

Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

It was moved by Councilman Alford that a taxicab driver's permit be issued to John William Burris, 703 Neches Street, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Upon motion duly made and seconded, the meeting was recessed at 11:00 A. M., subject to call of the Mayor.

Approved Oswald G. Wolf
Mayor Pro tem

Attest:

Hallie McKellan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL :

Austin, Texas, April 22, 1937.

The meeting was called to order at 10:30 A. M., with Mayor Pro tem Oswald G. Wolf presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, and Mayor Pro tem Oswald G. Wolf, 3; absent, Councilman C. M. Bartholomew and Mayor Tom Miller, 2.

The Minutes of the regular meetings of April 8 and April 15 were read, and upon motion of Councilman Gillis, were adopted, as read, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Gillis offered the following resolution:

" Austin, Texas
April 22, 1937

Mr. Gulton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Gulf Oil Corporation, acting by and through V. C. Jung, assistant to the Agent of that corporation, lessee from Joseph Fischer of Lot 5, Block 50, of the Original City of Austin, Travis County, Texas, which property is situated in the southwest corner of the intersection of West 6th Street and Nueces Street, for permission to construct a commercial driveway across the west sidewalk area of Nueces Street adjacent to the above described property, and we advise that the following conditions exist:

The property which this commercial driveway is to service is designated as "C" Commercial Use District and shown upon the Zoning Map of the City of Austin and is now being used as a drive-in filling station site. The existing ramps and sidewalks on the West 6th Street side of this filling station are in bad condition and the grades of the interior driveways of said station are such that waste oils and water are not properly collected and disposed of.

We recommend that the Gulf Oil Corporation be granted permission to construct one commercial driveway across the west sidewalk area of Nueces Street, adjacent to the above described property, subject to the condition that the said Gulf Oil Corporation will repair the existing ramps and sidewalks on the West 6th Street side of this filling station as directed by the City Engineer, and subject to the condition that the said Gulf Oil Corporation will collect and dispose of all waste oils and water resulting from the maintenance or operation of said filling station, in accordance with City Ordinances or regulations governing such matters and further subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the zoning ordinance, the filling station ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap, which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-540.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached, marked 2-H-540, and shall be of the pre-moulded type.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

J. E. Motheral
City Engineer

J. C. Eckert
Building Inspector. "

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southwest intersection of West 6th Street and Nueces Street, which property is leased by Gulf Oil Corporation and is designated as Lot 5, Block 50, of the Original City of Austin, Travis County, Texas, and hereby authorizes the said Gulf Oil Corporation, acting by and through V. C. Jung, to construct, maintain,

and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the Gulf Oil Corporation has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Alford offered the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be, and the same is hereby, permitted to construct its pole lines in the following streets:

(1) A telephone pole line in NEWFIELD LANE from Enfield Road to Niles Road, the centerline of which pole line shall be 9 feet west of and parallel to the east line of said Newfield Lane.

(2) A pole line in NEWFIELD LANE from Niles Road to Watchhill Road, the centerline of which pole line shall be 9 feet east of and parallel to the west line of said Newfield Lane.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; absent, Councilman Bartholomew and Mayor Miller, 2.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in ALTA VISTA AVENUE from Mariposa Drive north 40 feet, the centerline of which gas main shall be 20 feet west of and parallel to the east line of said Alta Vista Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in WESTOVER ROAD westerly 60 feet from a point 38 feet west of the west line of Forest Avenue, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said

Westover Road.

Said gas main described above shall have a covering of not less than 2½ feet.

(3) A gas main in HASKELL STREET easterly 100 feet from a point 104 feet east of the east line of Lynn Street, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said Haskell Street.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Alford offered the following resolution:

WHEREAS, the J. E. Morgan & Sons is the Contractor for the construction of an addition and alterations to the building located at 701 and 711 Congress Avenue and desires a portion of the sidewalk, street and alley space abutting Lots 1 and 2, Block 84, of the Original City of Austin, Texas, during the construction of an addition and alterations to the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to the said J. E. Morgan & Sons, the boundary of which is described as follows:

Alley, Sidewalk and Street Working Space

Beginning at a point 10' east of the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of East 7th Street for a distance of 19' to a point; thence in a southeasterly direction and at a 45° angle to the centerline of East 7th Street to a point 27' south of the north property line of East 7th Street and 18' east of the east property line of Congress Avenue; thence in an easterly direction and parallel to the centerline of East 7th Street for a distance of 76' to a point; thence in a southeasterly direction and at a 30° angle to the centerline of East 7th Street to a point 34' south of the north property line of East 7th Street and 112' east of the east property line of Congress Avenue; thence in an easterly direction and parallel to the centerline of East 7th Street for a distance of 48' to a point in the west line of the north and south alley traversing the blocks between Brazos Street and Congress Avenue; thence in a northerly direction and at right angles to the centerline of East 7th Street for a distance of

22' to a point; thence in an easterly direction and parallel to the centerline of East 7th Street for a distance of 20' to a point; thence in a northerly direction and parallel to the centerline of the above described alley for a distance of 76' to a point; thence in a westerly direction and at a right angle to the centerline of the above described alley for a distance of 20' to a point; thence in a southerly direction and parallel to the centerline of the above described alley for a distance of 64' to a point in the north property line of East 7th Street; thence in a westerly direction along the north property line of East 7th Street for a distance of 150' to the place of beginning.

2. THAT the above privileges and allotment of space are granted to the said J. E. Morgan & Sons, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct 8' high solid board barricades, substantially braced and anchored, about the west, south and east sides of above described space in East 7th Street, and shall provide a pedestrian passageway at least 6' in width along the north boundary line with appropriate exits at both ends and other substantial protections and safe guards along the passageway.

(2) That the Contractor shall construct a temporary platform covering the balcony and sidewalk areas on Congress Avenue and on East 7th Street and over the above described alley working space of solid two inch thick planking on 2"x12" joists-12" O.C. supported on girders and posts of heavy timber construction. A minimum clearance of fourteen (14') feet shall be provided beneath the girders over the alley space. The alley space shall be kept open and unobstructed for traffic at all times. A four (4') foot high guard shall be constructed about the alley platform at the open ends. The alley platform may be used for working, storage and office space.

(3) That the Contractor shall construct a six (6') foot wide passageway through his street working space at the south entrance to the Hotel Building, that is substantially roofed over with 2" planking on 2"x12" joists, 18" C. C., and with proper protections and safeguards for pedestrians.

(4) That the Contractor shall construct at the east end and in the 30° angle of the south side of his East 7th Street working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at each gate to warn pedestrians and vehicles of approaching trucks.

(5) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(6) That the Contractor shall be allowed to construct a temporary work office and storage shed on the platform over the allotted alley working space.

(7) That "NO PARKING" signs shall be placed on the street side of the barricades and each side of the alley space beneath the alley platform and on the north curb of East 7th Street and east of the alley for a distance of twenty (20') feet.

(8) That "PARALLEL PARKING" signs shall be placed on the south curb of East 7th Street between Congress Avenue and Brazos Street.

(9) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(10) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(11) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(12) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk, alley and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than March 31, 1938.

(13) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(14) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(15) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by contractor, city forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(16) That the Contractor shall furnish the City of Austin a surety bond in the sum of Twenty-five Thousand (\$25,000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Alford offered the following resolution:

WHEREAS, Binswanger and Company is the Contractor for the alteration of a building front wall at 617½ Congress Avenue and desires a portion of the sidewalk space abutting the south half of Lot 5, Block 69, of the Original City of Austin during the alteration of the building front wall, such space to be used in the work and for storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Binswanger and Company, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at a point in the southwest corner of the above described property; thence in a westerly direction and at a right angle to the centerline of Congress Avenue for a distance of 8 feet to a point; thence in a northerly direction and parallel to the centerline of Congress Avenue for a distance of 23 feet to a point; thence in an easterly direction and at a right angle to the centerline of Congress Avenue for a distance of 8 feet to a point; thence in a southerly direction and parallel to the centerline of Congress Avenue for a distance of 23 feet to a place of beginning.

2. THAT the above privileges and allotment of space are granted to said Binswanger and Company, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the south, west, and north lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rails.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than April 30, 1937.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand (\$1000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, H. E. Wattinger is the Contractor for the remodeling of an office and store building construction work located at 614-618 Brazos Street and desires a portion of the sidewalk and street space abutting Lot "D", Block 69, of the Original City of Austin, Texas, during the remodeling of the office and store building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to the said H. E. Wattinger, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the N. W. corner of the above described property; thence in a northerly direction and at a right angle to the centerline of East 7th Street for a distance of 22 feet to a point; thence in an easterly direction and parallel to the centerline of East 7th Street for a distance of 80 feet to a point in the west line of Brazos Street; thence in a southeasterly direction and at a 45° angle to the centerline of Brazos Street to a point in the south line of East 7th Street, 27 feet east of the west line of Brazos Street; thence in a southerly direction and parallel to the centerline of Brazos Street for a distance of 92 feet to a point; thence in a westerly direction and at a right angle to the centerline of Brazos Street for a distance of 27 feet to a point in the west line of Brazos Street; thence in a northerly direction and parallel to the centerline of Brazos Street to a point in the south line of East 7th Street; thence in a westerly direction along the south line of East 7th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to the said H. E. Wattinger, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4 foot walkway within the outer boundaries of the above described working space in East 7th Street and in Brazos Street, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored, and such walkway to have appropriate entrances and returns to the sidewalk on the west and south ends and at the intersection of East 7th Street and Brazos Street.

(2) That the Contractor shall construct at the north and south ends of his working space in Brazos Street substantial gates which shall be kept closed at all times when not in use.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "NO PARKING" signs shall be placed on the street sides of the walkways in East 7th Street and Brazos Street and on the west curb of Brazos Street for a distance of 20 feet south of the walkway return.

(5) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(6) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(7) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(8) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(9) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 31, 1937.

(10) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(11) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, J. R. Blackmore is the Contractor for the construction of additions and alterations to a theater building located at 318-320 East 6th Street and desires a portion of the sidewalk, street and alley spaces abutting Lot 5, Block 86, of the Original City of Austin, Texas, during the construction of the additions and alterations to theater building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to the said J. R. Blackmore, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the S. W. corner of the above described property; thence in a southerly direction and at right angles to the centerline of East 6th Street for a distance of 22 feet to a point; thence in an easterly direction and parallel to the centerline of East 6th Street for a distance of 44.5 feet to a point; thence in a northerly direction and at a right angle to the centerline of East 6th Street for a distance of 22 feet to a point in the north line of East 6th Street; thence in a westerly direction along the north line of East 6th Street to the place of beginning.

Alley Working Space

Beginning at a point in the N. E. corner of the above described property; thence in a northerly direction and at a right angle to the centerline of the east and west alley traversing the above described block for a distance of 8 feet to a point; thence in a westerly direction and parallel to the centerline of the above described alley for a distance of 44.5 feet to a point; thence in a southerly direction and at a right angle to the centerline of the above described alley for a distance of 8 feet to a point in the north line of the above described property; thence in an easterly direction along the north line of the above described property to the place of beginning.

2. THAT the above privileges and allotment of space are granted to the said J. R. Blackmore, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the east, south and west boundary lines of the above described working space in East 6th Street, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall construct a guard rail within the boundary line along the east, north, and west lines of the above described alley working space, such guard rails to be at least 4 feet high and substantially braced and anchored.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rails.

(5) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(6) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(7) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet

of any corner street intersection.

(8) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than August 14, 1937.

(9) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavements, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, Scott Yeamans is the Contractor for the construction of warehouse building located at 301 to 309 Lavaca Street and desires a portion of the sidewalk and alley space abutting Lots 1, 2, and 3, Block 28, of the Original City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Scott Yeamans, the boundary of which is described as follows:

Sidewalk and Alley Working Space

Beginning at a point in the southwest corner of the above described property; thence in a northerly direction and parallel to the centerline of Lavaca Street for a distance of 128 feet to a point in the south line of the east and west alley traversing the above described block; thence in an easterly direction along the south line of the above described alley for a distance of 120 feet to a point; thence in a northerly direction and at a right angle to the centerline of the above described alley for a distance of 6 feet to a point; thence in a westerly direction and parallel to the centerline of the above described alley for a distance of 120 feet to the east line of Lavaca Street; thence in a southwesterly direction and at a 45° angle to the centerline of Lavaca Street to a point in the south line of the above described alley and 6 feet west of the east line of Lavaca Street; thence in a southerly direction and parallel to the centerline of Lavaca Street for a distance of 134 feet to a point; thence in an easterly direction and parallel to the centerline of West 3rd Street for a distance of 120 feet to a point; thence in a northerly direction and at a right angle to the centerline of West 3rd Street for a distance of 6 feet to a point in the north line of West 3rd Street; thence in a westerly direction along the north line of West 3rd Street to the place of beginning.

2. THAT the above privileges and allotment of space are granted to said Scott Yeamans, hereinafter termed "Contractor," upon the following express terms

and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the outer lines of the above described space in West 3rd Street, Lavaea Street, and the described alley, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than August 31, 1937.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

It was moved by Councilman Alford that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Thomas N. McCoy, 417 Congress Avenue; Joe Lee Smith, 1105 Fredericksburg Road; Henry Lee Spillar, 710 Evergreen Street; Marien A. Waters, 1200 South 5th Street; and Mervin A. Wheeler, 106 Chicon Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Mayor Pro tem Wolf introduced the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM

REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The ordinance was read the second time and Councilman Gillis moved that the rules be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Alford, and the same carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The ordinance was read the third time and Councilman Gillis moved that the ordinance be finally passed. The motion was seconded by Councilman Alford, and the same carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Gillis moved that the City Manager be instructed to notify Mr. Gillespie Stacy in writing that henceforth he would not be given the exclusive agency for the sale of Shoal Creek Boulevard Lots, but that all real estate agents of the City would be allowed to participate in the sale of said lots. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The following resolution was introduced:

WHEREAS, City taxes for the year 1925 have been assessed and are delinquent on Lot 96, Block 3, Outlots 73 and 74, Division "D", Plat 64, City of Austin, Travis County, Texas; and

WHEREAS, W. C. Moore purchased this property in 1926, with the understanding with his grantee that the taxes for the year 1925 would be paid by the party from whom W. C. Moore purchased said land; and

WHEREAS, said grantee has failed and refused to pay the taxes for the year 1925, and penalty and interest have accrued thereon; and

WHEREAS, under the circumstances it is deemed equitable and advisable by the City Council of the City of Austin to remit all penalties and to reduce the interest to 1% on the delinquent taxes on the aforesaid property, on the condition that W. C. Moore shall promptly pay the taxes on said property; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT all penalties on the delinquent taxes for the year 1925 on the aforesaid property be remitted, and that the interest on said delinquent taxes be reduced to 1%, and the Tax Assessor and Collector of the City of Austin is authorized and directed to strike from his rolls all interest in excess of 1% on said property, and the penalty assessed for failure to pay said taxes before same become delinquent; and to issue a receipt in full on the payment of said taxes in accordance with this resolution.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The following resolution was introduced:

WHEREAS, taxes were assessed by the City of Austin against Dr. C. H. Christian on the east 23 feet of Lot 4 (E), Block 67, Original City of Austin, Travis County, Texas, for the years 1926, 1931, 1932, 1933, 1934, 1935, and 1936, which taxes are delinquent, and penalty and interest for non-payment of said taxes have accrued thereon and assessed against said property; and

WHEREAS, the aforesaid property has been repossessed by the Guaranty Mortgage and Realty Co., a corporation, and the penalty and interest on the taxes accrued subsequent to the time said corporation repossessed said property; and

WHEREAS, under the circumstances, it is deemed equitable and advisable by the City Council of the City of Austin to remit and waive the penalty and one-half of the interest on delinquent taxes on the above property for the aforesaid years; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the penalty and one-half of the interest on the delinquent taxes on the above property for the years 1926, 1931, 1932, 1933, 1934, 1935, and one-half of the interest on said property for the year 1936 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to strike same from his assessment rolls and to issue a receipt in full to the Guaranty Mortgage and Realty Co., in accordance with the terms of this resolution.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Upon motion, duly seconded and carried, J. E. Haire was granted a license to operate as a taxicab a 1936 Chevrolet 4-door sedan, Engine Number M-6-186-354, State Highway License Number A24-434.

Upon motion, duly seconded and carried, F. R. Arnhamn was granted a license to operate as a taxicab a Pontiac sedan, 1935 Model, Engine Number 680962, State Highway License No. A24-319.

Upon motion, duly seconded and carried, the meeting was recessed at 11:00 A. M., subject to call of the Mayor.

Approved: Donald G. Wolf
Mayor

Attest:

Hallie McTear
City Clerk