

AUGUST 19, 1943

REGULAR MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO,
HELD IN THE COUNCIL CHAMBER OF THE CITY HALL, SAN ANTONIO, TEXAS,
AT 10:00 A. M. ON THURSDAY, AUGUST 19, 1943.

PRESENT: Mauermann, Callaghan, Hein, Steffler and Anderson.

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A motion was made by Commissioner Steffler that the reading of the Minutes of the preceding meeting be omitted, which motion was amended by Commissioner Anderson, who moved that the usual order of business be suspended and that the two Ordinances, one amending the Traffic Ordinance and the other concerning the agreement with the Transit Company be made the order of business of the day. After a second by Commissioner Callaghan, the motion was unanimously carried.

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Commissioner Anderson introduced the following Ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

AN ORDINANCE (203)

AMENDING AN ORDINANCE REGULATING TRAFFIC, PASSED AND
APPROVED ON THE 8TH OF DECEMBER, 1921 AS AMENDED.

(For full text of this Ordinance, see Ordinance Book "L", p.105)

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Mayor Mauermann introduced the following Ordinance, which was read and discussed, and was then referred to the Committee as a whole to be resubmitted at a recessed meeting to be held at 9:30 A. M. Friday, August 20th, 1943, in the Council Chamber:

AN ORDINANCE

CHARGING THE SAN ANTONIO TRANSIT COMPANY \$350,000.00
FOR THE USE OF THE STREETS OF THE CITY OF SAN ANTONIO.

* * *

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

1. That this ordinance makes and manifests a charge of \$350,000.00 against the San Antonio Transit Company for the use of the streets of the City of San Antonio for the City fiscal year 1943, by the San Antonio Transit Company as a common carrier of passengers for hire.
2. This charge shall be payable quarterly in advance, the first payment to be due and payable on the 1st day of June, A. D. 1943 and successive payments shall become due and payable each quarter of the year thereafter.
3. In the event the San Antonio Transit Company fails or refuses to make the payments provided herein, the City of San Antonio shall have the right to bring an action to recover said debt together with 6 per cent interest from the date hereof, 10 per cent attorney's fees and all costs of the City of San Antonio incurred in the enforcement of this ordinance.
4. This charge shall be in lieu of all fees for which the San Antonio Transit Company is liable, except ad valorem taxes.

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The principal speakers were Mr. Gordon Rupe and Mr. Sylvan Lang for the Transit Company and Mr. Wallace Rogers and Walter W. McAllister representing the Citizens Committee.

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Following this discussion, the Council proceeded to the regular business of the day.

A Petition from the Magnolia Petroleum Company for permission to install five new pumps at each of three locations, vis.: 1506 South St. Marys Street, 227 Broadway and South Hackberry and Highland Boulevard were read and referred to the Fire and Police Commissioner for action.

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A petition of Ralph P. Kelley for permission to keep a cow, a calf and a pony at his home,

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1006 Vance Jackson Road, was read and referred to the Health Department for recommendation.

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An application of C. B. Fulton for a franchise to operate a public transportation system over the streets of San Antonio was read and referred to the Committee as a whole for action.

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Commissioner Callaghan introduced the following ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 127

AN ORDINANCE (204)

APPROPRIATING \$510.94 OUT OF 1943 GENERAL FUND TO PAY FOR REPAIRS TO BURROUGHS BOOKKEEPING MACHINES.

(For full text of this Ordinance, see Ordinance Book "L", p.108).

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APPRO. NO. 128

AN ORDINANCE (205)

APPROPRIATING \$102,822.53 OUT OF THE 1943 GENERAL FUND, FOR SEMI-MONTHLY AND PER DIEM PAYROLLS.

(For full text of this Ordinance, see Ordinance Book "L", p.108).

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Commissioner Hein introduced the following Ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 129

AN ORDINANCE (206)

APPROPRIATING \$1,116.50 OUT OF THE 1943 GENERAL FUND TO PAY FOR TEAMS AND TRUCKS HIRED IN THE VARIOUS DEPARTMENTS.

(For full text of this Ordinance, see Ordinance Book "L", p.108)

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Commissioner Hein also introduced the following Ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Hein and Steffler. Nay, Callaghan and Anderson.

AN ORDINANCE (207)

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON FIRM OR CORPORATION TO SELL VEGETABLES AND FRUITS IN WHOLESALE QUANTITIES IN THE CITY OF SAN ANTONIO WITHOUT FIRST PAYING A LICENSE FEE OF \$50.00 ANNUALLY, AND DEFINING A WHOLESALE DEALER AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF", PASSED AND APPROVED ON THE 31ST DAY OF MARCH, A. D. 1943.

(For full text of this Ordinance, see Ordinance Book "L", p.109).

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Commissioner Steffler introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 130

AN ORDINANCE (208)

APPROPRIATING THE SUM OF \$78.41 TO REIMBURSE THOS. H. COGHILL, CITY ENGINEER, FOR EXPENSES OF TRIPS TO DALLAS AND FORT WORTH, TEXAS, IN CONNECTION WITH REQUEST FOR FUNDS FOR CONSTRUCTION OF SANITARY SEWER MAINS.

(For full text of this Ordinance, see Ordinance Book "L", p.109)

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AN ORDINANCE (209)

ACCEPTING PROPOSAL OF C. L. WORTHY, SR. TO SELL GRAVEL.

(For full text of this Ordinance, see Ordinance Book "L", p.109)

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APPRO. NO. 131

AN ORDINANCE (210)

APPROPRIATING THE SUM OF \$250.00 IN PAYMENT TO G. W. DICKERSON FOR EXCAVATING STORM SEWER TRENCH ON CAROLYN AND HARRIMAN STREETS, IN ACCORDANCE WITH CONTRACT.

(For full text of this Ordinance, see Ordinance Book "L", p.110)

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Commissioner Anderson introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 132

AN ORDINANCE (211)

APPROPRIATING \$300.00 TO PAY CHIEF C. A. HART EXPENSES INCURRED IN CITY BUSINESS.

(For full text of this Ordinance, see Ordinance Book "L", p.110)

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APPRO. NO. 133

AN ORDINANCE (212)

APPROPRIATING \$82.00 OUT OF 1943 GENERAL FUND FOR EMERGENCY EXPENDITURES IN THE POLICE DEPARTMENT.

(For full text of this Ordinance, see Ordinance Book "L", p.110)

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Mayor Mauermann introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 134

AN ORDINANCE (213)

APPROPRIATING \$1,694.66 OUT OF 1943 GENERAL FUND TO PAY FOR TELEPHONE SERVICE FOR THE MONTH OF AUGUST 1943.

(For full text of this Ordinance, see Ordinance Book "L", p.111).

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APPRO. NO. 135

AN ORDINANCE (214)

APPROPRIATING \$28.87 OUT OF 1943 GENERAL FUND TO PAY FOR ELECTRICAL INSTALLATIONS AND REPAIRS.

(For full text of this Ordinance, see Ordinance Book "L", p.111).

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APPRO. NO. 136

AN ORDINANCE (215)

APPROPRIATING \$23.00 OUT OF 1943 GENERAL FUND TO PAY FOR POSTAGE STAMPS

(For full text of this Ordinance, see Ordinance Book "L", p.111).

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APPRO. NO. 137

AN ORDINANCE (216)

APPROPRIATING \$50.00 OUT OF THE ADVERTISING FUND, FOR PAYROLL

(For full text of this Ordinance, see Ordinance Book "L", p.112)

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APPRO. NO. 138

AN ORDINANCE (217)

APPROPRIATING \$181.40 OUT OF THE COMMERCE BUILDING FUND, FOR PAYROLL

(For full text of this Ordinance, see Ordinance Book "L", p.112).

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APPRO. NO. 139

AN ORDINANCE (218)

APPROPRIATING \$257.25, OUT OF 1943 GENERAL FUND, FOR FINISHING OF FLOORS IN THE COMMERCE BUILDING.

(For full text of this Ordinance, see Ordinance Book "L", p.112).

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On motion by Commissioner Steffler, seconded by Commissioner Anderson, the meeting was recessed until 9:30 A. M. Friday, August 20th, 1943.

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PURSUANT TO THE RECESS of the Commissioners held at 10:00 A. M., Thursday, August 19th, the meeting reconvened in the Council Chamber at 9:30 A. M. Friday, August 20th, 1943.

PRESENT: Mauermann, Callaghan, Hein, Steffler and Anderson.

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Mr. J. W. Connally, representing the Bus Drivers Union was called upon by the Mayor, and spoke briefly.

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Commissioner Callaghan introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 140

AN ORDINANCE (219)

TRANSFERRING \$16,000.00 FROM 1942 GENERAL FUND - TO 1943
GENERAL FUND.

(For full text of this Ordinance, see Ordinance Book "L", p.112)

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APPRO. NO. 141

AN ORDINANCE (220)

APPROPRIATING \$25,033.57 OUT OF 1943 GENERAL FUND TO PAY NOTE
NO. 16 OF THE 1943 GENERAL FUND SERIES, AND ACCRUED INTEREST.

(For full text of this Ordinance, see Ordinance Book "L", p.113).

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Commissioner Anderson introduced the following Ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 142

AN ORDINANCE (221)

APPROPRIATING \$94.90 OUT OF 1943 GENERAL FUND TO DEFRAY EXPENSES
OF JOHN D. ROBARDS, SPECIAL INVESTIGATOR, ON ASSIGNMENT OF POLICE
ACADEMY AT WASHINGTON, D. C.

(For full text of this Ordinance, see Ordinance Book "L", p.113).

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A motion was made by Commissioner Anderson, seconded by Commissioner Hein, that the Council consider the Ordinance proposed by the Mayor to charge the Transit Company \$350,000.00 for the use of the streets during the year 1943, and suggested that the Mayor and Commissioners, the Citizens Committee composed of Messrs. Wallace Rogers, Walter W. McAllister and Theo Plummer, and a Committee representing the Bus Drivers, composed of Messrs. J. W. Connally, L. C. Bingel and L. B. Conway, as well as the Committee from the Transit Company composed of Messrs. Gordon Rupe, Sylvan Lang and Jim Turner, discuss this Ordinance around the table in the open Council Chamber; which motion was carried and the discussion began.

At the outset of the discussion, Commissioner Anderson requested to be heard and read into the record a statement dictated by Mr. Gordon Rupe in Commissioner Anderson's Office, as follows:

"Instead of a stop-gap ordinance, negotiations should be immediately instituted for the preparation of a term franchise for the Company, on condition, however, that whatever tax is agreed upon in such franchise shall be retroactive to January 1, 1943, and the difference between such tax and the amount of seat tax paid by the Company shall be made up and paid to the City during the calendar year of 1943;

And the further condition that earnings of the Company shall be used to build up reserves within the Company for the purpose of assuring that new type equipment and other necessary capital investments may be made immediately after such equipment is available.

Further conditioned, upon an agreement from the Company that until such reserves have been built up, an agreed restriction shall be placed on the payment of any cash

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dividends. This will assure that the present earnings of the Company will remain in San Antonio for the upbuilding of the best transportation system of any city in the State."

After a general discussion by all members of the various committees, it was agreed by the Transit Company Officials that an operating statement would be furnished within one week to the Mayor and Commissioners and members of the Citizens Committee for study.

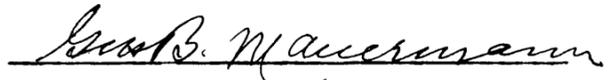
It was further agreed by Mr. Rupe, President, and Mr. Sylvan Lang, Vice-President, who represent the majority of the Board of Directors of the San Antonio Transit Company, which Directors consist of D. Gordon Rupe, Sylvan Lang and Murray Wolbach, that:-

Rupe talking:

"I am willing to have the Commission pass an Ordinance providing for two per cent of the gross receipts dating back retroactively to the fiscal year of the Company and the fiscal year of the City, which is June 1st. If we reach an accord, whether it is ten per cent or two per cent on a franchise, I will agree that this Company will pay whatever percentage such franchise provides retroactively from January 1, 1943 to May 31, 1943."

On motion by Commissioner Steffler, seconded by Commissioner Anderson and unanimously carried, the meeting was adjourned August 20th, 1943.

APPROVED



MAYOR

ATTEST:



Secretary