

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

AFTER RECESS OF THURSDAY, AUGUST 17TH, A. D. 1933.

THURSDAY, AUGUST 17TH, A. D. 1933, 2:00 P.M.

PRESENT: Honorable C. K. Quin, Mayor, presiding, and Commissioners, Bushick, Steffler, Wright.
Commissioner Rubiola, Absent.

On motion, of Commissioner Wright, duly seconded and carried, the reading of the Minutes of meetings of Aug. 10th and 15th, was dispensed with and ordered approved.

---MEMORIALS AND PETITIONS---

His Honor directed to Clerk to read the following to-wit:

The Commissioners, sitting as a committee of the whole, having considered the questions of facts and of law involved in the application of the M. K. & T. Ry. Co. for permission to construct a spur track across Simpson Street and a corner of Roosevelt Park in the City of San Antonio, and having considered the arguments made by the various parties at interest, has concluded that the Board of Commissioners is without legal authority to grant the permit applied for, and, therefore, recommends that the application be denied. Whereupon the report of the committee of the whole was Adopted by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola, Absent.

Bids for supplying the City with the following articles were opened and referred to the City Purchasing Agent, and the Commissioner of the Department interested, for tabulation and recommendation:

Fish for Zoo. Bread for Zoo. Horse meat for Zoo. Cow meat for Zoo. Bread for City Jail, Milk for City Jail. Lubricating oil for Police and Fire Department.

On motion, duly seconded and carried, the following petitions, were read and referred to the Commissioner of Fire and Police.

Texas Outdoor Adv. Co., for permit to erect Elec. Sign 218 E. Travis Street.

Neon Signs & Service Inc., for permit to erect Electric Sign for Texas Theatre on Houston St.

Neon Signs & Service Inc., for permit to erect Electric Sign 321 Broadway.

On motion, duly seconded and carried, the following petition, was read and referred to the City Health Officer.

P. H. Cauthorn, for permit to keep horse at 635 W. Agarita Ave.

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola, Absent.

No. 72

ML-762 AN ORDINANCE

Appropriating \$165,675.00 out of Various Sinking Funds to retire Bonds and pay Interest Coupons maturing September 1, 1933.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, THAT,

AAC324

The sum of \$165,675.00, be and the same is hereby appropriated, payable to the FROST National Bank of San Antonio, Texas, to retire Bonds and to pay interest coupons maturing September 1, 1933, out of the following Sinking Funds:

BONDS:

St. Paving & Storm Sewer Bds. of 1919 - - - - -	\$ 23,000.00
Sanitary Sewer Bonds of 1919 - - - - -	12,000.00
Sidewalk & Curbing Bonds of 1919 - - - - -	1,000.00
Fire & Police Bldg. Bonds of 1919 - - - - -	4,000.00
St. Open. & Widen Bonds of 1919 - - - - -	24,000.00
Bridge Bonds of 1919 - - - - -	5,000.00
Incinerator Bldg. Bonds of 1919 - - - - -	2,000.00
Auditorium Bldg. Bonds of 1919 - - - - -	13,000.00
Park Improvement Bonds of 1919 - - - - -	5,000.00
River Improvement Bonds of 1919 - - - - -	5,000.00
Market House Annex Bonds of 1919 - - - - -	5,000.00
	<u>\$ 99,000.00</u>

INTEREST COUPONS

St. Paving & Storm Sewer Bonds of 1919 - - - - -	\$15,200.00
Sanitary Sewer Bonds of 1919 - - - - -	8,425.00
Sidewalk & Curbing Bonds of 1919 - - - - -	850.00
Fire & Police Bldg. Bonds of 1919 - - - - -	2,550.00
St. Open & Widening Bonds of 1919 - - - - -	16,025.00
Bridge Bonds of 1919 - - - - -	3,375.00
Incinerator Bldg. Bonds of 1919 - - - - -	1,675.00
Auditorium Bldg. Bonds of 1919 - - - - -	8,450.00
Park Improvement Bonds of 1919 - - - - -	3,375.00
River Improvement Bonds of 1919 - - - - -	3,375.00
Market House Annex Bonds of 1919 - - - - -	3,375.00
	<u>\$66,675.00</u>

Grand Total - - - - - \$165,675.00

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola, Absent.

No. 73 **ML-763** AN ORDINANCE

TRANSFERRING \$157,028.17 FROM BANK TO BANK.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the Commissioner of Taxation, as ex-officio City Treasurer and the City Auditor, be and they are hereby directed to transfer or cause to be transferred the hereinafter named funds from Bank to Bank as follows:

From ALAMO NATIONAL BANK TO THE FROST NATIONAL BANK, of San Antonio, Texas.

Cemetery Fund - - - - -	\$ 69.00
San Jose Burial Park- Permanent Fund - - - - -	667.50

From FROST NATIONAL BANK TO THE ALAMO NATIONAL BANK, of San Antonio, Texas.

Market House Fund - - - - -	457.46
Street Open & Widening Fund of 1926 - - - - -	126.60
Sewer Disp. & Sanitary Sewer Fund of 1928 - - - - -	18.25
Street Paving Bonds of 1913 - - - - -	6,143.74
Sanitary Sewer Bonds of 1913 - - - - -	3,254.69
Sidewalk & Curbing Bonds of 1913 - - - - -	132.60
Police & Fire Station Bonds of 1913 - - - - -	765.45
Street Open & Widening Bonds of 1913 - - - - -	1,579.13
Bridge Bonds of 1913 - - - - -	448.02
Storm Sewer Bonds of 1913 - - - - -	1,261.70
Hospital Building Bonds of 1913 - - - - -	500.26
Incinerator Building Bonds of 1913 - - - - -	265.20
Street Paving & Storm Sewer Bonds of 1919 - - - - -	4,394.16
Sanitary Sewer Bonds of 1919 - - - - -	2,409.55
Sidewalk & Curbing Bonds of 1919 - - - - -	283.87
Police & Fire Building Bonds of 1919 - - - - -	779.07
Street Opening & Widening Bonds of 1919 - - - - -	4,665.79
Bridge Bonds of 1919 - - - - -	994.30
Incinerator Building Bonds of 1919 - - - - -	552.15
Auditorium Building Bonds of 1919 - - - - -	2,530.96
Park Improvement Bonds of 1919 - - - - -	1,037.50
River Improvement Bonds of 1919 - - - - -	1,037.50
Market House Annex Bonds of 1919 - - - - -	1,037.50
Park Improvement Bonds of 1924 - - - - -	773.04
Street Paving & Marker Bonds of 1924 - - - - -	3,449.87
Sanitary Sewer Bonds of 1924 - - - - -	773.04
Fire & Police Station Bonds of 1924 - - - - -	773.04
Street Open & Widening Bonds of 1924 - - - - -	1,903.79

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Bridge Bonds of 1924 - - - - -	773.04
Storm Sewer Bonds of 1924 - - - - -	1,903.79
Flood Prevention Bonds of 1924 - - - - -	21,645.06
Auditorium Building Bonds of 1924 - - - - -	1,546.08
Street Open & Widening Bonds of 1926 - - - - -	3,123.56
Bridge Bonds of 1926 - - - - -	888.14
Auditorium Building Bonds of 1926 - - - - -	1,544.12
Street Paving Bonds of 1926 - - - - -	1,990.73
Storm & Sanitary Sewer Bonds of 1926 - - - - -	528.92
General Sinking Fund - - - - -	80,000.00
	<u>\$157,028.17</u>

PASSED AND APPROVED on the 17th day of August, A. D. 1933.

C. K. Quin.
Mayor, City of San Antonio, Texas.

ATTEST: Jas. Simpson.
City Clerk.

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola. Absent.

No. 74 *ML-764* AN ORDINANCE

Appropriating \$683.38 to pay Merchant's Bills.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$683.38 and the same is hereby appropriated out of the following funds to pay Merchants' Bills as per itemized invoices duly approved and now on file in the office of the City Auditor:

Zoo Fund - - - - -	\$ 529.22
Trench Fund - - - - -	65.75
Recreation Fund - - - - -	16.58
Market House Fund - - - - -	11.88
San Jose Burial Park Operating Fund - - - - -	59.95
	<u>\$ 683.38</u>

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola. Absent.

No. 75 *- 765* AN ORDINANCE

Appropriating \$147,287.50 out of Various Sinking Funds, to retire Bonds and pay Interest Coupons maturing September 1, 1933.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$147,287.50, be and the same is hereby appropriated payable to the ALAMO NATIONAL BANK OF SAN ANTONIO, TEXAS. to retire Bonds and to pay interest coupons maturing September 1, 1933, out of the following Sinking Funds:

BONDS

Street Paving Bonds of 1913 - - - - -	\$ 38,000.00
Sanitary Sewer Bonds of 1913 - - - - -	20,000.00
Sidewalk & Curbing Bonds of 1913 - - - - -	1,000.00
Police & Fire Station Bonds of 1913 - - - - -	5,000.00
St. Open & Widen Bonds of 1913 - - - - -	10,000.00
Bridge Bonds of 1913 - - - - -	3,000.00
Storm Sewer Bonds of 1913 - - - - -	8,000.00
Hospital Bldg. Bonds of 1913 - - - - -	3,000.00
Incinerator Bldg. Bds. of 1913 - - - - -	2,000.00
	<u>\$ 90,000.00</u>

INTEREST COUPONS

Street Paving Bonds of 1913 - - - - -	19,700.00
Sanitary Sewer Bonds of 1913 - - - - -	10,500.00
Sidewalk & Curbing Bonds of 1913 - - - - -	337.50
Police & Fire Station Bonds of 1913 - - - - -	2,325.00
St. Opening & Widening Bonds of 1913 - - - - -	4,950.00
Bridge Bonds of 1913 - - - - -	1,325.00
Storm Sewer Bonds of 1913 - - - - -	3,950.00

Hospital Bldg. Bonds of 1913 - - - - -	1,650.00
Incinerator Bldg. Bonds of 1913 - - - - -	675.00
	<u>\$45,412.50</u>
General Sinking Fund	
Sewer Bonds of 1894 - - - - -	<u>\$11,875.00</u>
Grand Total - - - - -	\$147,287.50

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola. Absent.

No. 76 ML-766 AN ORDINANCE

Appropriating Four Hundred Dollars (\$400.00) to pay claim of W. H. Suden.

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

That Four Hundred Dollars (\$400.00) be and the same is hereby appropriated out of the 1933 General Fund -Judgments and Suits Department- to pay claim of W. H. Suden for interference with his use and occupancy of the concession at Woodlawn Lake.

Passed and approved this the 17th day of August, A. D. 1933.

C. K. Quin.
Mayor

ATTEST: Jas. Simpson.
City Clerk.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola, Absent.

No. 77 - 767 AN ORDINANCE

Appropriating \$25.00 out of the City of San Antonio Trench Fund Fees account for refund.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$25.00 be and the same is hereby appropriated out of Trench Fund Fees Account for refund as per City Engineer's letter of August 16th, 1933, as follows:

Gutzeit Bros. - refund - - - \$25.00

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola. Absent.

- 768 AN ORDINANCE

PERMITTING THE TEXAS AND NEW ORLEANS RAILROAD COMPANY TO LAY A SPUR TRACK ACROSS SIMPSON STREET.

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

1. That permission be and the same is hereby granted to the Texas and New Orleans Railroad Company to construct and maintain the following described railroad track and to operate engines and cars thereupon, on and across the public streets hereinafter described, to-wit:

2. A spur track to spring off Texas and New Orleans Railroad Company's present track along Simpson Street, and run in a southeasterly direction, crossing Simpson Street at a point approximately 1,300 feet east of Probandt Street and terminating in property of the Sabinas Brewery, as outlined in red on attached blue print.

3. No frog nor switch nor any appurtenance thereof shall be placed on Simpson Street and other City property.

4. In consideration of the granting of this permit, the said Railroad Company agrees to have constructed and to maintain said tracks across said street and property in the manner and

form ordered and directed by the Commissioner of Streets and Public Improvements and in accordance with the lines, grades and system of drainage approved by the City Engineer, and to have constructed such culverts, and make such additional provisions for drainage from time to time as may be deemed necessary by the City; and, further binds and obligates itself, its successors and assigns, to hold said City of San Antonio free and harmless from all damages to persons or property that may result by reason of the granting of this permit or the exercise of any right thereunder; and provided further, that said Railroad Company will have constructed and will maintain proper and suitable crossings under the supervision of said City Engineer and Commissioners of Streets and Public Improvements, so that vehicles can cross over readily.

5. That the license and privilege granted hereby is subject to revocation at the will of the Commissioners or other governing body of the City of San Antonio, and said Railroad Company agrees to remove or have removed, its said track from said streets on demand, upon the revocation of the license hereby granted.

6. The acceptance and exercise of any privilege under this ordinance shall be acceptance of all its terms and conditions by said Railroad Company, its successors and assigns.

7. PASSED AND APPROVED, this 17th day of August, A. D. 1933.

ATTEST: Jas. Simpson.
City Clerk.

C. K. Quin.
Mayor.

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote of the Commissioners.

ML-769 RESOLUTION

Accepting proposal of E. W. Horton, for asphalt in exchange for conveyor and accessories now at the City Rock Quarry.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City of San Antonio, does hereby accept the proposal of E. W. Horton, 234 Bedell Bldg. this City, dated August 14th, 1933, for fifteen tons of Number 1 rock asphalt in exchange for conveyor and accessories, which are now at the City Rock Quarry.

Commissioner Wright, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays. Rubiola, Absent.

-770 AN ORDINANCE

Accepting the proposal of the Russell Oil Company for fuel oil for 1933-34.

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

That the City of San Antonio does hereby accept the attached written proposal of the Russell Oil Company, dated the 7th day of August 1933, offering the requirements for the winter 1933-34 of fuel oil for the City of San Antonio, in accordance with the specifications and description which are a part hereof, upon the condition that said contractor making said proposal shall comply strictly with all the requirements made under the stipulations of this ordinance and all instruments referred to herein which are made a part hereof by reference.

This ordinance shall constitute and manifest the contract under which this material is delivered by the contractor and is accepted under which this material is delivered by the contractor and is accepted by the City.

The contractor will furnish the City with free flowing fuel oil of thirty degrees gravity and deliver it into the fuel oil tanks at the Central Fire and Police Station, Health and Detective Building, City Hall Building, Municipal Auditorium and the Witte Museum, in quantities and

at the time specified by the Purchasing Agent of the City, prior to August 1934, at the price of eight-five cents (85¢) per barrel of forty-two (42) gallons, less a discount of two (2) per cent if payment is made by the City during the month next succeeding the month in which the oil is delivered and accepted, said price to include the cost of the transportation and the placing of the oil in the tanks as above specified. The City shall have the right to take samples of oil as delivered at any time, to test; and if the gravity of the oil is found to be less than thirty degrees the contractor will at its own expense and without cost to the City, remove all oil found to be less than thirty degrees gravity, from the City tanks, and will replace such with oil of thirty degrees gravity, or in case of the failure and refusal of the contractor to do so, the City may do so at the expense of the contractor.

If any dispute arises between the contractor and the City as to the meaning of any part of the specifications or as to the quality or the quantity of any of the materials or supplies tendered, the decision of the Purchasing Agent in such matters shall be final and conclusive, and any doubt as to the meaning of any of the included instruments shall be decided and construed conclusively by the Purchasing Agent, who shall give all directions or explanations necessary to give due effect to the same and to make clear any conflict or uncertainty therein.

The acceptance and exercise of any right under this contract by the contractor shall be an acceptance of all of its terms and conditions.

All other bids covered by the specification in this ordinance, are hereby rejected.

PASSED AND APPROVED this the 17 day of August, A. D. 1933.

ATTEST: Jas. Simpson.
City Clerk.

C. K. Quin.
Mayor.

Commissioner Wright, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola, Absent.

ML-771

AN ORDINANCE

Accepting the proposal of The Slimp Oil Company for gas oil for 1933-34.

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

That the City of San Antonio does hereby accept the attached written proposal of the Slimp Oil Company, dated the 8th day of August 1933, offering the requirements for the winter 1933-34 of gas oil for the City of San Antonio, in accordance with the specifications and description which are a part hereof, upon the condition that said contractor making said proposal shall comply strictly with all the requirements made under the stipulations of this ordinance and all instruments referred to herein which are made a part hereof by reference.

This ordinance shall constitute and manifest the contract under which this material is delivered by the contractor and is accepted by the City.

The contractor will furnish the City with free flowing gas oil of not less than thirty-two degrees gravity and not more than thirty-four degrees gravity, and deliver it into the gas oil tanks at the Fire Stations, in quantities and at the time specified by the Purchasing Agent of the City, after November 1, 1933 and prior to May 1, 1934, at the price of four (4) cents per gallon, less a discount of two (2) per cent if payment is made by the City during the month next succeeding the month in which the oil is delivered and accepted, said price to include the cost of the transportation and the placing of the oil in the tanks as above specified. The City shall have the right to take samples of oil as delivered at any time, to test; and if the gravity of the oil is found to be less than thirty-two degrees or more than thirty-four

degrees, then the contractor will at its own expense and without cost to the City, remove all oil found to be less than thirty-two degrees gravity or more than thirty-four degrees gravity, from the City tanks, and will replace such oil with oil of not less than thirty-two degrees gravity nor more than thirty-four degrees gravity, or in case of the failure and refusal of the contractor to do so, the City may do so at the expense of the contractor.

If any dispute arises between the contractor and the City as to the meaning of any part of the specifications or as to the manner of executing the same or any part thereof, or as to the quality or the quantity of any of the materials or supplies tendered, the decision of the Purchasing Agent in such matters shall be final and conclusive, and any doubt as to the meaning of any of the included instruments shall be decided and construed conclusively by the Purchasing Agent, who shall give all directions or explanations necessary to give due effect to the same and make clear any conflict or uncertainty therein.

The acceptance and exercise of any right under this contract by the contractor shall be an acceptance of all of its terms and conditions. All other bids covered by the specifications in this ordinance, are hereby rejected.

PASSED AND APPROVED this the 17 day of August, A. D. 1933.

ATTEST: Jas. Simpson.
City Clerk.

C. K. Quin.
Mayor.

Commissioner Wright, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Steffler, Wright. Nays, Rubiola. Absent.

ML-772 AN ORDINANCE

Accepting the proposal of I&GN Wood and Coal Company for coal for 1933-34.

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

That the City of San Antonio does hereby accept the attached written proposal of I&GN Wood and Coal Company, dated the 10th day of August 1933, offering the requirements for the winter 1933-34 of coal for the City of San Antonio, in accordance with the specifications and description which are a part hereof, upon the condition that said contractor making said proposal shall comply strictly with all the requirements made under the stipulations of this ordinance and all instruments referred to herein which are made a part hereof by reference.

This ordinance shall constitute and manifest the contract under which this material is delivered by the contractor and is accepted by the City.

The contractor will furnish the City with approximately eight (80) tons of Wilburton Nut Coal and delivered it into the bins of the various Fire Department Stations, in quantities and at the time specified by the Purchasing Agent of the City, before the first day of June 1934, at the price of Six and 60/100 Dollars (\$6.60) per ton, said price to include the cost of the transportation and the placing of the coal in the bins as above specified. The City shall have the right to take samples of coal as delivered at any time, to test; and if the analysis of the coal is found to be different from the specifications in the bid, then the contractor will at its own expense and without cost to the City remove all coal found to be different from said specifications, from the City bins, and will replace the same with coal in conformity with the specifications, or in case of the failure and refusal of the contractor to do so at the expense of the contractor.

If any dispute arises between the contractor and the City as to the meaning of any part of the specifications or as to the manner of executing the same or any part thereof, or as to

the quality or the quantity of any of the materials or supplies tendered, the decision of the Purchasing Agent in such matters shall be final and conclusive, and any doubt as to the meaning of any of the included instruments shall be decided and construed conclusively by the Purchasing Agent, who shall give all directions or explanations necessary to give due effect to the same and make clear any conflict or uncertainty therein.

The acceptance and exercise of any right under this contract by the contractor shall be an acceptance of all its terms and conditions.

PASSED AND APPROVED this the 17th day of August, A. D. 1933.

ATTEST: Jas. Simpson.
City Clerk.

C. K. Quin.
Mayor.

Petition of A. H. Albrecht, for permit to keep two horses at 701 Kayton Ave. Read and Granted subject to revocation by the Commissioners.

Commissioner Wright, made the following recommendations, which was read and adopted by the following vote on roll call, to-wit; Ayes, Quin, Bushick, Stefffler, Wright. Nays, Rubiola. Absent.

J. O. Harlan, for permit to install gas equipment Ridgewood and West Ave. Granted.
Humble Oil & Refg. Co., for permit to install gas equipment 218 E. Travis Street. Granted.
Neon Displays Co., for permit to erect Electric Sign 303 N. St. Mary's Street. Granted.
Neon Signs & Service Co., for permit to erect Electric Sign 513 E. Houston St. Granted.
National Outdoor Adv. Corp. for permit to erect Electric Sign 906 S. St. Marys' St. Granted.
National Outdoor Adv. Corp., for permit to erect Electric Sign S. St. Mary's & Alamo. Granted.
Edward Teng., for permit to erect Electric Sign 2700 Broadway. Granted.
Tedward Teng Elec. Co., for permit to erect Electric Sign for Texas Hotel. Granted.
Cities Service Oil Co., for permit to relocate pumps 304 Ave. "E" Granted.
Graphite Oil Co., for permit to erect storage tanks next to 441 Simpson St. Granted.
Sexauer Realty I Invest. Co., for approval of site for Drive-in Sta. 3228 S. Flores St. Granted.

On motion, of Commissioner Wright, duly seconded and carried, by unanimous vote of the Commissioners the petition The Texas Co., for permit to install gas equipment 218 E. Travis St. Not Granted.

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

APPROVED

C. K. Quin
MAYOR.

ATTEST:

Jas Simpson
CITY CLERK.