

## SPECIAL MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO

TUESDAY, DECEMBER 31ST, A. D. 1940 10:30 A. M.

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PRESENT: Honorable Maury Maverick, Mayor, presiding, and Commissioners Davis, Hein, Steffler and Lipscomb.

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The clerk read the following call, to-wit:

TO THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

Gentlemen:

Under the authority vested in me as Mayor by the Charter of the City of San Antonio, I hereby call you into Special Session this 31st day of December, 1940, to convene at 10:30 A. M. for the purpose of submitting a resolution entitled, "A RESOLUTION ACCEPTING AN OFFER OF AID IN THE DEVELOPMENT OF THE SAN ANTONIO AIRPORT, MADE BY THE UNITED STATES OF AMERICA THROUGH THE ADMINISTRATOR OF CIVIL AERONAUTICS OF THE DEPARTMENT OF COMMERCE AND PROVIDING CERTAIN ASSURANCES AND COVENANTS IN CONSIDERATION THEREOF.", and such other matters that might come before the Board of Commissioners.

Respectfully,

Maury Maverick  
Mayor

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Mayor Maverick introduced the following ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Maverick, Davis, Hein, Steffler and lipscomb.

*MR-824*

A RESOLUTION (2668)

ACCEPTING AN OFFER OF AID IN THE DEVELOPMENT OF THE SAN ANTONIO AIRPORT, MADE BY THE UNITED STATES OF AMERICA THROUGH THE ADMINISTRATOR OF CIVIL AERONAUTICS OF THE DEPARTMENT OF COMMERCE AND PROVIDING CERTAIN ASSURANCES AND COVENANTS IN CONSIDERATION THEREOF.

WHEREAS, the Administrator of Civil Aeronautics of the United States Department of Commerce, through the Regional Manager of Civil Aeronautics, P. O. Box 1689, Fort Worth, Texas, advises that the development of the San Antonio Airport in the approximate amount of \$100,000.00 has been approved by the Board composed of the Secretaries of War, Navy and Commerce as necessary to national defense for inclusion in the construction program authorized by Public No. 812 76th Congress, approved October 9, 1940.

WHEREAS, the undertaking of this development is contingent on the fulfillment of certain conditions, to-wit:

1. That the City of San Antonio through its properly constituted officials provide evidence that it has title or will obtain title prior to construction being placed underway to the requisite land for the project.
2. That the City of San Antonio agrees to accept full responsibility for the maintenance of the improved airport.
3. That the City of San Antonio agrees to accept full responsibility for the operation of the improved airport as a public airport in the public interest.
4. That the City of San Antonio agrees to protect the aerial approaches to the airport to the full extent of its legal ability.
5. That the City of San Antonio agrees to cooperate with the Civil Aeronautics Administration in the orderly prosecution of the proposed work.
6. That the City of San Antonio agrees to hold the United States harmless from all claims and damages which may arise from the construction operations but are not a definite part thereof.

WHEREAS, the proposed development would be to the advantage and benefit of the City of San Antonio; NOW, THEREFORE:-

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

SECTION I. That the City of San Antonio hereby agrees, subject to the United States undertaking the development of the San Antonio Airport at an approximate cost of \$100,000.00, as follows:

REPRESENTATIONS AND WARRANTIES.

(a) That the City of San Antonio owns and possesses title in fee simple to the lands comprising the landing area of the San Antonio Airport, together with all other lands to be improved under the project or will acquire title in fee simple to these lands without delay, which lands are more particularly described as 1136 acres of land (approximately 1200 acres) situated in County Block No. 5013, in Bexar County, Texas, lying north of the City of San Antonio on North Loop Road and on west side of the Missouri-Pacific Railway track.

(b) That the City of San Antonio has the power and authority under the laws of the State of Texas to perform all of its obligations hereunder.

SECTION II. That the City of San Antonio agrees to permit the agents of the Government and all contractors or sub-contractors engaged directly or indirectly in carrying out the project, including their agents and employees to enter upon, use and occupy the airport as may be deemed by the Government to be necessary or desirable in the conduct of the project.

SECTION III. OWNERSHIP OF IMPROVEMENTS.

That all improvements made under the project shall be the sole and absolute property of the City of San Antonio, except where specifically agreed otherwise prior to the undertaking of the improvement or installation.

SECTION IV. MAINTENANCE OF AIRPORT FACILITIES.

That the City of San Antonio agrees to accept full responsibility for the maintenance of the San Antonio Airport, to include all work undertaken under this project by the United States of America.

SECTION V. THE OPERATION OF THE AIRPORT.

That the City of San Antonio agrees to accept full responsibility for the operation of the San Antonio Airport for the use and benefit of the public on reasonable terms and without unjust discrimination and to grant no exclusive right therein contrary to the provisions on Section 303 of the Civil Aeronautics Act of 1938.

SECTION VI. PREVENTION OF HAZARDS.

That the City of San Antonio agrees, insofar as is reasonably possible and within its legal ability, to protect the aerial approaches to the airport from the erection of structures or from growth tending to render the use of the airport dangerous to aircraft and that it will not erect on the airport or permit to be erected, any structure or building which will limit the usefulness of the airport or constitute a hazard to aircraft using the airport.

SECTION VII. COOPERATION

That the City of San Antonio agrees to cooperate with the Civil Aeronautics Administration in the orderly prosecution of the project.

SECTION VIII. RELEASE FROM CLAIMS.

That the City of San Antonio agrees to hold the United States harmless from any and all claims or damages which may arise from the construction activities of the United States but are not a definite part thereof.

SECTION IX. CERTIFICATION.

That the City Clerk is hereby authorized and directed to send to the Administrator through the Regional Manager of Civil Aeronautics, P. O. Box 1689, Fort Worth, Texas, two certified copies of this resolution with two certified copies of an extract of the minutes of the meeting of this City Commissioner showing all proceedings in connection with the adoption of this resolution.

PASSED AND APPROVED this 31st day of December, A. D. 1940.

Maury Maverick  
Mayor

Attest: H. L. Dillashaw  
City Clerk

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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, Maverick, Davis, Hein, Steffler and Lipscomb.

No. 512      MR-825      AN ORDINANCE (2669)

APPROPRIATING \$50.00 TO REIMBURSE ALONZO RAMIREZ FOR DAMAGES TO AUTOMOBILE  
IN COLLISION WITH CITY TRUCK ON DECEMBER 6TH, 1940.

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

1. That \$50.00 be and the same is hereby appropriated out of the 1940 General Fund-Street Cleaning Department, to reimburse Alonzo Ramirez for damages to 1934 Ford Sedan in collision with city truck in the 1400 Block of West Commerce Street, in the City of San Antonio Bexar County, Texas, on December 6th, 1940.

2. Upon execution and delivery of release, approved by the City Attorney, the Auditor is directed to deliver to Alonzo Ramirez city warrant in the amount of \$50.00.

3. PASSED AND APPROVED this 31st day of December, A. D. 1940.

Maury Maverick  
Mayor

Attest: H. L. Dillashaw  
City Clerk

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Mayor Maverick introduced the following ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Maverick, Davis, Hein, Steffler and Lipscomb.

MR-826      AN ORDINANCE (2670) *Approved #83 July 8, 1941*  
ACCEPTING THE BID OF GENERAL SUPPLY COMPANY, INC., FOR GYPSUM ROOF DECK  
TO BE USED ON THE BOLIVAR MUSEUM.

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

1. That the bid of General Supply Company, Inc., dated December 3rd, 1940, for the furnishing of labor and materials in the erection of a Gypsum Roof Deck to be used on the Bolivar Museum at La Villita, in the City of San Antonio, be and the same is hereby accepted, said bid being attached hereto and made a part hereof for all purposes.

2. Said material shall include U. S. Gypsum Company's 2½"x 10"x 6'0" Pyrobar Reinforced Tongue & Grooved Gypsum Roof Tile, and shall be delivered to the site of the job and erected in place, as needed and called for in the erection of said Bolivar Museum, all in accordance with and subject to the plans and specifications for said Museum in the offices of W. E. Simpson Company, Consulting Engineers, and O'Neill & Johnson, Architects.

3. In consideration for the delivery and erection of said Gypsum Roof Deck, the City of San Antonio agrees to pay the net sum of One Thousand Six Hundred Forty One (\$1,641.00) Dollars, payable as follows: On or before the 10th day of each calendar month, 85% of the value of all materials delivered upon the premises and of work performed during the next preceding

calendar month. Final payment shall be made within 30 days after the Certificate of Approval of said delivery and the completion of said work has been submitted to the Mayor of the City of San Antonio by the architects and engineers abovementioned.

4. One Thousand Six Hundred Forty One (\$1,641.00) Dollars, or so much as may be necessary, be and the same is hereby appropriated out of the La Villita Fund to be paid in accordance with Section 3 above.

5. All other bids for the above material, labor and equipment are hereby rejected.

6. PASSED AND APPROVED this 31st day of December, A. D., 1940.

Maury Maverick  
Mayor

Attest: H. L. Dillashaw  
City Clerk

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Mayor Maverick introduced the following ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Maverick, Davis, Hein, Steffler and Lipscomb.

*MR-827*

AN ORDINANCE (2671)

ACCEPTING THE BID OF GENERAL SUPPLY COMPANY, INC., FOR ACOUSTIC TREATMENT OF THE BOLIVAR MUSEUM.

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

1. That the bid of General Supply Company, Inc., dated December 3rd, 1940, for the furnishing of labor and materials to erect the necessary Acoustic Treatment on the Bolivar Museum at La Villita, in the City of San Antonio, be and the same is hereby accepted, said bid being attached hereto and made a part hereof for all purposes.

2. Said Acoustic Treatment shall include the use of U. S. Gypsum Company's 9/16" x 12" x 12" Acoustone D, standard Ivory color with 1/8" bevel, and said materials shall be delivered to the site of the job and erected as needed and called for in the erection of said Bolivar Museum, all in accordance with and subject to the plans and specifications for said museum in the offices of W. E. Simpson Company, Consulting Engineers, and O'Neill & Johnson, Architects.

3. In consideration for the delivery and erection of said Acoustic Treatment on said museum, the City of San Antonio agrees to pay the net sum of Six Hundred Sixty Nine (\$669.00) Dollars, payable as follows: On or before the 10th day of each calendar month, 85% of the value of all materials delivered upon the premises and of work performed during the next preceding calendar month. Final payment shall be made within 30 days after the Certificate of Approval of said delivery and the completion of said work has been submitted to the Mayor of the City of San Antonio by the architects and engineers abovementioned.

4. Six Hundred Sixty Nine (\$669.00) Dollars, or so much as may be necessary, be and the same is hereby appropriated out of the La Villita Fund to be paid in accordance with Section 3 above.

5. All other bids for the above material, labor and equipment are hereby rejected.

6. PASSED AND APPROVED this 31st day of December, A. D. 1940.

Maury Maverick  
Mayor

Attest: H. L. Dillashaw  
City Clerk

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Commissioner Steffler introduced the following resolution, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Maverick, Hein, Steffler and Lipscomb.

MR-827-1

A RESOLUTION (2672)

GRANTING LEAVE OF ABSENCE TO COMMISSIONER C. RAY DAVIS.

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

1. That Commissioner C. Ray Davis be granted a temporary leave of absence during part of each day from January 1st, 1941, while he is engaged in training as a Reserve Officer of the United States Army.

2. PASSED AND APPROVED this 31st day of December, A. D. 1940.

Maury Maverick  
Mayor

Attest: H. L. Dillashaw  
City Clerk

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

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APPROVED: Maury Maverick  
MAYOR

ATTEST: H. L. Dillashaw  
City Clerk