

The application of T. H. McGregor and wife for a change in the zoning of a tract of land owned by them at the intersection of West 29th and Oakhurst Streets, from "A" Residence District to "C" Commercial District, was received and referred to the Board of Adjustment for recommendation.

Miss Annie Lee Spires submitted to the Council the following proposal: that the City either grant her the right to build new riding stables at Zilker Park, to be reimbursed for the cost of same out of the gross receipts; or that the City build such stables and lease same to her at the rate of \$50 per month.

Councilman Bartholomew moved to postpone action on the matter for at least a week, in order that the City Council may have an opportunity to study the proposal, after definite estimates of the cost of same have been prepared by the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem Wolf; nays, none; Mayor Miller absent.

There being no further business, Councilman Alford moved to adjourn to March 1, at 10:00 A. M., at which time the proclamation calling the municipal election and a further hearing on the Electrical Ordinance would be taken up for consideration. The motion carried unanimously.

Approved Osward G. Wolf  
Mayor Pro Tem

Attest:

Walter McKeen  
City Clerk

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 1, 1939.

The City Council convened in regular session, at its regular meeting place in the Municipal Building, on Wednesday, March 1, 1939, at 10:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. E. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

A large delegation of citizens, representing various commercial organizations of the City, appeared before the Council and submitted a resolution asking for the enactment of (1) an Ordinance to prevent the Abuse of Charity; (2) an Ordinance regulating Solicitations for Advertisements and Subscriptions Within the City of Austin; and (3) an Ordinance regulating the Solicitation of Funds and the receiving of Contributions Over the Telephone Within the City of Austin, drafts of such Ordinances being attached thereto.

S. L. Apperson, General Chairman of the Committee; L. C. Schneider, President of Chamber of Commerce; F. W. Posey, President of Austin Wholesale Credit Men's Association; W. T. Johnson, President of Retail Grocers' Association; Joe Stanton, Secretary of Junior Chamber of Commerce; Joe S. Dunlap, Secretary of Austin Clearing House Association; Horace Barnhart, Secretary of Retail Merchants Association and Wholesale Credit Men's

Association; and F. W. Sternberg, individually, were among those present who spoke for the passage of this, or similar, legislation.

E. J. McClain and John B. Patterson, representing the American Legion Travis Post No. 76, objected to the proposed ordinances as written, particularly that provision requiring the issuance of permits by a committee instead of the Police Department. They stated, however, that they were in accord with the purpose of said ordinances.

Following the discussion, the matter was taken under advisement with the Legal Department for study.

The hearing on the proposed Electrical Ordinance, as continued, was opened.

A protest against the provision of the ordinance requiring photographs of elevator constructors was submitted by the Otis Elevator Company. After a discussion of the matter, it was the sense of the meeting that the protest be not sustained.

The amendment to the ordinance, granting the owner the right to do electrical work on premises owned by him, as requested by O. G. Hill, came up for discussion, There being no objections to same offered, the amendment was ordered included in the proposed ordinance.

No other persons appearing to be heard, the hearing was closed.

Councilman Wolf then moved that the Council rescind its action of February 9 by which the following captioned ordinance was introduced, read the first time, and laid over:

AN ORDINANCE PRESCRIBING REGULATORY MEASURES PERTAINING TO ELECTRICAL WORK IN THE CITY OF AUSTIN; CREATING AN ELECTRICAL BOARD AND PROVIDING FOR APPOINTMENT OF ITS MEMBERS, AND FIXING THE DUTIES AND POWERS OF SAID BOARD; PROVIDING FOR APPEALS FROM THE DECISIONS OF SAID BOARD; PROVIDING FOR THE ISSUANCE OF LICENSES TO MASTER ELECTRICIANS AND MAINTENANCE ELECTRICIANS, AND FOR THE REGISTRATION OF JOURNEYMAN ELECTRICIANS; PROVIDING FOR FEES, BONDS AND THE KEEPING OF RECORDS, AND FOR THE REVOCATION OF LICENSES AND CERTIFICATES; PROVIDING FOR ELECTRICAL INSPECTORS AND PRESCRIBING THE DUTIES AND POWERS OF SAID OFFICERS; PROVIDING FOR THE ISSUANCE OF PERMITS FOR ELECTRICAL WORK AND THE INSPECTION THEREOF, AND FIXING THE FEES FOR SUCH INSPECTIONS; PROMULGATING RULES AND REGULATIONS TO GOVERN ALL ELECTRICAL WIRING, CONSTRUCTION, INSTALLATION, ALTERATIONS, REPAIR, OPERATION AND MAINTENANCE OF ELECTRICAL WIRING APPARATUS AND FIXTURES; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SAVING CLAUSE; REPEALING CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

The motion was seconded by Councilman Gillis, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mayor Miller then laid before the Council the following ordinance:

AN ORDINANCE PRESCRIBING REGULATORY MEASURES PERTAINING TO ELECTRICAL WORK IN THE CITY OF AUSTIN; CREATING AN ELECTRICAL BOARD AND PROVIDING FOR APPOINTMENT OF ITS MEMBERS, AND FIXING THE DUTIES AND POWERS OF SAID BOARD; PROVIDING FOR APPEALS FROM THE DECISIONS OF SAID BOARD; PROVIDING FOR THE ISSUANCE OF LICENSES TO MASTER ELECTRICIANS, BUILDING OWNERS, SIGN MANUFACTURERS, MOTION PICTURE OPERATORS, REPAIR SERVICES, EQUIPMENT MANUFACTURERS, SPECIALIZED SERVICES AND MAINTENANCE ELECTRICIANS, AND FOR THE REGISTRATION OF JOURNEYMAN ELECTRICIANS; PROVIDING FOR FEES, BONDS AND THE KEEPING OF RECORDS, AND FOR THE REVOCATION OF LICENSES AND CERTIFICATES; PROVIDING FOR ELECTRICAL INSPECTORS AND PRESCRIBING THE DUTIES AND POWERS OF SAID OFFICERS; PROVIDING FOR THE ISSUANCE OF PERMITS FOR ELECTRICAL WORK AND THE INSPECTION THEREOF, AND FIXING THE FEES FOR SUCH INSPECTIONS; PROMULGATING RULES AND REGULATIONS TO GOVERN ALL ELECTRICAL WIRING, CONSTRUCTION, INSTALLATION, ALTERATIONS, REPAIR, OPERATION AND MAINTENANCE OF ELECTRICAL WIRING APPARATUS AND FIXTURES; REGULATING THE OPERATION OF MOTION PICTURE PROJECTORS AND MAINTENANCE OF MOTION PICTURE PROJECTION BOOTHS; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SAVING CLAUSE; REPEALING CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

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

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

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

The Mayor declared the ordinance finally passed.

Councilman Wolf introduced the following resolution:

WHEREAS, the Public Works Administration requires that all projects under its regulations be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket Texas-1852 said Department of Labor has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which are necessary to be used in the proposed work under Docket Texas-1852; therefore,

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

THAT the City Manager be and he is hereby authorized and directed to submit such additional schedule to the State Director of Public Works Administration, and provide all contractors and sub-contractors on said Docket Texas-1852 with notice that such scale of wages must be complied with.

Docket Texas-1852  
Incinerator  
City of Austin, Texas

SUPPLEMENTARY WAGE SCALE

	<u>Per Hour</u>	<u>Per Day</u>
Kettle Man	\$ .50	\$4.00
Mop Man	.50	4.00

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

Councilman Wolf introduced the following resolution:

WHEREAS, the Public Works Administration requires that all projects under its regulations be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket Texas-2072-F-4 said Department of Labor has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which are necessary to be used in the proposed work under Docket Texas-2072-F-4; therefore,

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

THAT the City Manager be and he is hereby authorized and directed to submit such additional schedule to the State Director of Public Works Administration, and provide all contractors and sub-contractors on said Docket Texas-2072-F-4 with notice that such scale of wages must be complied with.

Docket Texas-2072-F-4  
29th Street Bridge  
City of Austin, Texas  
March 1, 1939

SUPPLEMENTARY WAGE SCALE

	<u>Per Hour</u>	<u>Per Day</u>
Handy Man	\$ .60	\$4.80

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

Councilman Wolf introduced the following resolution:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works and the provisions of the City Charter of the City of Austin, proposals for bids for the installation of water line extensions for the City of Austin, under Docket Texas-1847-2-F-2, were received and opened December 14, 1938; and

WHEREAS, said contract was duly executed with Brown & Root, Inc., of Austin, Texas, on December 15, 1938, and approved by the Public Works Administration on December 22, 1938; and

WHEREAS, it was provided in this contract agreement that 180 calendar days were provided for; and

WHEREAS, the contractor complying with the requirements of the City of Austin started actual construction on this project on December 23, 1938, but due to the delay in securing materials for this work, 45 days expired before the work could be resumed; now, therefore,

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

THAT a forty-five (45) day extension of time for completion of the project be granted to Brown and Root, Inc., contractors on this work.

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

The following report of the Board of Adjustment was received:

"Austin, Texas  
February 27, 1939

Hon. Mayor and City Council  
Austin, Texas

Gentlemen:

Following is a copy of a resolution which was passed by the Board of Adjustment at a meeting on February 23, 1939.

#### R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of Mr. and Mrs. R. H. McCauley and other property owners requesting a change in the Use and Height and Area designation of all the property fronting on both sides of Avenue A, between 44th Street and 45th Street, Hyde Park, Austin, Texas, and extending back to an alley in rear of the property, from "A" Residence District and First Height and Area District to "B" Residence District and Second Height and Area District; and

WHEREAS, the Board of Adjustment held a hearing on this petition on February 23, 1939; and

WHEREAS, the petition was signed by a majority of the property owners owning the property described above; and

WHEREAS, at the public hearing no protests were presented against this petition; and

WHEREAS, the Zoning Maps of the City of Austin show that this property is situated one block east of Guadalupe Street and that the half block west of Avenue A behind the property herein considered is now zoned as a "C" Commercial District, and that all other property in this section is now zoned as "A" Residence District; and

WHEREAS, the portion of this property is now used for a Nursery, which by virtue of its extent, has acquired a commercial character; and

WHEREAS, the Board viewed the property and carefully considered the conditions surrounding the same, and otherwise considered the matter in the light of sound zoning principles; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is recommended to the City Council that this property be changed from an "A" Residence District and First Height and Area District to a "B" Residence District and Second Height and Area District for the following principal reasons:

1. That it is practically the unanimous desire of the property owners to change the classification of this property.

2. That the present development of this property is not of a Residence "A" character, nor best suited to such development, owing to the conditions existing on and around the property.

3. That the change to a "B" Residence District would provide a more gradual transition from the "C" Commercial District along Guadalupe Street to the "A" Residence District lying beyond and to the east of the same.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Signed) H. F. Kuehne  
Chairman.

Councilman Wolf moved that a public hearing on the proposal to change the zoning of the property recommended in the foregoing report of the Board of Adjustment be called for March 16, 1939, at 11:00 A. M. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford introduced 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 McDONALD AVENUE southerly 22 feet from a point 138 feet south of the south line of West 38th Street, the centerline of which gas main shall be 19 feet west of and parallel to the east line of said McDonald Avenue.

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

(2) A gas main in EAST 50½ Street from Rowena Street to Avenue F, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 50½ Street.

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

(3) A gas main in ROWENA STREET from East 50½ Street southerly 278 feet, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Rowena Street.

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

(4) A gas main in EAST 21ST STREET from Comal Street easterly 265 feet, the centerline of which gas main shall be 15 feet south of and parallel to the north line of said East 21st Street.

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

(5) A gas main in COMAL STREET southerly 175 feet from a point 130 feet north of the north line of East 23rd Street, the centerline of which gas main shall be 27 feet east of and parallel to the west line of said Comal Street.

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

(6) A gas main in WHITTIER STREET from Comal Street southerly approximately 25 feet, the centerline of which gas main shall be 13½ feet east of and parallel to the west line of said Whittier Street.

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

(7) A gas main in CLEARVIEW STREET westerly 58 feet from a point 200 feet west of San Marcos Street, the centerline of which gas main shall be 17 feet south of and parallel to the north line of said Clearview 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Bartholomew introduced the following resolution:

" Austin, Texas  
February 28, 1939.

Mr. Gulton Morgan  
City Manager  
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of M. H. Crockett, owner of property abutting the east side of South Congress Avenue at a location north of Riverside Drive, for permission to construct, maintain and operate a drive-in gasoline filling station and to build curbs, ramps, sidewalks and driveways in conjunction therewith at the above described location, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C-2" Commercial Use District upon the zoning maps of the City of Austin.

A filling station drain now exists on the east side of Congress Avenue adjacent to this location.

We recommend that M. H. Crockett be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith and to construct one additional commercial driveway across the east sidewalk area of South Congress Avenue south of and contiguous to this proposed filling station property, 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 and the additional commercial driveway shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station and driveways 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 the filling station improvements, pumps, driveways, ramps, gutters, sidewalks, curbs and the additional commercial driveway 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-628.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-628 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,

(Sgd) 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 abutting the east side of South Congress Avenue at a location north of Riverside Drive within the City of Austin, Travis County, Texas, which property is owned by M. H. Crockett, and hereby authorizes the said M. H. Crockett to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, sidewalks and an additional driveway 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 said M. H. Crockett has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

Councilman Alford introduced the following resolution:

WHEREAS, L. L. McCandless is the contractor for the alteration of a building located at 906-S Congress Avenue and desires a portion of the sidewalk and street space abutting Lots D and E, Block 110, of the Original City of Austin, Travis County, Texas, during the alteration 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 L. L. McCandless, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in an easterly direction and at right angles with the centerline of Congress Avenue to a point 12 feet east of the west curb line; thence in a northerly direction 46 feet and parallel with the centerline of Congress Avenue to a point; thence in a westerly direction and at right angles with the centerline of Congress Avenue to the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said

L. L. McCandless, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted the said L. L. McCandless a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his 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 this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(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 side of the barricades.

(5) 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.

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

(7) That provisions 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 water.

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

(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 sidewalks, barricades, materials, equipment and other obstructions shall be removed not later than April 1, 1939.

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

(11) 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.

(12) 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 the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.



(13) 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, 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, Moore Construction Company is the Contractor for the alteration of a building located at 2266-8-70 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lot 36, Outlot 35, within the City of Austin, Travis County, Texas, during the alteration 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 Moore Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Guadalupe Street 10 feet to a point; thence in a southerly direction parallel with the centerline of Guadalupe Street 50 feet to a point; thence in a westerly direction and at right angles with the centerline of Guadalupe Street to the southeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Moore Construction 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 north, east, and south boundaries 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 barricades.

(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 obstructions 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 and provide lighting system for all tunnels.

(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 15, 1939.

(6) 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.

(7) 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.

(8) 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 alteration work for said building, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9) 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, 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf introduced the following resolution:

WHEREAS, in Book 3, at page 10, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Camp Mabry Heights; and

WHEREAS, upon said map or plat there appears various streets, one of which streets being known as Harrison Street, and another being known as Madison Street; and

WHEREAS, said Harrison Street as shown upon the map or plat of Camp Mabry Heights is approximately in line with Oakmont Boulevard north of State Street and approximately in line with Oakmont Boulevard south of 30th Street; and

WHEREAS, the said Madison Street is approximately in line with that segment of Lawton Avenue north of State Street; and

WHEREAS, the said Camp Mabry Heights is not developed into residential area at this time; and

WHEREAS, Oakmont Boulevard will, in the future, very likely be continued from State Street in a southerly direction to a location south of 30th Street, thereby making one continuous roadway, different segments of which would bear different names; and

WHEREAS, much confusion is caused among public records and among delivery services in general by having different names for different portions of the same street; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin at this time to make changes in the names of the two streets of Camp Mabry Heights as described above in order to avoid further confusion in the streets; therefore

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

THAT the certain street shown upon the map or plat of Camp Mabry Heights as Harrison Street be known and designated hereafter as OAKMONT BOULEVARD; and

THAT the certain street shown upon the map or plat of Camp Mabry Heights as Madison Street be known and designated hereafter as LAWTON AVENUE.

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

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE ORDERING A GENERAL ELECTION FOR THE PURPOSE OF ELECTING FIVE COUNCILMEN OF THE CITY OF AUSTIN FOR A TERM OF TWO YEARS BEGINNING MAY 1, 1939, DESIGNATING THE POLLING PLACES IN THE VARIOUS WARDS, AND PROVIDING THE PROCLAMATION OF SAID ELECTION.

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

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

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

The Mayor declared the ordinance finally passed.

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against Helen Vaughan on the west 60 feet of Lots 4 and 5 (F), Block 4, Outlot 72, Division "E", Driskill and Rainey Subdivision, Plat 13, for the years 1931, 1932, 1933, 1934, 1935, 1936, and 1937; and

WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$4.61, and the accrued interest on said taxes amounts to \$21.92; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$4.61 and 1/2 of said interest in the sum of \$10.96, penalty and interest aggregating \$15.57; therefore,

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

THAT said penalty in the sum of \$4.61 and 1/2 of said interest in the sum of \$10.96 be and is hereby remitted, and the Tax Assessor is authorized and directed to charge said penalty and said interest, aggregating the sum of \$15.57, off his tax rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and one-half the interest.

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

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against Alvah Otting on Lots 15 and 16, Block 19-B, Statesman Addition to Hyde Park No. 1, Plat 79, in the City of Austin, Travis County, Texas, for the years 1934, 1935, 1936 and 1937; and

WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$10.22, and the accrued interest on said taxes amounts to \$29.51; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$10.22 and 1/2 of said interest in the sum of \$14.76; therefore

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

THAT said penalty in the sum of \$10.22 and 1/2 of said interest in the sum of \$14.76 be and is hereby remitted, and the Tax Collector is authorized and directed to charge said penalty and said interest, aggregating the sum of \$24.98, off his tax rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and one-half the interest.

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

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against K. H. Park, on the South 1 foot of Lot 5, all of Lot 6, and the N. 24 feet of Lot 7, Block 6, Sunset Heights, Plat 100, in the City of Austin, Travis County, Texas, for the years 1935, 1936 and 1937; and

WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$4.58, and the accrued interest on said taxes amounts to \$10.50; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$4.58 and 1/2 of said interest in the sum of \$5.25; therefore,

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

THAT said penalty in the sum of \$4.58 and 1/2 of said interest in the sum of \$5.25 be and is hereby remitted, and the Tax Assessor and Collector is authorized and directed to charge said penalty and said interest, aggregating the sum of \$9.83 off his rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and one-half the interest.

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

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against O. A. Copeland on Lots 10 and 11, in Block 5, Travis Heights Addition, Plat 131, in the City of Austin, Travis County, Texas, for the years 1934, 1935, 1936 and 1937; and

WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$9.22, and the accrued interest on said taxes amounts to \$26.62; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$9.22 and 1/2 of said interest in the sum of \$13.31, penalty and interest aggregating \$22.53; therefore,

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

THAT said penalty in the sum of \$9.22 and 1/2 of said interest in the sum of \$13.31, penalty and interest aggregating \$22.53, be and is hereby remitted, and the Tax Assessor and Collector is authorized and directed to charge said penalty and said interest off his tax rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and one-half the interest.

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

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against Floyd Rogers on Lot 6, Block 5, Outlot 41, 42, 53, Division "O", Riverview, Plat 18, in the City

of Austin, Travis County, Texas, for the years 1930, 1935 and 1937; and

WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$1.82, and the accrued interest on said taxes amounts to \$5.60; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$1.82 and 1/2 of said interest in the sum of \$2.80; therefore,

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

THAT said penalty in the sum of \$1.82 and 1/2 of said interest in the sum of \$2.80 be and is hereby remitted, and the Tax Assessor and Collector is authorized and directed to charge said penalty and interest, aggregating the sum of \$4.62, off his tax rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and one-half the interest.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of W. H. Bright for the years 1935, 1936 and 1937 on all of Lot 6 and the East one-half of Lot 7, Block 52, Travis Heights, Plat 134, in the City of Austin, Travis County, Texas; said taxes being for the sum of \$198.47, and for non-payment of said taxes at maturity, penalty in the sum of \$9.92 has been assessed, and interest in the sum of \$22.72 has accrued, making the total amount of taxes, penalty and interest, \$231.11; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$9.92 and 1/2 of the interest in the sum of \$11.36; therefore,

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

THAT the aforesaid penalty in the sum of \$9.92 and 1/2 of the interest in the sum of \$11.36 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty and 1/2 of said interest, aggregating \$21.28, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and 1/2 of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Junius Woods, for the years 1934, 1935 and 1937, on 50'x142½' out of Outlot 59, Division "B", in the City of Austin, Travis County, Texas; said taxes being in the sum of \$54.60, and for non-payment of said taxes at maturity, penalty in the sum of \$2.73 has been assessed, and interest in the sum of \$8.42 for non-payment of said taxes at maturity, making the total amount of taxes, penalty and interest \$65.75; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$2.73 and 1/2 of the interest in the sum of \$4.21; therefore,

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

THAT the aforesaid penalty in the sum of \$2.73 and 1/2 of the interest in the sum of \$4.21 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty of \$2.73 and 1/2 of said interest in the sum of \$4.21 off his rolls and to issue to the party entitled to receive

same a receipt in full on the payment of said taxes and one-half of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Lottie Dean for the years 1935, 1936 and 1937 on Lot 1, Block 16, Outlot 58, Division "B", Plat 36, in the City of Austin, Travis County, Texas; said taxes being in the sum of \$57.97, and for non-payment of said taxes at maturity, penalty in the sum of \$2.89 has been assessed and interest in the sum of \$6.66 for non-payment of said taxes at maturity, making the total amount of taxes, penalty and interest \$67.52; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$2.89, and 1/2 of the interest in the sum of \$3.33; therefore,

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

THAT the aforesaid penalty in the sum of \$2.89, and 1/2 of the interest in the sum of \$3.33 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty of \$2.89 and 1/2 of said interest in the sum of \$3.33 off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against Mrs. Sophie Sullivan on Lots 1, 2, 3 and 4, in Block 12, Fairview Park, Plat 126, in the City of Austin, Travis County, Texas, for the years 1931, 1933, 1934, 1935, 1936 and 1937, and on the north 46'x250-3/4' of Lot B, Block C, South Heights, Plat 117, in the City of Austin, for the years 1931, 1933, 1934, 1935, 1936, and 1937, and on personal property for the years 1933, 1935, 1936, and 1937; and

WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$30.20, and the accrued interest on said taxes amounts to \$132.56; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$30.20 and 1/2 of said interest in the sum of \$66.28; therefore,

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

THAT said penalty in the sum of \$30.20 and 1/2 of said interest in the sum of \$66.28 be and is hereby remitted, and the Tax Assessor and Collector is authorized and directed to charge said penalty and interest, aggregating the sum of \$96.48, off his tax rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and one-half the interest.

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

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against A. E. Davis in the sum of \$24.39 on personal property for the years 1930, 1931, 1932, 1934, 1936, and 1937; and



WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$1.21, and the accrued interest on said taxes amounts to \$7.01; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$1.21 and all except 1% of said interest in the sum of \$5.97; therefore,

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

THAT said penalty in the sum of \$1.21 and all except 1% of said interest in the sum of \$5.97 be and is hereby remitted, and the Tax Assessor and Collector is authorized and directed to charge said penalty and interest, aggregating the sum of \$7.18, off his tax rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and the balance of the interest.

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

The following resolution was introduced:

WHEREAS, taxes have been assessed by the City of Austin against Carl M. Mayer, et al., in the sum of \$5,753.75, on Lots 4 through 8, Block 21, Swisher Subdivision, for the years 1934 through 1937; on Lots 7 and 8, Block 22, Swisher Addition, for the years 1934 through 1937; on Lots 5 through 12, 15 & 16, Block 23, Highlands Subdivision, for the years 1934 through 1937; and on Lot 4, Block 43, of the Original City of Austin, Travis County, Texas, for the years 1933 through 1937; and on personal property consisting of automobiles for the years 1934 through 1937; and

WHEREAS, said taxes were not paid at maturity and a penalty was assessed for non-payment of same in the sum of \$287.78; and the accrued interest on said taxes amounts to \$1403.18; and

WHEREAS, the City Council deems it advisable to remit said penalty in the sum of \$287.78; therefore,

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

THAT said penalty in the sum of \$287.78 be and is hereby remitted, and the Tax Assessor and Collector is authorized and directed to charge said penalty off his tax rolls, and to issue to the party entitled to receive same a receipt in full on the payment to him of the taxes and the interest.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Moses Jones on Lot 4, Block 1, Outlot 26, 27 and 28, Division "D", Carrington Subdivision, Plat 47, for the years 1929-1937, inclusive, and on personal property for the years 1929-1935, inclusive, and 1937, all of said property being in the City of Austin, Travis County, Texas; said taxes being in the sum of \$770.18, and for non-payment of same at maturity, penalty in the sum of \$38.51 has been assessed, and interest in the sum of \$217.20 for non-payment of said taxes at maturity, making the total amount of taxes, penalty and interest, \$1,025.89; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$38.51, and a portion of the interest in the sum of \$187.38; therefore,

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

THAT the aforesaid penalty in the sum of \$38.51, and a portion of the interest in the sum of \$187.38 is hereby remitted, and the Tax Assessor and Collector of the

City of Austin is authorized and directed to charge said penalty of \$38.51 and a portion of said interest in the sum of \$167.38 off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and a portion of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Mrs. M. V. Bond for the years 1934-1937, inclusive, on Lot 4, Block 2, Outlot 69, Division "D", in the City of Austin, Travis County, Texas; said taxes being in the sum of \$242.61, and for non-payment of said taxes at maturity, penalty in the sum of \$12.13 has been assessed, and interest in the sum of \$32.79 for non-payment of said taxes at maturity making the total amount of taxes, penalty and interest, \$287.73; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$12.13, and 1/2 of the interest in the sum of \$16.40; therefore,

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

THAT the aforesaid penalty in the sum of \$12.13 and one-half of the interest in the sum of \$16.40 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty of \$12.13 and 1/2 of said interest in the sum of \$16.40 off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half of the interest, as aforesaid.

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

Upon motion, seconded and carried, the meeting was recessed at 11:30 A. M., subject to call of the Mayor.

Approved:

Tom Miller  
Mayor

Attest:

Valerie McKeen  
City Clerk