall any or further allowance of any character for clothing be made or paid to them by the City.

Section 3. All uniforms, hats and caps issued to the uniformed members ~~in~~ of said Police and Fire Departments, from and after November 1, 1918, as provided in Section 1 hereof, shall be and remain the property of the City of San Antonio and shall be returned to the Chief of the Department in which such member is serving at the expiration of his term of such office or when he ceases to be an employee of such department, and such officer shall not be entitled to nor shall he receive warrant and check for any part of the salary due at the expiration of such employment until the provisions of this section shall have been complied with.

Section 4. Each member of the uniformed force of said Police and Fire Departments shall take good care of all uniforms and personal equipment issued to him, so that at all times when required to be in uniform he will present a neat and attractive appearance and reflect credit upon his respective department, and any violation and abuse of this section shall be just grounds for removal from office or employment.

Section 5. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

PASSED AND APPROVED this 25th day of November, A.D.1918.

Attest:

Fred Fries,  
City Clerk.

Sam C. Bell  
Mayor of the City of San Antonio.

San Antonio, Texas. November 14, 1918.

TO THE HONORABLE MAYOR AND CITY COMMISSIONERS,

San Antonio, Texas.

Gentlemen:

In accordance with a resolution of the Board of Directors this day adopted, the San Antonio Public Service Company hereby accepts the terms of the ordinance passed on the 8th day of November, A.D.1918, consenting to its application heretofore filed for permission to increase its Gas & Electric rates as therein stated. This acceptance, however, is made with the statement that the Company understands that this ordinance does not in any way determine or undertake to determine for the future what shall be regarded as a fair percent of return on its investment or properties in its Gas & Electric Department, but merely limits the rate of return to seven per cent (7%) for the period beginning November 1st, A.D.1918 and ending October 31st, A.D.1919 as a war emergency, without in any way prejudicing or estopping the Company from contending or securing for any period thereafter such rate of return as it may be entitled to by law. In addition to thus, we do not understand that this ordinance is intended to in any way affect any rights the Company may have with reference to its Traction Department or to estop it from enforcing said rights in such way as the law may allow.

SAN ANTONIO TRACTION COMPANY

By E. H. Kifer,  
2nd Vice President.

AN ORDINANCE

OF-99

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

That the application of the San Antonio Public Service Company filed herein on the 21st day of October A.D.1918, for the consent of the Commissioners to increase the rates to be charged to the public for the City of San Antonio in their gas and electric department be and the same is, subject to the conditions hereinafter set out, granted.

The consent of the City to raise said rates as set out in said petition is conditioned, however, as follows:

1. The City is to be allowed by the Company to audit the books and accounts and to appraise the property of the Company pertaining to its gas and electric business and the Company is to afford to the City and the agents selected by it for that purpose all facilities and assistance necessary to do the work. The auditor or auditors and appraisers shall be selected by the Commissioners of the City of San Antonio and the expenses of auditing, survey and appraisal of the property is to be borne by the Company, provided, however, that same shall be as economically done as possible with good results, provided, that in no case shall the expense borne by the Company be in excess of Five Thousand Five Hundred (\$5,500.00) Dollars for this work.

2. After the making of such survey of such property and the auditing of the books of the Company should it be finally determined by the Commissioners or by the Courts, in the event either party sees fit to appeal to the Courts, that the rates as now fixed by this application assented to by the City are excessive and allow to the Company upon its property invested in the gas and electric department of its business in the City of San Antonio more than the return hereinafter provided for, that in that event the Company is to return to the persons so paying said excess rates during the year ending October 31, 1919 at its expense such excess for such time as same shall have been collected.

3. For the purpose of this ordinance only and for the period of one year from November 1st, 1918, the rates collected shall be considered excessive should they yield a return upon the value of the properties of the Company in its gas and electric department in excess of seven per cent (7%) per annum, provided, however, that the Company by assenting to the terms of this ordinance as hereinafter provided shall in no way bind itself for the future, that said return is a fair return on its investment or in any way waive any rights it may have in the future or estop itself further than actually provided for by the terms of this ordinance. Nor shall the right of the City to pass ~~such~~ other and further regulating measures in the premises as it may deem necessary be affected.

This ordinance shall become effective only when same has been accepted in all of its terms and provisions by the San Antonio Public Service Company filing its written acceptance of same duly executed by its proper officers on or before November 14, 1918.

Passed and Approved the 8th day of November, A.D.1918.

Attest:  
Fred Fries, City Clerk.

Sam C. Bell, Mayor

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SAN ANTONIO PUBLIC SERVICE COMPANY.

San Antonio, Texas, October 21, 1918

To the Honorable Mayor and Commissioners of the City of San Antonio:

The San Antonio Public Service Company respectfully shows that it is necessary for said Company to raise the rates of Gas and Electricity.

That in order to meet its operating expenses and the obligations on its investment it is necessary that its present rates should be changed.

It has decided to change all existing electric rates by adding one cent (1c) per kilowatt hour to each step of the present schedule of gross rates, which is equivalent to a net increase of nine tenths of one per cent kilowatt hour when bills are paid before the last discount day.

The electric rates when said changes are made will be as follows:

INCANDESCENT RATES.

1st. 25 K. W. Hrs. @ 11¢ per K.W.Hr. less 10% discount if paid before last discount day.  
Next 75 K.W. Hrs. @ 9¢ per K.W.Hr. less 10% discount if paid before last discount day.  
" 900 K.W.Hrs. @ 7¢ per K.W.Hr less 10% discount if paid before last discount day.  
" 2000 K.W.Hrs @ 6¢ per K.W.Hr. less 10% discount if paid before last discount day.  
All over 3000 K.W.Hrs @ 5¢ per K.W.Hr less 10% discount if paid before last discount day.

Regular Power Rate.

1st 500 K.W.Hrs @ 6¢ per K.W.Hr less 10% discount if paid before last discount day.  
Next 500 K.W.Hrs @ 5¢ per K.W.Hr. less 10% discount if paid before last discount day.  
9000 K.W.Hrs @ 4¢ per K.W.Hr less 10% discount if paid before last discount day.  
All over 10,000 K.W.Hrs @ 3¢ per K.W.Hr less 10% discount if paid before last discount day

SPECIAL POWER DEMAND RATE.

2½¢ per kilowatt for the first 1000 kilowatts, and 2¢ per kilowatt for all current used in addition, plus \$2.00 per month per kilowatt demand. The demand to be figured on the following basis:

From 1 to 10 kilowatts rated capacity where only one motor is used, 90% of the rated capacity of the motor.

From 1 to 10 kilowatts rated capacity where more than one motor is used, 80% of the rated capacity of the motors.

And in addition to the charge for the first 10 kilowatts for all installations above 10

kilowatts, 70% of the rated capacity of the motor.

The above is subject to 10% discount if paid before last discount day.

The Company has decided to change its existing gas rates to the following schedule:

For the 1st 10,000 cubic feet, \$1.35 per thousand, less 10% discount if paid before last discount day.

For the next 20,000 cubic feet, \$1.25 per thousand, less 10% discount if paid before last discount day.

For the next 20,000 cubic feet \$1.15 per thousand, less 10% discount if paid before last discount day.

For all over 50,000 cubic feet, \$1.05 per thousand, less 10% discount if paid before last discount day.

The present minimum monthly of 50¢ per meter will remain the same as at present.

Your petitioner respectfully requests the consent of the City Council to make said changes in said rates to become effective during the month of November, and in this connection shows that at the time the franchise was granted under which the present gas and electric department was being operated in March, 1899, the rates for electricity were 20¢ per kilowatt hour, less 10% discount, for incandescent lights, making a net rate of 18¢ per kilowatt hour, and of 6¢ per kilowatt hour for power, less 10%. That the Company operating said department has voluntarily and without being required or requested to do so by the City Council, reduced said rates from time to time as its income justified. That during all the years since granting of the franchise it has made a number of reductions, having reduced the net rate for incandescent light from 18¢ to 16¢ in 1902; and from 16¢ to 14¢ in 1911 for the first 25 kilowatt hours and further reduced the rate at that time to 8¢ for the next 75 kilowatt hours and to 6¢ to the next 900 kilowatt hours, and to 5¢ for all above 1000 kilowatt hours; and the power rates were reduced at that time from 6¢ to 5¢ for the first 500 kilowatt hours and to 4¢ for the next 500 kilowatt hours, and to 3¢ for all over 1000 kilowatt hours.

In January, 1913, another reduction was made in the power rate so as to make it 4¢ for all over 3,000 kilowatt hours, and 2¢ per kilowatt hour for all over 10,000 kilowatt hours.

In January, 1914 the company further voluntarily reduced the incandescent rate from 14¢ per kilowatt hour for the first 25 kilowatt hours, to 12¢ per kilowatt hour net.

In January, 1916 it made a further reduction in the incandescent rate, reducing the net rate from 12¢ to 10¢ per kilowatt hour.

In January, 1917, it made a still further reduction in the incandescent rates by putting in the present rates which began with 9¢ net for the first 25 kilowatts and run down to 3.6¢. And also made a reduction of 10% in the power rates in force.

Further, that at the time the franchise was granted in March, 1899, the rates for gas were (\$2.00) Two Dollars per thousand cubic feet for illuminating gas and \$1.50 per thousand for fuel, subject to a discount of 25¢ per thousand for prompt payment.

Since that time the company has made several voluntary reductions in the gas rates, the last being in January, 1917, when the present schedule of rates was put into effect.

At the time of the last reductions of both gas and electricity the prevailing prices for practically everything entering into the cost of manufacturing and distributing gas and electricity and constructing gas and electric plants were not materially different from what had prevailed for several years and which the company assumed would remain reasonably constant, enabling it to continue the rates then put into effect.

That the prices for supplies have been advanced enormously is known to all.

Your petitioner would show that under the present prices which it must pay for the

items of coke, oil, labor, and taxes, based upon the quantities used during the past twelve months, its operating expenses will be increased by at least the following amounts:

Coke	\$44,500
Fuel Oil & Gas oil	193,200
Labor	82,300
Taxes	13,200
	<u>\$332,200</u>

The above does not take into account increased prices that must be paid for other materials, such as pipe, brass goods, wire, horse feed, gasoline, purifying material, etc. all of which enter into the manufacture and distribution of gas and electricity.

In view of these enormously increased expenses now confronting the company it is imperative that it must increase the selling price of its products, otherwise the company cannot meet its operating expenses and the obligations on its investment.

Customers can rest assured that with a return to normal conditions the rates will again be reduced.

Respectfully submitted,

E.H.Kifer,  
Vice President-General Manager.

EHK/McI

(Filed in the office of the City Clerk October 21, 1918)

AN ORDINANCE *OF-100*

Amending Sections One, Six and Eight of an ordinance entitled "An ordinance for controlling and preventing the spread of contagious diseases", passed and approved the 31st day of January A.D.1916.

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

That Section One, Six and Eight of an ordinance entitled "An ordinance for controlling and Preventing the Spread of Contagious Diseases", passed and approved the 31st day of January A.D.1916, shall be and the same are hereby amended so that said sections respectively shall hereafter read as follows, to-wit:

Section One: DEFINITIONS. The term "contagious disease" or "contagious diseases", as hereinafter used, shall be held to include the following diseases, to-wit: Asiatic Cholera, Bubonic Plague, Typhus Fever, Yellow Fever, Leprosy, Smallpox, Scarlet Fever (Scarletina) Diphtheris (Membraneous Croup), Epidemic Cerebro-Spinal Meningitis, Typhoid Fever, Measles, Influenza, Pneumonia, Chickenpox, Whooping Cough, and Infantile Paralysis.

Section Six. Penal Clause. Every person who shall violate or who shall fail or refuse to observe and comply with any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than Twenty Five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars for the first offense, and not less than One Hundred(\$100.00) Dollars nor more than Two Hundred (\$200.00) Dollars <sup>such</sup> for the second offense, and each day during which ~~xxx~~ violation, failure or refusal shall continue, shall be a separate and distinct offense.

Section Eight. Repealing Clause. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed; provided, that this ordinance shall not be held to repeal or affect any other ordinance provision relating to any contagious disease unless the same be in direct conflict herewith.

PASSED AND APPROVED this 5th day of December, A.D.1918.

Attest:

Sam C. Bell,  
Mayor of the City of San Antonio.

Fred Fries,  
City Clerk.